

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

THIRTIETH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, May 19, 1999

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

ROLL CALL

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

PRESENT

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

ABSENT

Total—0

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

Prayer

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

Reading of the Journal

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

Morning Hour

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 19, 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. 127—
BY SENATOR HINES

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

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 128—
BY SENATOR ROBICHAUX

A CONCURRENT RESOLUTION
To offer the condolences of the Louisiana Legislature on behalf of its members, present and past, and on behalf of the citizens of the state to the family of John Minor Wisdom, a native New Orleanian and a stalwart, courageous, and dedicated federal court of appeals judge.

Reported without amendments.

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

**Privilege Report of the
Legislative Bureau**

May 19, 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. 294—
BY REPRESENTATIVE WILKERSON
AN ACT

To amend and reenact R.S. 47:1925.1 and 1925.2(A)(1), to create an assessment district in Claiborne Parish to fund the office of the assessor; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 390—
BY REPRESENTATIVE ALEXANDER
AN ACT

To amend and reenact R.S. 47:1908(A)(25) and (C)(1), to increase the expense allowance of the assessor of Jackson Parish; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 391—
BY REPRESENTATIVE ALEXANDER
AN ACT

To amend and reenact R.S. 47:1925.1 and 1925.2(A)(1), to create an assessment district in Jackson Parish to fund the office of the assessor; and to provide for related matters.

Reported without amendments.

May 19, 1999

HOUSE BILL NO. 413—

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

AN ACT

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

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 413 by Representative Montgomery

AMENDMENT NO. 1

In Conforming Amendments proposed by Senator Greene to Reengrossed House Bill No. 413 by Representative Montgomery and adopted by the Senate on May 18, 1999, in Amendment No. 1, on line 3, following the open quotation mark "and before (d)" change ", " to "and"

AMENDMENT NO. 2

In Conforming Amendments proposed by Senator Greene to Reengrossed House Bill No. 413 by Representative Montgomery and adopted by the Senate on May 18, 1999, in Amendment No. 4, on line 10, following "insert" and before "(d)", change the comma ", " to "and"

HOUSE BILL NO. 564—

BY REPRESENTATIVE SALTER

AN ACT

To enact R.S. 47:302.45, 322.39, and 332.45, all relative to the proceeds derived from sales and use taxes on hotel occupancy in Red River Parish; to create the Red River Visitor Enterprise Fund; to provide for deposit of monies into the fund and for the use of such monies; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 599—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 47:1907(D)(1), (F)(1)(b) and (c), and (G)(1) and (2), relative to assessors; to provide an alternative educational option for recertification requirements; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 625—

BY REPRESENTATIVE WILKERSON

AN ACT

To amend and reenact R.S. 47:1908(A)(14) and (C)(1), to increase the expense allowance of the assessor of Claiborne Parish; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 672—

BY REPRESENTATIVE WESTON

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 707—

BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 47:1907(A)(3), relative to assessors; to provide for participation by assessors in deferred compensation plans; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 765—

BY REPRESENTATIVE FONTENOT

AN ACT

To amend and reenact R.S. 47:302.41(B), 322.21, and 332.36, relative to state funds; to rename the Livingston Parish Tourism Improvement Fund; to provide for disposition and uses of monies in the fund; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1332—

BY REPRESENTATIVES LEBLANC AND THOMPSON

AN ACT

To amend and reenact R.S. 47:322.28(B)(2), relative to the distribution of the proceeds of a portion of the state sales tax on hotel occupancy in Lafayette Parish; to provide for allocation of certain monies in the Lafayette Parish Visitor Enterprise Fund; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2039—

BY REPRESENTATIVE WINSTON

AN ACT

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

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.

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 19, 2000

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. 1411—

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

AN ACT

To amend and reenact R.S. 36:401(C)(1) and 405(A)(1)(b) and to enact R.S. 36:408(E), relative to public safety services of the Department of Public Safety and Corrections; to establish the office of legal affairs within the department; to provide for the functions of office; to provide for qualifications of the assistant secretary; and to provide for related matters.

HOUSE BILL NO. 1505—

BY REPRESENTATIVES NEVERS AND POWELL AND SENATOR THOMAS

AN ACT

To enact R.S. 33:2711.15, relative to municipal sales and use taxes; to authorize the governing body of the city of Bogalusa to levy and collect an additional sales and use tax, subject to voter approval; and to provide for related matters.

HOUSE BILL NO. 2053—

BY REPRESENTATIVES DUPRE, DOWNER, AND GAUTREUX

AN ACT

To enact R.S. 13:1909, relative to city courts; to authorize courts to establish a judicial building fund; to provide for a service charge on civil filings; to provide for a service charge in criminal matters; to specify uses of the special account; to specify control over the special account; to require approval by local ordinance; and to provide for related matters.

HOUSE BILL NO. 36—

BY REPRESENTATIVES HUDSON AND JOHNS

AN ACT

To amend and reenact R.S. 32:388(A), (E), and (F)(1), relative to oversize and overweight vehicles; to provide for penalties for failure to stop at stationary weight enforcement scales; to provide for certain exceptions; to provide relative to the disbursement of payments for various penalties; and to provide for related matters.

HOUSE BILL NO. 144—

BY REPRESENTATIVES DANIEL, DOERGE, FARVE, POWELL, SCHNEIDER, WINDHORST, BAUDOIN, WALSWORTH, AND WILKERSON

AN ACT

To enact Chapter 8-F of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:844.1 through 844.3, relative to telephone solicitation; to require telephone solicitors to possess identification codes; to prohibit telephone solicitors from using caller identification blocks; to provide for penalties for violations; and to provide for related matters.

HOUSE BILL NO. 746—

BY REPRESENTATIVES HEBERT AND MORRELL

AN ACT

To enact R.S. 37:1514(10) and 1559, relative to equine dentists; to allow persons to apply for equine dentistry permits; to provide for certain exceptions to activities performed by licensed veterinarians; to provide relative to procedures; to provide relative to rules and regulations; and to provide for related matters.

HOUSE BILL NO. 1456—

BY REPRESENTATIVE MICHOT

AN ACT

To amend and reenact R.S. 23:213, relative to the meal period for minor employees; to provide a fifteen-minute variance; and to provide for related matters.

HOUSE BILL NO. 2115—

BY REPRESENTATIVES DONELON AND MURRAY

AN ACT

To amend and reenact R.S. 23:1168(A)(3)(introductory paragraph) and (D), and to enact R.S. 23:1168(A)(3)(c) and (d), relative to workers' compensation; to provide for means of securing compensation to employees; to provide for rules; and to provide for related matters.

HOUSE BILL NO. 122—

BY REPRESENTATIVE MARIONNEAUX

AN ACT

To amend and reenact R.S. 34:2453(B), relative to the Pointe Coupee Port, Harbor and Terminal District; to provide for the number of meetings of the board of commissioners; and to provide for related matters.

HOUSE BILL NO. 2253 (Duplicate of Senate Bill No. 1055)—

BY REPRESENTATIVE FLAVIN AND SENATOR SIRACUSA AND COAUTHORED BY REPRESENTATIVES, STELLY, JOHNS, AND THOMPSON

AN ACT

To amend and reenact R.S. 11:242(B) and (E)(introductory paragraph), 542(C), and 883.1(C), to enact R.S. 11:542(D) and (E) and R.S. 11:883.1(D) and (E), and to repeal R.S. 11:243 through 245, 247, 491, and 769 through 777, relative to all state and statewide public retirement systems; to provide with respect to cost-of-living adjustments; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 147—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 13:2611(B) and to enact R.S. 13:2611(C) and (D) and 2616, relative to justice of the peace courts in St. John the Baptist Parish; to provide for limited parishwide territorial jurisdiction; to provide for continued effectiveness of existing districts; to provide for limited parishwide territorial jurisdiction for justice of the peace courts in St. James Parish; and to provide for related matters.

HOUSE BILL NO. 913—

BY REPRESENTATIVE TOOMY

AN ACT

To enact Code of Criminal Procedure Article 761.1, relative to rights of crime victims and witnesses; to authorize a family member of a homicide victim to possess a picture in the courtroom; and to provide for related matters.

HOUSE BILL NO. 2035—

BY REPRESENTATIVES WINDHORST AND LANDRIEU

AN ACT

To amend and reenact R.S. 15:150(C)(1) and 151.2(E) and to enact R.S. 15:149.1, 151.5, and 151.6, relative to legal representation of indigent defendants; to provide for such representation in certain cases; to provide for powers of the Indigent Defense Assistance Board; to provide for method of appointment of counsel; to provide for applicable time periods; and to provide for related matters.

HOUSE BILL NO. 2056—

BY REPRESENTATIVE WINSTON

AN ACT

To enact R.S. 37:1285.3 and Part II-B of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:678, relative to the practice of medicine; to authorize the use of chelating agents and chelation therapy by physicians; to provide

for the nullity of rules and regulations in conflict with this grant of authority; 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. 36—
BY REPRESENTATIVES HUDSON AND JOHNS
AN ACT

To amend and reenact R.S. 32:388(A), (E), and (F)(1), relative to oversize and overweight vehicles; to provide for penalties for failure to stop at stationary weight enforcement scales; to provide for certain exceptions; to provide relative to the disbursement of payments for various penalties; and to provide for related matters.

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

HOUSE BILL NO. 122—
BY REPRESENTATIVE MARIONNEAUX
AN ACT

To amend and reenact R.S. 34:2453(B), relative to the Pointe Coupee Port, Harbor and Terminal District; to provide for the number of meetings of the board of commissioners; and to provide for related matters.

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

HOUSE BILL NO. 144—
BY REPRESENTATIVES DANIEL, DOERGE, FARVE, POWELL, SCHNEIDER, WINDHORST, BAUDOIN, WALSWORTH, AND WILKERSON
AN ACT

To enact Chapter 8-F of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:844.1 through 844.3, relative to telephone solicitation; to require telephone solicitors to possess identification codes; to prohibit telephone solicitors from using caller identification blocks; to provide for penalties for violations; 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. 147—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 13:2611(B) and to enact R.S. 13:2611(C) and (D) and 2616, relative to justice of the peace courts in St. John the Baptist Parish; to provide for limited parishwide territorial jurisdiction; to provide for continued effectiveness of existing districts; to provide for limited parishwide territorial jurisdiction for justice of the peace courts in St. James Parish; 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. 746—
BY REPRESENTATIVES HEBERT AND MORRELL
AN ACT

To enact R.S. 37:1514(10) and 1559, relative to equine dentists; to allow persons to apply for equine dentistry permits; to provide for certain exceptions to activities performed by licensed veterinarians;

to provide relative to procedures; to provide relative to rules and regulations; and to provide for related matters.

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

HOUSE BILL NO. 913—
BY REPRESENTATIVE TOOMY
AN ACT

To enact Code of Criminal Procedure Article 761.1, relative to rights of crime victims and witnesses; to authorize a family member of a homicide victim to possess a picture in the courtroom; and to provide for related matters.

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

HOUSE BILL NO. 1411—
BY REPRESENTATIVES PIERRE, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

To amend and reenact R.S. 36:401(C)(1) and 405(A)(1)(b) and to enact R.S. 36:408(E), relative to public safety services of the Department of Public Safety and Corrections; to establish the office of legal affairs within the department; to provide for the functions of office; to provide for qualifications of the assistant secretary; 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. 1456—
BY REPRESENTATIVE MICHOT
AN ACT

To amend and reenact R.S. 23:213, relative to the meal period for minor employees; to provide a fifteen-minute variance; and to provide for related matters.

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

HOUSE BILL NO. 1505—
BY REPRESENTATIVES NEVERS AND POWELL AND SENATOR THOMAS
AN ACT

To enact R.S. 33:2711.15, relative to municipal sales and use taxes; to authorize the governing body of the city of Bogalusa to levy and collect an additional sales and use tax, subject to voter approval; and to provide for related matters.

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

HOUSE BILL NO. 2035—
BY REPRESENTATIVES WINDHORST AND LANDRIEU
AN ACT

To amend and reenact R.S. 15:150(C)(1) and 151.2(E) and to enact R.S. 15:149.1, 151.5, and 151.6, relative to legal representation of indigent defendants; to provide for such representation in certain cases; to provide for powers of the Indigent Defense Assistance Board; to provide for method of appointment of counsel; to provide for applicable time periods; 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. 2053—
BY REPRESENTATIVES DUPRE, DOWNER, AND GAUTREAUX
AN ACT

To enact R.S. 13:1909, relative to city courts; to authorize courts to establish a judicial building fund; to provide for a service charge on civil filings; to provide for a service charge in criminal matters; to

specify uses of the special account; to specify control over the special account; to require approval by local ordinance; 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. 2056— BY REPRESENTATIVE WINSTON AN ACT

To enact R.S. 37:1285.3 and Part II-B of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:678, relative to the practice of medicine; to authorize the use of chelating agents and chelation therapy by physicians; to provide for the nullity of rules and regulations in conflict with this grant of authority; 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. 2115— BY REPRESENTATIVES DONELON AND MURRAY AN ACT

To amend and reenact R.S. 23:1168(A)(3)(introductory paragraph) and (D), and to enact R.S. 23:1168(A)(3)(c) and (d), relative to workers' compensation; to provide for means of securing compensation to employees; to provide for rules; and to provide for related matters.

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

HOUSE BILL NO. 2253 (Duplicate of Senate Bill No. 1055)— BY REPRESENTATIVE FLAVIN AND SENATOR SIRACUSA AND COAUTHORED BY REPRESENTATIVES, STELLY, JOHNS, AND THOMPSON AN ACT

To amend and reenact R.S. 11:242(B) and (E)(introductory paragraph), 542(C), and 883.1(C), to enact R.S. 11:542(D) and (E) and R.S. 11:883.1(D) and (E), and to repeal R.S. 11:243 through 245, 247, 491, and 769 through 777, relative to all state and statewide public retirement systems; to provide with respect to cost-of-living adjustments; to provide 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 Retirement.

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 19, 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. 219— BY REPRESENTATIVE CLARKSON A CONCURRENT RESOLUTION

To commend the 1999 Jesuit High School soccer team on being the undefeated state champion in the highest division of soccer competition.

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

Senator Barham in the Chair

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. 219— BY REPRESENTATIVE CLARKSON A CONCURRENT RESOLUTION

To commend the 1999 Jesuit High School soccer team on being the undefeated state champion in the highest division of soccer competition.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Dyess, Lambert; Bajoie, Ellington, Landry; Barham, Fields C, Lentini; Bean, Greene, Malone; Branch, Heitmeier, Robichaux; Campbell, Hines, Schedler; Casanova, Hollis, Siracusa; Cox, Irons, Smith; Cravins, Johnson, Theunissen; Dardenne, Jones, Thomas; Dean, Jordan, Ullo; Total—33

NAYS

Total—0

ABSENT

Table with 3 columns: Boissiere, Fields W, Romero; Cain, Hainkel, Tarver; Total—6

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 129— BY SENATORS COX, CAIN AND THEUNISSEN AND REPRESENTATIVES GULLORY, FLAVIN, JOHNS, MOORISH AND STELLY A CONCURRENT RESOLUTION

To recognize and commend the members, coaches, and staff of the Lake Charles-Boston Lady Cougars Outdoor Track and Field Team on winning the Class 3A state meet.

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

May 19, 1999

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|------------|
| Mr. President | Dean | Jones |
| Bajoie | Dyess | Jordan |
| Barham | Ellington | Landry |
| Bean | Fields C | Lentini |
| Branch | Fields W | Malone |
| Cain | Heitmeier | Robichaux |
| Campbell | Hines | Schedler |
| Cox | Hollis | Smith |
| Cravins | Irons | Theunissen |
| Dardenne | Johnson | Ullo |
| Total—30 | | |

NAYS

Total—0

ABSENT

| | | |
|-----------|---------|----------|
| Boissiere | Hainkel | Siracusa |
| Casanova | Lambert | Tarver |
| Greene | Romero | Thomas |
| Total—9 | | |

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

House Bills and Joint Resolutions on Second Reading Subject to Call

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

Called from the Calendar

Senator Hainkel asked that House Bill No. 2047 be called from the Calendar at this time.

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.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Hainkel to Engrossed House Bill No. 2047 by Representative Bruneau (Duplicate of Senate Bill No. 635 by Senator Hainkel)

AMENDMENT NO. 1 On page 1, line 4, after "than" delete the remainder of the line and delete line 5 in its entirety and insert in lieu thereof the following:

"the per diem paid to members of the legislature; to provide for reimbursement for vouchered actual expenses; and to provide for"

AMENDMENT NO. 2

On page 2, delete lines 16 and 17 in their entirety and insert in lieu thereof the following:

"no greater than the per diem paid to members of the state legislature and be reimbursed for vouchered actual expenses incurred in the performance of their duties as trustees."

On motion of Senator Hainkel, the amendments were adopted.

Under the provisions of Joint Rule No. 5, the amended bill, which is a duplicate of Senate Bill No. 635, was read by title and referred to the Legislative Bureau.

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. 36— BY SENATOR HAINKEL AN ACT

To amend and reenact R.S. 15:832.1(A), relative to the Department of Public Safety and Corrections; to provide with respect to work by inmates; to provide for the calculation of certain costs in connection with certain construction projects involving the work of inmates; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 36 by Senator Hainkel

AMENDMENT NO. 1 On page 1, line 4, after "for" delete the remainder of the line and on line 5, delete "inmates" and insert "the calculation of certain costs in connection with certain construction projects involving the work of inmates"

AMENDMENT NO. 2 On page 1, line 9, after "renovation," insert "custodial,"

AMENDMENT NO. 3 On page 1, line 11, after "A." insert "(1)"

AMENDMENT NO. 4 On page 1, line 16, after "particular" delete the remainder of the line and on page 2, delete lines 1 through 3, and insert the following:

"capital construction project on the grounds of the facility, when the estimated cost of the project or work, exclusive of labor costs, does not exceed two hundred thousand dollars for any new construction, or when the project involves renovation, maintenance, repair, or remodeling work on the grounds of the facility. Additionally the governor may authorize by executive order the use of inmates to perform custodial services on state grounds and buildings. For purposes of this Section, "penal or correctional facility" shall mean any location at which inmates are housed on a permanent basis.

(2) In calculating the estimated cost of the project or work, as provided in Paragraph (1) of this Subsection, monies or materials donated to the facility or for the project shall not be included in such cost."

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

SENATE BILL NO. 577—
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 32:415.1(C), relative to drivers' licenses; to provide relative to the issuance of hardship licenses; and to provide for related matters.

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

SENATE BILL NO. 597—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 9:2797 and Civil Code Art.2322.1, and to enact R.S. 9:5628.1, relative to the prescriptive and peremptive periods for liability from the use of blood and tissue; to provide for a prescriptive period of one year and a peremptive period of three years from the date of the cause of action, act, omission, or neglect; to provide for the effectiveness of such provisions; to provide for definitions; to provide relative to the burden of proof; to provide for the date actions must be filed; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 597 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 6, after "provide" delete the remainder of the line and delete line 7, and insert "for the effectiveness of such provisions; to provide for definitions; to"

AMENDMENT NO. 2

On page 2, line 24, after "2322.1" delete the remainder of the line and insert ", R.S. 40:1299.39 and R.S. 40:1299.41"

AMENDMENT NO. 3

On page 3, line 27, delete "Articles." and insert "Article"

AMENDMENT NO. 4

On page 4, line 7, after "2322.1" delete the remainder of the line and insert ", R.S. 40:1299.39 and R.S. 40:1299.41"

AMENDMENT NO. 5

On page 5, line 2, delete "alleged cause of action or other"

AMENDMENT NO. 6

On page 5, line 9, after "2000" delete the remainder of the line and delete line 10 and insert: ". The three year period of "

On motion of Senator Ullo, the committee amendment was adopted. The amended bill, which was designated a duplicate of House Bill No. 679, was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 617—
BY SENATOR SIRACUSA

AN ACT

To amend and reenact R.S. 33:4861.26(E) and (F), relative to the Charitable Raffles, Bingo and Keno Licensing Law; to provide relative to the number of progressive bingo games which may be played; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 617 by Senator Siracusa

AMENDMENT NO. 1

On page 1, line 12, delete "blackout"

AMENDMENT NO. 2

On page 1, line 13 and 14, change "in effect on August 15, 1995, and" to "~~in effect on August 15, 1995, and~~"

AMENDMENT NO. 3

On page 2, line 21, after "may" insert ";

AMENDMENT NO. 4

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

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

SENATE BILL NO. 760—
BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 13:3881(A)(1)(a) and R.S. 20:1(A), and to enact R.S. 13:3881(A)(1)(c), relative to seizures; to increase the amount of disposable income exempt from seizures; to increase the amount of the homestead exemption and to extend the homestead exemption to mobile homes; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 760 by Senator Irons

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 13:3881(A)(1)(a)" delete the remainder of the line and delete lines 3 through 16 and insert the following:

"and R.S. 20:1(A), and to enact R.S. 13:3881(A)(1)(c), relative to seizures; to increase the amount of disposable income exempt from seizures; to increase the amount of the homestead exemption and to extend the homestead exemption to mobile homes; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 13:3881(A)(1)(a) is hereby amended and reenacted and R.S. 13:3881(A)(1)(c) is hereby enacted to read"

AMENDMENT NO. 2

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

"(c) An additional fifty dollars for any week, or multiple or fraction thereof, according to whether the employee's pay period is greater than or less than one week, for each child living at home with the debtor and who is reported as, and qualifies as, an eligible dependent on the debtor's federal income tax return."

AMENDMENT NO. 3

On page 3, delete lines 1 through 26

AMENDMENT NO. 4

On page 4, delete lines 1 and 2 and insert:

"Section 2. R.S. 20:1(A) is hereby amended and reenacted to read as follows:"

AMENDMENT NO. 5

May 19, 1999

On page 4, delete line 27

AMENDMENT NO. 6

On page 5, delete lines 1 through 6

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

SENATE BILL NO. 822—

BY SENATORS EWING AND HOLLIS

AN ACT

To enact R.S. 27:271, relative to casino gaming operations; to provide relative to the distribution of casino revenue; to provide for credit for certain payments, and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 822 by Senator Ewing

AMENDMENT NO. 1

On page 1, delete lines 2 through 6 and insert "To enact R.S. 27:271, relative to casino gaming operations; to provide relative to the distribution of casino revenue; to provide for credit for certain payments, and to provide for related matters."

AMENDMENT NO. 2

On page 1, deletes lines 8 through 11 and insert "Section 1. R.S. 27:271 is hereby enacted to read as follows:

AMENDMENT NO. 3

On page 1, delete line 12 and insert "§271. Payment by casino operator; credit"

AMENDMENT NO. 4

On page 1, line 13, change "**39:2001**" to "**27:271**"

AMENDMENT NO. 5

On page 1, delete lines 14 through 16, and on page 2 delete lines 1 through 18, and insert the following:

"A. The casino operator shall be given credit towards satisfaction of the minimum payment obligation for any payment made to the city of New Orleans by or on behalf of the casino operator for the purpose of satisfying the financial obligation incurred by the Gaming Control Board to the city of New Orleans under a casino support services contract entered into between the Gaming Control Board and the city of New Orleans, which obligation is subject to legislative approval as provided in R.S. 27:247.

B. The casino operator shall be given credit toward satisfaction of the minimum payment obligation for any payment made by or on behalf of the casino operator to the state treasury for deposit in the Compulsive and Problem Gaming Fund, as provided in R.S. 28:842, for the purpose of satisfying the statutory requirement under R.S. 27: 270 A(2) that the Gaming Control Board make such payments.

C. As used in this Section, the following terms have the following meaning:

(1) "Casino operator" means the casino operator as defined in R.S. 27:205(5) and in Section 2.23 of the casino operating contract.

(2) "Casino operating contract" means the casino operating contract as defined in R.S. 27:205(6) and as provided for in Part VI of Chapter 5 of the Louisiana Gaming Control Law, R.S. 27:240 et seq., and in Section 2.22 of the amended and renegotiated casino operating contract entered into among the state of Louisiana by and through the Louisiana Gaming Control Board, Harrah's Jazz Company and Jazz Casino Company, L.L.C., effective as of October 30, 1998.

(3) "Minimum payment" means the minimum compensation to be paid by the casino operator as provided in R.S. 27:241(C) and in the casino operating contract.

D. Nothing in this Section shall alter the payment obligation or any other provisions of the casino operating contract. The Louisiana Gaming Control Board may direct that all or portions of the daily payments, as defined in Section 2.43 of the casino operating contract, be paid to satisfy the obligations identified in Subsections A and B of this Section. The Louisiana Gaming Control Board and the Jazz Casino Company, L.L.C., may amend the casino operating contract to implement this Section."

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

SENATE BILL NO. 844—

BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 30:2025(E)(1)(a), relative to penalties for dumping harmful substances; to increase the penalties for discharging, emitting, or disposing of harmful substances in violation of environmental law, regulation, permit, or license; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Original Senate Bill No. 844 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 30:2025(F)(1)(a)" to "R.S. 30:2025(E)(1)(a)" and between "relative to" and "penalties" delete "criminal"

AMENDMENT NO. 2

On page 1, line 8, change "R.S. 30:2025(F)(1)(a)" to "R.S. 30:2025(E)(1)(a)"

AMENDMENT NO. 3

On page 1, delete lines 12 through 16 in their entirety and insert in lieu thereof the following:

"E. Civil penalties.

(1)(a) Any person found to be in violation of any requirement of this Subtitle may be liable for a civil penalty, to be assessed by the secretary, an assistant secretary, or the court, of not more than the cost to the state of any response action made necessary by such violation which is not voluntarily paid by the violator, and a penalty of not more than ~~twenty-five thousand~~ **twenty-seven thousand five hundred** dollars for each day of violation. However, when any such violation is done intentionally, willfully, or knowingly, or results in a discharge or disposal which causes irreparable or severe damage to the environment or if the substance discharge is one which endangers human life or health, such person may be liable for an additional penalty of not more than one million dollars.

* * *

AMENDMENT NO. 4

On page 2, delete lines 1 through 11

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

**Senate Bills and Joint Resolutions
Reported by Committees, Subject to Call**

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

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 by the Committee on Transportation, Highways, and Public Works. On motion of Senator Jones, the bill was read by title, 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. 20—
BY REPRESENTATIVES ANSARDI, BRUCE, AND FRITH
AN ACT

To amend and reenact R.S. 14:34.5(A)(3), relative to the crime of battery of a correctional facility employee; to clarify that certain acts must be committed by an offender; and to provide for related matters.

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

HOUSE BILL NO. 102—
BY REPRESENTATIVE CHAISSON
AN ACT

To amend and reenact R.S. 15:145(E), relative to the indigent defender boards for certain parishes; to provide that board members may be paid per diem for attendance at board meetings; and to provide for related matters.

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

HOUSE BILL NO. 108—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 33:4861.26(E), relative to the Charitable Raffles, Bingo and Keno Licensing Law; to provide for a second progressive bingo game; to provide restrictions; and to provide for related matters.

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

HOUSE BILL NO. 109—
BY REPRESENTATIVES WINDHORST, BRUNEAU, DUPRE, ROMERO, FRITH, AND MURRAY
AN ACT

To enact R.S. 15:301.1, relative to sentencing; to provide with respect to criminal sentences without benefit of probation, parole, or suspension of sentence; to provide time limitations for amending sentences; to provide for amendment of criminal sentences not in conformity with criminal statutes upon the court's own motion or motion of the district attorney; and to provide for related matters.

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

HOUSE BILL NO. 110—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact Code of Civil Procedure Art. 10(A)(1) and Children's Code Arts. 1109, 1117, and 1122(F)(4) and (5)[Mother's and Father's Surrender Form] and to enact Children's Code Art. 1122(B)(9), relative to adoption proceedings; to provide relative to jurisdiction over status, domiciliary requirements, and the authority to accept a surrender in Louisiana adoption proceedings; to require that the child be born in this state or a surrendering parent or a prospective adoptive parent is domiciled in this state or the child is in the custody of the Department of Social Services; to require a declaration in the act of surrender that a surrendering parent or a prospective adoptive parent is domiciled in this state; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 110 by Representative Fauchoux

AMENDMENT NO. 1
On page 2, lines 6, 15 and 23, after "state" insert ", if the child is born in Louisiana,"

AMENDMENT NO. 2
On page 3, line 7, after "state" insert ", if the child is born in Louisiana,"

AMENDMENT NO. 3
On page 3, line 21, after "state" insert ", on behalf of a child born in Louisiana,"

AMENDMENT NO. 4
On page 4, lines 1 and 18, after "state" insert ", if the child is born in Louisiana,"

AMENDMENT NO. 5
On page 4, line 12, after "state" insert ", on behalf of a child born in Louisiana,"

On motion of Senator Ullo, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 129—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 33:4861.12(A)(1) and (2)(b) and (B), relative to the Charitable Raffles, Bingo and Keno Licensing Law; to provide that bingo callers may be employees of charitable gaming licensees; to provide that members of other licensed charities may participate in conducting of bingo games; to provide with respect to managerial positions in charitable gaming organizations; and to provide for related matters.

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

HOUSE BILL NO. 164—
BY REPRESENTATIVES JACK SMITH AND GAUTREAUX
AN ACT

To amend and reenact R.S. 15:542(B)(2)(a), relative to publication of notice by sex offenders; to provide for inclusion of the offender's photograph; and to provide for related matters.

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

HOUSE BILL NO. 196—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 40:1485.10, relative to regulation of charitable gaming; to provide for de novo review of charitable gaming decisions; to provide for venue in certain actions; and to provide for related matters.

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

HOUSE BILL NO. 197—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 40:1485.8(B), relative to charitable gaming; to provide for commercial lease of premises for two-hour sessions; and to provide for related matters.

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

HOUSE BILL NO. 228—
BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 16:51(A)(2), (3), (4), (5), (14), (17), (19), (20), (21), (22), (23), (28), (29), (32), and (33), relative to assistant district attorneys; to provide for additional assistant district attorneys for certain judicial districts; and to provide for related matters.

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

HOUSE BILL NO. 284—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 40:1485.4(10), relative to the functions and duties of the division of charitable gaming control in the office of state police of the Department of Public Safety and Corrections; to provide with regard to rulemaking procedures of the division of charitable gaming control; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 284 by Representative Windhorst

AMENDMENT NO. 1

On page 2, line 1, after "with" delete the remainder of the line and delete line 2, and insert "Subparagraph (b) of this Paragraph."

AMENDMENT NO. 2

On page 2, line 7, after "the" delete the remainder of the line and delete lines 8 and 9 in their entirety and insert in lieu thereof

"House Committee on the Administration of Criminal Justice and the Senate Committee on the Judiciary, Section B."

On motion of Senator Ellington, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 298—
BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 13:967(I), relative to the Twenty-fourth Judicial District Court; to increase certain filing fees in civil cases; and to provide for related matters.

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

HOUSE BILL NO. 299—
BY REPRESENTATIVE TOOMY
AN ACT

To enact R.S. 13:1000.2, relative to the Twenty-fourth Judicial District Court; to authorize the court to collect a fee on suits brought by the district attorney on worthless checks; to set the amount of the fee; and to provide for related matters.

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

HOUSE BILL NO. 313—
BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 33:1432.1(A)(1), relative to the qualifications of deputy sheriffs for employment; to delete the residency requirement for deputy sheriffs; and to provide for related matters.

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

HOUSE BILL NO. 317—
BY REPRESENTATIVE GREEN
AN ACT

To enact Children's Code Art. 1193(2)(d) and (e), relative to parental rights; to provide relative to consent to the adoption of a child or relinquishment of parental rights by the father; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Judiciary A Committee to Engrossed House Bill No. 317 by Representative Green

AMENDMENT NO. 1

On page 1, delete lines 2 through 5, and insert the following:
"To amend and reenact Children's Code Art. 1243, relative to parental rights; to provide relative to persons who may petition for intrafamily adoption; and to provide for related matters"

AMENDMENT NO. 2

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

"Section 1. Children's Code Art. 1243 is hereby amended and reenacted"

AMENDMENT NO. 3

On page 1, after line 8, delete lines 9 through 16 in their entirety and insert the following:

"Art. 1243. Persons who may petition for intrafamily adoption
A. The following persons may petition for an intrafamily adoption:

(1) A stepparent married to the parent of a child, provided that the parent is recognized as having parental rights in accordance with Article 1193.

(2) A single grandparent, married grandparents, or aunt or uncle, of a child, provided all the following exist:

(a) The parent through whom the grandparent, aunt, or uncle is claiming the right to petition is a parent recognized as having parental rights in accordance with Article 1193.

(b) The child has been in the home of the grandparent, aunt, or uncle for six months prior to the filing of a petition for adoption.

B. When the spouse of the stepparent or one joint petitioner dies after the petition has been filed, the adoption proceedings may continue as though the survivor was a single original petitioner.

C. For purposes of this Chapter:

(a) (1) "Aunt" or "uncle" means a sibling of a parent of the child.

(b) (2) "Grandparent" includes a great grandparent.

(3) "Parent recognized as having parental rights" includes:

(a) The mother of the child.

(b) The father of the child whose consent to the adoption is required pursuant to Article 1193.

(c) A father who has formally acknowledged the child with the written concurrence of the child's mother.

(d) A father whose name appears on the child's birth certificate as the child's father.

(e) A father, if a court of competent jurisdiction has rendered a judgment establishing the paternity of the father relative to the child.

AMENDMENT NO. 4

On page 2, delete lines 1 through 5 in their entirety

On motion of Senator Ulló, 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. 330—

BY REPRESENTATIVE MCCALLUM
AN ACT

To amend and reenact R.S. 33:1430, relative to sheriffs; to increase the amount that a sheriff or his deputy receives for attendance at court sessions; and to provide for related matters.

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

HOUSE BILL NO. 337—

BY REPRESENTATIVE TOOMY AND SENATOR JORDAN
AN ACT

To enact R.S. 49:191(12) and to repeal R.S. 49:191(10)(f), relative to the Department of Justice, including provisions to provide for the re-creation of the Department of Justice 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 favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 341—

BY REPRESENTATIVES WINDHORST AND MARIONNEAUX
AN ACT

To amend and reenact R.S. 14:95(G), relative to the crime of illegal carrying of weapons; to exclude certain medically retired law enforcement officers from exceptions of applicability of the crime; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 341 by Representative Windhorst

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 14:" delete the remainder of the line and delete lines 3 and 4 and insert the following: "135 and 136(1), relative to official misconduct and corrupt practices; to provide an exception for public salary deduction; to provide for public salary extortion; to provide for rebuttal of presumptive evidence; and to provide"

AMENDMENT NO. 2

On page 1, line 7, after "R.S. 14:" delete "95(G) is" and insert "135 and 136(1) are"

AMENDMENT NO. 3

On page 1, delete lines 9 through 17 and insert the following:
"§135. Public salary deduction

Public salary deduction is committed when any public officer or public employee shall retain or divert for his own use or the use of any other person or political organization, any part of the salary or fees allowed by law to any other public officer or public employee, **unless authorized in writing by the said public officer or public employee.**

Whoever commits the crime of public salary deduction shall be imprisoned for not more than five years with or without hard labor or shall be fined not more than five thousand dollars or both.

§136. Public salary extortion

Public salary extortion is committed when any person shall:

(1) Solicit or receive, or attempt to solicit or receive, either directly or indirectly, the payment of any money or other thing of value from any public officer or public employee to himself or any other person or political organization, through any means or form whatsoever and for any purpose whatsoever, when such payment is obtained or solicited upon suggestion or threat that the failure to make such payment shall result in the loss or impairment of value to such officer or employee of his office or employment, or when such payment shall be a reward or remuneration for securing such office or employment; and proof that such payments were collected from or paid by such officers or employees on a uniform or progressive percentage or amount basis, shall be presumptive evidence that payments were made under duress or upon the considerations set forth hereinbefore; **however, a written request made pursuant to R. S. 14:135 shall serve to rebut the presumption that payment was made under duress;** or

* * *

AMENDMENT NO. 4

On page 2, delete lines 1 through 16

On motion of Senator Jordan, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 342—

BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 14:139.1(C), relative to the crime of political payroll padding by sheriffs; to provide for certain exceptions from the crime; and to provide for related matters.

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

May 19, 1999

HOUSE BILL NO. 506—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 15:574.4(A)(1), relative to parole eligibility; to provide with respect to parole eligibility; and to provide for related matters.

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

HOUSE BILL NO. 608—
BY REPRESENTATIVES CHAISSON AND FAUCHEUX
AN ACT

To amend and reenact R.S. 13:2590(A)(1), relative to justice of the peace courts; to increase costs for filing new suits in civil matters; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 608 by Representative Chaisson

AMENDMENT NO. 1
On page 1, lines 2 and 6, after "(1)" insert "and (2)"

AMENDMENT NO. 2
On page 1, line 6, change "is" to "are"

AMENDMENT NO. 3
On page 1, between lines 13 and 14 insert:

"(2) Eviction proceeding: ~~sixty~~ eighty dollars, and ten dollars per additional defendant."

On motion of Senator Ullo, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 697—
BY REPRESENTATIVE GREEN
AN ACT

To enact R.S. 9:315.25 and Subpart F of Part III of Code Title V of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:356, all relative to children; to provide with respect to matters which may be raised in actions concerning child support and custody and visitation rights; to provide that child custody and visitation matters may be raised in proceedings for child support; to provide that child support matters may be raised in proceedings for child custody or visitation; and to provide for related matters.

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

HOUSE BILL NO. 759—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 22:627(B)(2) and (C)(2) and 1404.3, relative to fees imposed on criminal bail bonds; to provide that additional fees imposed do not exceed statutory limitations; to provide with regard to imposition of policy fees; and to provide for related matters.

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

HOUSE BILL NO. 783—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 15:572.4(B)(1)(c) and (d) and (2) and 574.2(C)(9), to enact R.S. 15:572.4(B)(3), and to repeal R.S. 15:572.4(B)(1)(e), relative to pardon and parole; to provide that certain persons shall have the right to testify at pardon and parole hearings; to provide for notice requirements; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 783 by Representative Windhorst

AMENDMENT NO. 1
On page 2, line 19, change "who has made" to "on whose behalf"

AMENDMENT NO. 2
On page 2, line 20, after "notification" insert "has been made by any other person who has a right, under law, to present testimony"

On motion of Senator Ellington, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 795—
BY REPRESENTATIVE TOOMY
AN ACT

To repeal R.S. 26:73(D)(3), relative to applications for special Class "R" restaurant permits; to repeal the requirement that the application contain a copy of an affidavit from the local health department.

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

HOUSE BILL NO. 798—
BY REPRESENTATIVES TOOMY AND WOOTON
AN ACT

To amend and reenact Code of Criminal Procedure Article 886(A), relative to victim restitution ordered in criminal matters; to provide for method of collection; and to provide for related matters.

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

HOUSE BILL NO. 827—
BY REPRESENTATIVES ANSARDI, MCMAINS, MCCAIN, CLARKSON,
SCHWEGMANN, AND PRATT
AN ACT

To amend and reenact Children's Code Articles 116(3), (8), and (9.1), 601, 603(1), (8), (14), and (15), 615(C), 619(B) and (E), 624(A) and (B), 625(B), 626(B), 628, 629, 632(B), 636, 639, 642, 644(A), 645, 646, 647, 648, 649, 652(C) and (D), 659(B), 666(A), 673, 674, 675, 677, 678(B), 679, 680, 681(A)(introductory paragraph) and (4), 682, 683(A), 684(B), (C), (D), (E), and (F), 694(A), 695, 698(A), 700(A), 702, 704(A), 705, 707(A), 708(A), 709, 710, 711, 1001, 1003(1)(introductory paragraph), (10), and (11), 1004(D), 1015(3)(a), (h) through (j), (4)(introductory paragraph), (5), and (6), 1025.4(A) and (C), 1027, and 1028 and to enact Children's Code Articles 116(12.1), 603(7.1) and (14.1), 625(C) and (D), 627(D), 646.1, 672.1, 678(C), 684(G), and 1015(3)(k), and to repeal Children's Code Articles 116(6), 603(11), and 650, all relative to compliance with The Adoption and Safe Families Act of 1997; to provide revision to Children's Code Title VI, Child in Need of Care Proceedings; to provide for revision of Children's Code Title X, Judicial

Certification of Children for Adoption; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 846—
BY REPRESENTATIVES DURAND, WINDHORST, AND BRUCE
AN ACT

To enact R.S. 14:70.5, relative to fraud; to create the crime of fraudulent remuneration; to provide for definitions; to provide for exceptions; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 846 by Representative Durand

AMENDMENT NO. 1
On page 1, line 3, delete "to provide for definitions;"

AMENDMENT NO. 2
On page 1, line 10, delete "kickbacks,"

AMENDMENT NO. 3
On page 2, delete lines 9 through 16

AMENDMENT NO. 4
On page 2, line 17, change "C" to "B"

AMENDMENT NO. 5
On page 2, line 20, change "D" to "C"

AMENDMENT NO. 6
On page 2, delete lines 23 and 24

On motion of Senator Jordan, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 847—
BY REPRESENTATIVE DURAND
AN ACT

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

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

HOUSE BILL NO. 882—
BY REPRESENTATIVES ANSARDI AND MCMAINS
AN ACT

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

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

HOUSE BILL NO. 914—
BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact Code of Criminal Procedure Article 877(A), relative to presentence and postsentence investigation reports; to provide that those reports may be disclosed to the victim of the crime, or to the victim's designated family member, and to the prosecutor; to provide for exceptions; and to provide for related matters.

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

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

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

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

HOUSE BILL NO. 1094—
BY REPRESENTATIVES MCMAINS, DEWITT, DOWNER, SCALISE, FRUGE, JOHNS, VITTER, WALSWORTH, AND WIGGINS AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

To enact R.S. 40:1797.1, relative to civil liability; to provide relative to the authority of political subdivisions or local or other governmental authorities of the state to bring suit against firearms and ammunition manufacturers, trade associations, and dealers; to provide for the authority of the state to file certain actions against firearms and ammunition manufacturers, trade associations, and dealers; and to provide for related matters.

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

HOUSE BILL NO. 1212—
BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 13:967(C)(1) and (2)(a), relative to court reporters for the Twenty-fourth Judicial District Court; to provide for court reporter fees on matters on appeal; to provide for contracts for transcripts of testimony; and to provide for related matters.

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

HOUSE BILL NO. 1288—
BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 10:1-105(2), 9-103(1)(a), 9-104(i) and (m), 9-105(3), 9-106, 9-304(1), 9-305(1), Chapter 5 of Title 10 of the Louisiana Revised Statutes of 1950, comprised of R.S. 10:5-101 through 5-117, and to enact R.S. 10:9-104(n), relative to letters of credit; to provide for a revision of the uniform commercial laws on letters of credit; to provide for conforming amendments; and to provide for related matters.

May 19, 1999

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

HOUSE BILL NO. 1423—

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

AN ACT

To amend and reenact R.S. 36:405(A)(1)(b), relative to the organization of the Department of Public Safety and Corrections; to authorize the deputy secretary of public safety services to appoint a designee to represent him on certain boards and commissions; and to provide for related matters.

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

HOUSE BILL NO. 1425—

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

AN ACT

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

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 1425 by Representative Jack D. Smith

AMENDMENT NO. 1

On page 1, line 14, delete "required"

On motion of Senator Jordan, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1444—

BY REPRESENTATIVES WINDHORST AND SCALISE

AN ACT

To amend and reenact R.S. 14:98(B)(introductory paragraph) and (C)(introductory paragraph), relative to the crime of operating a motor vehicle while intoxicated; to provide with regard to penalties for certain offenders; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 1444 by Representative Windhorst

AMENDMENT NO. 1

On page 1, line 15, and on page 2, line 9, change "0.15 or greater" to "0.18 percent or more by weight based on grams of alcohol per one hundred cubic centimeters of blood"

AMENDMENT NO. 2

On page 2, line 9, change "four days" to ninety-six hours"

On motion of Senator Jordan, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the

Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1523—

BY REPRESENTATIVES DEWITT, WINDHORST, DOWNER, MCMAINS, DIEZ, CRANE, THORNHILL, ANSARDI, DUPRE, KENNARD, WOOTON, ALEXANDER, BARTON, BAUDOIN, BOWLER, BRUCE, BRUNEAU, CLARKSON, DAMICO, DANIEL, DEVILLE, DIMOS, DOERGE, DONELON, FAUCHEUX, FLAVIN, FRITH, FRUGE, GAUTREAU, GLOVER, HAMMETT, HEBERT, HILL, HOPKINS, ILES, JENKINS, JOHNS, KENNEY, LANCASTER, LONG, MARTINY, MCCALLUM, McDONALD, MICHOT, MONTGOMERY, ODINET, PERKINS, PINAC, POWELL, ROMERO, SCALISE, SHAW, JACK SMITH, JOHN SMITH, STELLY, THOMPSON, TRAVIS, WADDELL, WALSWORTH, WARNER, WIGGINS, WINSTON, AND WRIGHT AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, SCHEDLER, AND THOMAS

AN ACT

To amend and reenact Code of Criminal Procedure Articles 893.1, 893.2(A) and (C), 893.3, and 893.4 and to enact Code of Criminal Procedure Articles 893.2(D) and (E), relative to sentences imposed in certain criminal matters; to provide for enhanced penalties when a firearm is involved in the commission of certain crimes; to provide for definitions and applicability of terms; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 1523 by Representative DeWitt

AMENDMENT NO. 1

On page 4, line 6, delete "violent" and after "felony" insert "crime of violence"

AMENDMENT NO. 2

On page 6, line 11, after "order" insert ", involving an assault or battery of the person protected"

On motion of Senator Jordan, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1550—

BY REPRESENTATIVE DAMICO

AN ACT

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

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Engrossed House Bill No. 1550 by Representative Damico

AMENDMENT NO. 1

On page 1, line 14, after "(2)" insert " * * "

AMENDMENT NO. 2

On page 1, delete line 15

On motion of Senator Lambert, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 1602—
BY REPRESENTATIVES JACK SMITH AND WOOTON
AN ACT

To enact Code of Criminal Procedure Article 900(A)(7), relative to
violations of conditions of probation; to provide with regard to
sanctions for violations; to authorize home incarceration; and to
provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to
Engrossed House Bill No. 1602 by Representatives Jack D. Smith and
Wooton

AMENDMENT NO. 1
On page 2, after line 4, insert 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 Ellington, the committee amendment was
adopted. Under the provisions of Joint Rule No. 3 of the Rules of the
Senate, the amended bill was read by title and referred to the Legislative
Bureau.

HOUSE BILL NO. 1639—
BY REPRESENTATIVES SCALISE, MCMAINS, DEWITT, DOWNER,
BRUNEAU, CLARKSON, DIEZ, FLAVIN, HEBERT, HILL, HOPKINS, JOHNS,
PERKINS, SHAW, STELLY, WIGGINS, BARTON, BOWLER, CRANE,
FONTENOT, FRUGE, KENNEY, LANCASTER, MCCALLUM, McDONALD,
POWELL, THOMPSON, THORNHILL, TRICHE, VITTER, WALSWORTH, AND
WRIGHT AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM,
SCHEDLER, ELLINGTON, HOLLIS, MALONE, ROMERO, SIRACUSA,
SMITH, AND THOMAS

AN ACT

To enact R.S. 9:2800.60, relative to civil liability; to provide with
respect to liability for manufacturers and sellers of firearms; and to
provide for related matters.

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

HOUSE BILL NO. 1822—
BY REPRESENTATIVES TOOMY AND BRUCE
AN ACT

To enact R.S. 14:93.2.3, relative to the crime of second degree cruelty
to juveniles; to provide for creation of the crime; to provide for
definitions; to provide for penalties; and to provide for related
matters.

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

Reconsideration

On motion of Senator Heitmeier, pursuant to the previous notice
given, the vote by which the following bill failed to pass on Tuesday,
May 18, 1999 was reconsidered.

SENATE BILL NO. 922—
BY SENATOR HEITMEIER
AN ACT

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

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

Reconsideration

On motion of Senator Johnson, pursuant to the previous notice
given, the vote by which the following bill failed to pass on Tuesday,
May 18, 1999 was reconsidered.

HOUSE BILL NO. 472—
BY REPRESENTATIVE COPELIN
AN ACT

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

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

Reconsideration

On motion of Senator Landry, pursuant to the previous notice
given, the vote by which the following bill failed to pass on Tuesday,
May 18, 1999 was reconsidered.

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dyess Lambert
Bajoie Ellington Landry

May 19, 1999

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

Total—35

NAYS

Total—0

ABSENT

| | |
|-----------|--------|
| Boissiere | Romero |
| Hainkel | Tarver |
| Total—4 | |

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

Special Order of the Day

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

SENATE BILL NO. 858—

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

AN ACT

To enact R.S. 48:35(F), relative to public liability; to provide for the duty of the Department of Transportation and Development or any political subdivision of the state with respect to highway and bridge construction and maintenance; to provide for the inadmissibility of certain evidence; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 858 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 13, after "F.(1)" delete the remainder of the line and delete lines 14 and 15 in their entirety and insert in lieu thereof the following:

"(a) The state, the Department of Transportation and Development and any political subdivision of the state shall not have a duty to maintain, repair, construct or reconstruct,"

AMENDMENT NO. 2

On page 1, line 16, change "maintenance or repair" to "maintenance, repair, construction or reconstruction"

AMENDMENT NO. 3

On page 2, line 2, change "standards, regulations, or guidelines" to "standard, regulation, or guideline"

AMENDMENT NO. 4

On page 2, delete lines 3 and 4 in their entirety and insert in lieu thereof the following:

to the date of approval by the chief engineer, or equivalent official in the case of a political subdivision of the state, of the original design plans for the construction or major reconstruction, whichever is later,"

AMENDMENT NO. 5

On page 2, delete lines 7 through 16 in their entirety and insert in lieu thereof the following:

"(b) When any public road, highway, bridge, or street, or any portion thereof, is maintained, repaired, constructed or reconstructed in accordance with the standards, regulations, or guidelines in effect on the date of such approval of the original design plan for the construction or major reconstruction, whichever is later, of such public road, highway, bridge, or street, or any portion thereof, there shall be a presumption that any such public road, highway, bridge, or street, or any portion thereof, is maintained, repaired, constructed or reconstructed in a reasonably safe condition.

(c) When any public road, highway, bridge, or street, or any portion thereof, does not conform to one or more standards, regulations, or guidelines established or adopted subsequent to the date of such approval of the original design plan for the construction or major reconstruction, whichever is later, of any such public road, highway, bridge, or street, or any portion thereof, such nonconformity shall not render any such public road, highway, bridge, or street, or any portion thereof, unreasonably dangerous or defective.

(2) When a standard, regulation, or guideline is not required to be met under Paragraph (1)(a) of this Subsection, evidence of failure to adhere to such standard, regulation, or guideline shall not be admissible in a court proceeding for any purpose.

(3) The failure of the state, the Department of Transportation and Development, or any political subdivision of the state to select a particular public road, highway, bridge, street, or any portion thereof, for inclusion in a prioritization program, including those which prioritize maintenance, construction, reconstruction, major reconstruction, or overlay projects, or for priority placement within such a program, shall not be admissible in a court proceeding for any purpose.

(4) As used in this Subsection, "construction or major reconstruction" shall mean the act, operation, and process of building or fabricating a new road, highway, bridge, or street or of bettering any existing road, highway, bridge, street, or any part thereof. Major reconstruction shall not include the following non-exclusive list of activities:

(i) Restoration of the original riding surface to original or better condition provided the total width from the far edge of one shoulder to the far edge of the other shoulder of the road is not widened and such work is performed within an existing right-of-way.

(ii) Increasing the width of the riding surface by utilizing part of the shoulder of the road provided such work is performed within an existing right-of-way.

(iii) Creation of turning lanes provided such work is performed within an existing right-of-way.

(iv) Cleaning and reestablishing drainage ditches, including replacement of deficient drainage structures provided such work is performed within an existing right-of-way."

AMENDMENT NO. 6

On page 2, line 17, after "Act" delete the remainder of the line in its entirety.

AMENDMENT NO. 7

On page 2, line 18, after "overrule" delete the remainder of the line and insert in lieu thereof the following:

"that portion of"

AMENDMENT NO. 8

On page 2, line 19, delete "Court in"

AMENDMENT NO. 9

On page 2, line 20, after "62" change the period "." to a comma "," and add the following:

"which imposes liability on the Department of Transportation and Development for failing to maintain and/or reconstruct an existing highway to modern standards."

AMENDMENT NO. 10

On page 2, delete lines 21 through 23 in their entirety.

AMENDMENT NO. 11

On page 2, line 24, change "Section 4." to "Section 3."

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 858 by Senator Dardenne

AMENDMENT NO. 1

In Senate Floor Amendment No.5 proposed by Senator Dardenne and adopted by the Senate on May 19, 1999, on page 1, line 25, between "original" and "design" insert "or changed"

AMENDMENT NO. 2

In Senate Floor Amendment No.5 proposed by Senator Dardenne and adopted by the Senate on May 19, 1999, on page 1, line 34, between "original" and "design" insert "or changed"

On motion of Senator Landry, the amendments were adopted.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator CFields to Engrossed Senate Bill No. 858 by Senator Dardenne

AMENDMENT NO. 1

On page 2, between lines 16 and 17, insert the following:

"G. The provisions of this Section shall not apply to regulations affecting the installation or design of signs imposed by the United States Department of Transportation."

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

Floor Amendments Sent Up

Senator Cox sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cox to Engrossed Senate Bill No. 858 by Senator Dardenne

AMENDMENT NO. 1

Delete Senate Floor Amendment No. 2 proposed by Senator Dardenne and adopted by the Senate on May 19, 1999.

AMENDMENT NO. 2

On page 1, line 16, delete "or prioritize the maintenance or repair of"

AMENDMENT NO. 3

In Senate Floor Amendment No. 5 proposed by Senator Dardenne and adopted by the Senate on May 19, 1999, on page 2, delete lines 8 through 15, and on line 16, change "(4)" to "(3)"

Senator Cox moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|----------|----------|-----------|
| Cain | Fields C | Jones |
| Campbell | Fields W | Landry |
| Cox | Irons | Robichaux |
| Cravins | Johnson | Ullo |
| Total—12 | | |

NAYS

| | | |
|---------------|-----------|----------|
| Mr. President | Ellington | Malone |
| Barham | Greene | Romero |
| Bean | Hainkel | Schedler |
| Boissiere | Heitmeier | Siracusa |
| Branch | Hines | Smith |
| Casanova | Hollis | Tarver |
| Dardenne | Jordan | Thomas |
| Dean | Lambert | |
| Dyess | Lentini | |
| Total—25 | | |

ABSENT

| | |
|---------|------------|
| Bajoie | Theunissen |
| Total—2 | |

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Jordan sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jordan to Engrossed Senate Bill No. 858 by Senator Dardenne

AMENDMENT NO. 1

In Senate Floor Amendments proposed by Senator Dardenne and adopted by the Senate on May 19, 1999, on page 1, delete lines 22 through 30 in their entirety.

AMENDMENT NO. 2

In Senate Floor Amendments proposed by Senator Dardenne and adopted by the Senate on May 19, 1999, on page 1, line 31, change "(c)" to "(b)"

AMENDMENT NO. 3

May 19, 1999

In Senate Floor Amendments proposed by Senator Dardenne and adopted by the Senate on May 19, 1999, on page 2, line 2, after "shall not" insert "alone"

AMENDMENT NO. 4

In Senate Floor Amendments proposed by Senator Dardenne and adopted by the Senate on May 19, 1999, on page 2, at the end of line 5, delete "failure to adhere to"

AMENDMENT NO. 5

In Senate Floor Amendments proposed by Senator Dardenne and adopted by the Senate on May 19, 1999, on page 2, delete line 7, and insert the following:

"unless relevant to the issue of liability of the state, Department of Transportation and Development, or the political subdivision."

Motion

Senator Landry moved for a division of the question on the above floor amendments.

Without objection, the division of the question was ordered.

Senator Jordan moved the adoption of Amendments No. 1 and 2.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|----------|----------|-----------|
| Bajoie | Fields C | Jordan |
| Cain | Fields W | Landry |
| Cox | Irons | Robichaux |
| Cravins | Johnson | |
| Total—11 | | |

NAYS

| | | |
|---------------|-----------|------------|
| Mr. President | Dyess | Romero |
| Barham | Ellington | Schedler |
| Bean | Greene | Siracusa |
| Boissiere | Hainkel | Smith |
| Branch | Heitmeier | Tarver |
| Campbell | Hines | Theunissen |
| Casanova | Hollis | Thomas |
| Dardenne | Lambert | Ullo |
| Dean | Lentini | |
| Total—26 | | |

ABSENT

| | |
|---------|--------|
| Jones | Malone |
| Total—2 | |

The Chair declared Amendments No. 1 and 2 were rejected.

Senator Jordan moved the adoption of Amendment No. 3.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|--------|----------|---------|
| Bajoie | Fields C | Jordan |
| Cain | Fields W | Lambert |

| | | |
|----------|---------|-----------|
| Cox | Irons | Landry |
| Cravins | Johnson | Robichaux |
| Total—12 | | |

NAYS

| | | |
|---------------|-----------|------------|
| Mr. President | Dyess | Schedler |
| Barham | Ellington | Siracusa |
| Bean | Greene | Smith |
| Boissiere | Hainkel | Tarver |
| Branch | Heitmeier | Theunissen |
| Campbell | Hines | Thomas |
| Casanova | Hollis | Ullo |
| Dardenne | Lentini | |
| Dean | Romero | |
| Total—25 | | |

ABSENT

| | |
|---------|--------|
| Jones | Malone |
| Total—2 | |

The Chair declared Amendment No. 3 was rejected.

Senator Jordan moved the adoption of Amendments No. 4 and 5.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|----------|----------|-----------|
| Bajoie | Fields C | Jordan |
| Cain | Fields W | Landry |
| Cox | Irons | Robichaux |
| Cravins | Johnson | |
| Total—11 | | |

NAYS

| | | |
|---------------|-----------|------------|
| Mr. President | Dyess | Romero |
| Barham | Ellington | Schedler |
| Bean | Greene | Siracusa |
| Boissiere | Hainkel | Smith |
| Branch | Heitmeier | Tarver |
| Campbell | Hines | Theunissen |
| Casanova | Hollis | Thomas |
| Dardenne | Lambert | Ullo |
| Dean | Lentini | |
| Total—26 | | |

ABSENT

| | |
|---------|--------|
| Jones | Malone |
| Total—2 | |

The Chair declared Amendments No. 4 and 5 were rejected.

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. 858 by Senator Dardenne

AMENDMENT NO. 1

In Senate Floor Amendment No. 5 proposed by Senator Dardenne and adopted by the Senate on May 19, 1999, on page 2, line 15, after "purpose" insert "in a suit for personal injury or property damages"

On motion of Senator Landry, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Barham, Bean, Boissiere, Branch, Campbell, Casanova, Dardenne, Dean, Dyess, Total—29.

NAYS

Table with 3 columns of names: Bajoié, Cain, Cox, Cravins, Total—10.

ABSENT

Total—0

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

Mr. President in the Chair

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. 172— BY SENATOR HAINKEL

AN ACT

To amend and reenact Code of Civil Procedure Art. 1732(A)(1), relative to limitations on jury trials; to reduce the monetary amount required to have a jury trial; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 172 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 2, change "1732(A)(1)" to "1732"

AMENDMENT NO. 2

On page 1, line 6, change "1732(A)(1)" to "1732"

AMENDMENT NO. 3

On page 1, line 4, between "trial;" and "and to provide" insert the following:

"to authorize a court to order jury trials by six member jurors under certain circumstances;"

AMENDMENT NO. 4

On page 1, line 9, before "A trial" insert "A."

AMENDMENT NO. 5

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

"(2) A suit on an unconditional obligation to pay a specific sum of money, unless the defense thereto is forgery, fraud, error, want, or failure of consideration.

(3) A summary, executory, probate, partition, mandamus, habeas corpus, quo warranto, injunction, concursus, worker's compensation, emancipation, tutorship, interdiction, curatorship, legitimacy, filiation, annulment of marriage, or divorce proceeding.

(4) A proceeding to determine custody, visitation, alimony, or child support.

(5) A proceeding to review an action by an administrative or municipal body.

(6) A suit on an admiralty or general maritime claim under federal law that is brought in state court under a federal "saving to suitors" clause, if the plaintiff has designated that suit as an admiralty or general maritime claim.

(7) All cases where a jury trial is specifically denied by law.

Article 1732(B) is all proposed new law.

B. In any suit where all parties stipulate that the amount of an individual petitioner's cause of action is at least thirty-five thousand dollars but not more than one hundred thousand dollars, exclusive of interest and costs, the court may order that the case be tried before a jury of six jurors. If the court orders that the case be tried before a jury of six jurors, then five jurors must concur to render a verdict, unless the parties stipulate otherwise."

On motion of Senator Dardenne, the amendments were adopted.

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

Senate Concurrent Resolutions on Second Reading Reported by Committees

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

SENATE CONCURRENT RESOLUTION NO. 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 by the Committee on Natural Resources.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Barham, Bean, Ellington, Fields C, Fields W, Greene, Landry, Malone, Robichaux, Romero.

May 19, 1999

| | | |
|-----------|-----------|------------|
| Boissiere | Hainkel | Schedler |
| Branch | Heitmeier | Siracusa |
| Cain | Hines | Smith |
| Casanova | Hollis | Tarver |
| Cox | Irons | Theunissen |
| Cravins | Johnson | Thomas |
| Dardenne | Jones | Ullo |
| Dean | Jordan | |
| Dyess | Lambert | |
| Total—37 | | |

NAYS

Total—0

ABSENT

| | |
|----------|---------|
| Campbell | Lentini |
| Total—2 | |

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

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 commuter rail transportation system from East New Orleans to the New Orleans central business district.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Concurrent Resolution No. 122 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 5, after "a" change "rapid" to "commuter"

AMENDMENT NO. 2

On page 1, line 11, after "Orleans" change "has been and continues to be one of the" to "and St. Bernard Parish are among the" and change "parishes" to "areas"

AMENDMENT NO. 3

On page 1, line 14, after "Parish" add ", St. Bernard Parish"

AMENDMENT NO. 4

On page 2, line 17, after "a" change "rapid" to "commuter"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-----------|
| Mr. President | Ellington | Landry |
| Bajoie | Fields C | Malone |
| Barham | Fields W | Robichaux |
| Bean | Greene | Romero |
| Boissiere | Hainkel | Schedler |

| | | |
|----------|-----------|------------|
| Branch | Heitmeier | Siracusa |
| Cain | Hines | Smith |
| Campbell | Hollis | Tarver |
| Casanova | Irons | Theunissen |
| Cox | Johnson | Thomas |
| Cravins | Jones | Ullo |
| Dardenne | Jordan | |
| Dyess | Lambert | |
| Total—37 | | |

NAYS

Dean
Total—1

ABSENT

Lentini
Total—1

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

SENATE CONCURRENT RESOLUTION NO. 114—
BY SENATOR CAIN (BY REQUEST)

A CONCURRENT RESOLUTION

To urge and request the president of the United States to exercise the emergency powers delegated by congress to reestablish, restore, and maintain economic parity relative to the price of agricultural products.

Reported favorably by the Committee on Agriculture.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Total—0

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

**Senate Bills and Joint Resolutions on
Third Reading
and Final Passage**

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

SENATE BILL NO. 324—
BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:502, relative to the Louisiana State Employees' Retirement System; to provide for a death benefit for retirees age sixty-five or older; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|------------|
| Mr. President | Ellington | Landry |
| Bajoie | Fields C | Malone |
| Barham | Fields W | Robichaux |
| Bean | Hainkel | Romero |
| Boissiere | Heitmeier | Schedler |
| Branch | Hines | Siracusa |
| Cain | Hollis | Smith |
| Cox | Irons | Tarver |
| Dardenne | Johnson | Theunissen |
| Dean | Jones | Thomas |
| Dyess | Jordan | Ullo |
| Total—33 | | |

NAYS

Total—0

ABSENT

| | | |
|----------|---------|---------|
| Campbell | Cravins | Lambert |
| Casanova | Greene | Lentini |
| Total—6 | | |

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

SENATE BILL NO. 676 (DUPLICATE OF HOUSE BILL NO. 732)—

BY SENATOR HEITMEIER AND REPRESENTATIVE TOOMY AND COAUTHORED BY SENATORS DEAN, HAINKEL, LENTINI, ROMERO AND REPRESENTATIVES BARTON, BRUNEAU, CRANE, DONELON, FAUCHEUX, FRUGE, HEATON, JENKINS, KENNARD, LANCASTER, MARTINY, MICHOT, SCALISE, SHAW, WIGGINS, WINDHORST AND WINSTON

AN ACT

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

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

SENATE BILL NO. 863—

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

AN ACT

To enact Chapter 48 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:3471 through 3486, relative to the Millennium Port Authority; to create the authority and provide for a board of commissioners to govern the authority; to provide for the authority's powers, duties, and responsibilities; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 863 by Senator Hainkel

AMENDMENT NO. 1

On page 2, line 24, following "containers," and before "to" insert "and"

AMENDMENT NO. 2

On page 5, delete line 12 and insert in lieu thereof "to R.S. 34:3112.1."

AMENDMENT NO. 3

On page 5, lines 20 and 21, following "provisions of" delete "Section 3112.1 of this Chapter." and insert "R.S. 34:3112.1."

AMENDMENT NO. 4

On page 11, line 24, following "Chapter" and before "of" change "34" to "47"

AMENDMENT NO. 5

On page 13, lines 22 and 23, following "by the" change "state mineral board" to "State Mineral Board"

AMENDMENT NO. 6

On page 17, line 7, following "under" delete "Section 3112.1" and insert "R.S. 34:3112.1"

AMENDMENT NO. 7

On page 19, line 3, following "Article" and before ", Section" change "XIV" to "VI"

AMENDMENT NO. 8

On page 19, line 20, following "power" and before "the" delete the comma "," and insert "or"

AMENDMENT NO. 9

On page 23, line 11, following "in" and before "and" delete "Section 3112 of this Chapter" and insert "R.S. 34:3112"

AMENDMENT NO. 10

On page 29, line 23, following "transfers." and before "revenue" change "he" to "The"

AMENDMENT NO. 11

On page 34, line 27, at the beginning of the line change "A." to "(1)"

AMENDMENT NO. 12

On page 35, line 7, at the beginning of the line change "B." to "(2)"

AMENDMENT NO. 13

On page 35, line 13, at the beginning of the line change "C." to "(3)"

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed Senate Bill No. 863 by Senator Hainkel

AMENDMENT NO. 1

On page 6, line 27, after "agreement of" delete the remainder of the line, and insert "the appropriate port authority,"

May 19, 1999

AMENDMENT NO. 2

On page 7, line 1, change "districts, and the" to "district, or"

AMENDMENT NO. 3

On page 9, line 12, change "railroad" to "transportation"

AMENDMENT NO. 4

On page 9, line 13, after "Louisiana" delete the period "." and insert ", who shall serve an initial term of four years."

AMENDMENT NO. 5

On page 10, line 1 after "shall have the" delete the remainder of the line, delete line 2, and insert "proper qualifications."

AMENDMENT NO. 6

On page 15, line 6, after "employ" insert "on a contract basis"

AMENDMENT NO. 7

On page 15, line 8, after "compensation" insert a period "." and delete the remainder of the line and delete line 9

On motion of Senator Hainkel, the amendments were adopted.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed Senate Bill No. 863 by Senator Hainkel

AMENDMENT NO. 1

On page 22, line 27 and page 23, line 1, change "Negotiable Instruments Law of the State of Louisiana" to "Commercial Laws of Louisiana"

On motion of Senator Hainkel, the amendments were adopted.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed Senate Bill No. 863 by Senator Hainkel

AMENDMENT NO. 1

In Senate Floor Amendments proposed by Senator Hainkel and adopted by the Senate on May 19, 1999, delete Amendment Nos. 6 and 7

On motion of Senator Hainkel, the amendments were adopted.

Motion

Senator Bean moved to return the amended bill to the Calendar.

Senator Jordan objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie Ellington Jones
Barham Fields C Landry
Bean Fields W Robichaux

Boissiere Hainkel Romero
Cain Heitmeier Schedler
Cox Hines Smith
Dardenne Hollis Theunissen
Dean Irons Thomas
Dyess Johnson Ullo
Total—27

NAYS

Jordan Malone Siracusa
Total—3

ABSENT

Mr. President Casanova Lambert
Branch Cravins Lentini
Campbell Greene Tarver
Total—9

The Chair declared the amended bill was returned to the Calendar.

SENATE BILL NO. 1047 (DUPLICATE OF HOUSE BILL NO. 1795)—

BY SENATORS CRAVINS AND REPRESENTATIVE DEVILLE AND COAUTHORED BY SENATORS HINES AND ROMERO AND REPRESENTATIVES HUDSON, MONTGOMERY, DOWNER, BAYLOR AND PIERRE

AN ACT

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

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Engrossed Senate Bill No. 1047 by Senator Cravins

AMENDMENT NO. 1

On page 3, line 16, after "governor," insert "and their appointments shall be"

AMENDMENT NO. 2

On page 5, line 7, change "R.S. 27:392" to "R.S. 27:392(B)(1) and (2)"

On motion of Senator Cravins, the amendments were adopted.

Motion

Senator Branch moved to override the ruling of the Chair that Senate Bill No. 1047 is germane to the session.

ROLL CALL

The roll was called on the motion to override the ruling of the Chair with the following result:

YEAS

Bajoie Fields W Lentini
Barham Hainkel Malone
Bean Heitmeier Robichaux
Boissiere Hines Romero
Campbell Hollis Schedler
Cox Irons Siracusa

| | | |
|-----------|---------|------------|
| Cravins | Johnson | Smith |
| Dardenne | Jones | Tarver |
| Dyess | Jordan | Theunissen |
| Ellington | Lambert | Thomas |
| Fields C | Landry | Ullo |
| Total—33 | | |

NAYS

| | | |
|---------|----------|--------|
| Branch | Casanova | Greene |
| Cain | Dean | |
| Total—5 | | |

ABSENT

Mr. President
Total—1

The Chair declared the the ruling of the Chair was upheld.

Senator Barham in the Chair

Motion

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

Senator Branch objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|------------|
| Bajoie | Heitmeier | Romero |
| Bean | Hines | Tarver |
| Boissiere | Hollis | Theunissen |
| Campbell | Irons | Thomas |
| Cox | Lambert | |
| Cravins | Malone | |
| Total—16 | | |

NAYS

| | | |
|---------------|-----------|-----------|
| Mr. President | Ellington | Lentini |
| Barham | Fields C | Robichaux |
| Branch | Fields W | Schedler |
| Cain | Greene | Siracusa |
| Casanova | Hainkel | Smith |
| Dardenne | Johnson | Ullo |
| Dean | Jones | |
| Dyess | Landry | |
| Total—22 | | |

ABSENT

Jordan
Total—1

The Chair declared the Senate refused to call the previous question on the entire subject matter.

Mr. President in the Chair

Motion

Senator Branch moved to table the bill.

Senator Cravins objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|----------|-----------|-----------|
| Barham | Dyess | Lentini |
| Branch | Ellington | Robichaux |
| Cain | Greene | Schedler |
| Casanova | Hainkel | Smith |
| Dardenne | Jordan | |
| Dean | Lambert | |
| Total—16 | | |

NAYS

| | | |
|-----------|-----------|------------|
| Bajoie | Fields W | Malone |
| Bean | Heitmeier | Romero |
| Boissiere | Hollis | Siracusa |
| Campbell | Irons | Tarver |
| Cox | Johnson | Theunissen |
| Cravins | Jones | Thomas |
| Fields C | Landry | Ullo |
| Total—21 | | |

ABSENT

Mr. President
Total—2

The Chair declared the Senate refused to table the bill.

Motion

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

Senator Cravins objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|------------|
| Bajoie | Fields C | Lambert |
| Bean | Heitmeier | Malone |
| Boissiere | Hines | Romero |
| Campbell | Hollis | Siracusa |
| Cox | Irons | Tarver |
| Cravins | Johnson | Theunissen |
| Ellington | Jones | Thomas |
| Total—21 | | |

NAYS

| | | |
|----------|----------|-----------|
| Barham | Fields W | Robichaux |
| Branch | Greene | Schedler |
| Cain | Hainkel | Smith |
| Casanova | Jordan | Ullo |
| Dardenne | Landry | |
| Dean | Lentini | |
| Total—16 | | |

ABSENT

Mr. President
Total—2

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

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

May 19, 1999

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|---------|------------|
| Bajoie | Hines | Romero |
| Bean | Hollis | Siracusa |
| Boissiere | Irons | Tarver |
| Campbell | Johnson | Theunissen |
| Cox | Jones | Thomas |
| Cravins | Landry | Ullo |
| Heitmeier | Malone | |
| Total—20 | | |

NAYS

| | | |
|---------------|-----------|-----------|
| Mr. President | Dyess | Lambert |
| Barham | Ellington | Lentini |
| Branch | Fields C | Robichaux |
| Cain | Fields W | Schedler |
| Casanova | Greene | Smith |
| Dardenne | Hainkel | |
| Dean | Jordan | |
| Total—19 | | |

ABSENT

Total—0

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

SENATE BILL NO. 1051 (DUPLICATE OF HOUSE BILL NO. 1796)—

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

AN ACT

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

Floor Amendments Sent Up

Senator Malone sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Engrossed Senate Bill No. 1051 by Senator Malone

AMENDMENT NO. 1

On page 3, line 22, after "governor" insert ", and their appointments shall be"

AMENDMENT NO. 2

On page 5, line 15, change "R.S. 27:392" to "R.S. 27:392(B)(1) and (2)"

On motion of Senator Malone, the amendments were adopted.

Motion

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

Senator Robichaux objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|------------|
| Bajoie | Fields C | Lambert |
| Bean | Fields W | Malone |
| Boissiere | Heitmeier | Romero |
| Cain | Hines | Siracusa |
| Campbell | Hollis | Tarver |
| Cox | Irons | Theunissen |
| Cravins | Johnson | Thomas |
| Ellington | Jones | |
| Total—23 | | |

NAYS

| | | |
|----------|---------|-----------|
| Barham | Dyess | Lentini |
| Branch | Greene | Robichaux |
| Casanova | Hainkel | Schedler |
| Dardenne | Jordan | Smith |
| Dean | Landry | Ullo |
| Total—15 | | |

ABSENT

Mr. President
Total—1

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

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|---------|------------|
| Bajoie | Hines | Romero |
| Bean | Hollis | Siracusa |
| Boissiere | Irons | Tarver |
| Campbell | Johnson | Theunissen |
| Cox | Jones | Thomas |
| Cravins | Landry | Ullo |
| Heitmeier | Malone | |
| Total—20 | | |

NAYS

| | | |
|---------------|-----------|-----------|
| Mr. President | Dyess | Lambert |
| Barham | Ellington | Lentini |
| Branch | Fields C | Robichaux |
| Cain | Fields W | Schedler |
| Casanova | Greene | Smith |
| Dardenne | Hainkel | |
| Dean | Jordan | |
| Total—19 | | |

ABSENT

Total—0

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

SENATE BILL NO. 1075—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 48:252(K), relative to contracts for transportation construction; to provide grounds for disqualification of bidders on such projects; and to provide for related matters.

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

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

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

Called from the Calendar

Senator Jones asked that Senate Bill No. 337 be called from the Calendar at this time.

SENATE BILL NO. 337—

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

AN ACT

To enact R.S. 36:109(E)(16) and to repeal R.S. 36:309(D)(1), relative to the organization of the executive branch of state government; to transfer the Board of Barber Examiners from the Department of Labor to the Department of Economic Development; and to provide for related matters.

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

Called from the Calendar

Senator Bean asked that Senate Bill No. 710 be called from the Calendar at this time.

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

BY SENATOR BEAN AND REPRESENTATIVE STELLY

AN ACT

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

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

Called from the Calendar

Senator Ewing asked that Senate Bill No. 816 be called from the Calendar at this time.

SENATE BILL NO. 816—

BY SENATOR EWING

AN ACT

To amend R.S. 32:397(A) and 535(A) and to enact R.S. 22:658(E) and R.S. 32:1(95), 535.2, 751(10), and 767, relative to motor vehicles; to provide relative to inflatable restraint systems; to provide for definitions; to require that such systems be replaced if payment for replacement is received from an insurance claim; to authorize inspection of such claim by an insurer to determine if such system

inflated and deployed; to require that indication of the activation of such a system be included in any traffic accident report; to prohibit the return to a customer of such a system which is replaced by a motor vehicle repair garage; to authorize replacement of such a system; to authorize such replacement with a salvaged system under certain circumstances; to require certain records to be retained by repair garages which remove or install such systems; to require the acquisition of certain information prior to the sale of salvaged inflatable restraint systems; to require certain information on the invoice for such sale; to require retention of the bill of sale for such sales; and to provide for related matters.

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

Rules Suspended

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

**Introduction of Resolutions,
Senate and Concurrent**

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

SENATE RESOLUTION NO. 40—

BY SENATORS COX, CAIN AND THEUNISSEN

A RESOLUTION

To recognize and commend the members, coaches, and staff of the Lake Charles-Boston Lady Cougars Outdoor Track and Field Team on winning the Class 3A state meet.

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

SENATE CONCURRENT RESOLUTION NO. 130—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To designate June 1999 as "Scleroderma Awareness Month".

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|------------|
| Mr. President | Dean | Jordan |
| Bajoie | Ellington | Landry |
| Barham | Fields C | Malone |
| Bean | Fields W | Romero |
| Boissiere | Hainkel | Schedler |
| Branch | Heitmeier | Siracusa |
| Cain | Hollis | Smith |
| Campbell | Irons | Theunissen |
| Cox | Johnson | Thomas |
| Dardenne | Jones | Uilo |

Total—30

NAYS

Total—0

ABSENT

| | | |
|----------|--------|-----------|
| Casanova | Greene | Lentini |
| Cravins | Hines | Robichaux |

May 19, 1999

Dyess Lambert Tarver
Total—9

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

SENATE CONCURRENT RESOLUTION NO. 131—
BY SENATORS DARDENNE AND SCHEDLER
A CONCURRENT RESOLUTION

To create the Task Force on Motor Vehicle Speed Differential and Highway Safety to study and make recommendations as to the feasibility of a speed differential between freight bearing motor vehicles and other motor vehicles on the highways of the state or other methods to address safety issues involving the interaction of such vehicles traveling throughout the state.

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

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 19, 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. 3—
BY REPRESENTATIVE ALARIO
AN ACT

To enact the Omnibus Bond Authorization Act of 1999, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

HOUSE BILL NO. 1—
BY REPRESENTATIVE LEBLANC
AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

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. 1—
BY REPRESENTATIVE LEBLANC
AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

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

HOUSE BILL NO. 3—
BY REPRESENTATIVE ALARIO
AN ACT

To enact the Omnibus Bond Authorization Act of 1999, relative to the implementation of a five-year capital improvement program; to provide for the repeal of certain prior bond authorizations; to provide for new bond authorizations; to provide for authorization and sale of such bonds by the State Bond Commission; and to provide for related matters.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

COMMERCE AND CONSUMER PROTECTION

Senator Hollis, Chairman on behalf of the Committee on Commerce and Consumer Protection, submitted the following report:

May 19, 1999

To the President and Members of the Senate:

I am directed by your Committee on Commerce and Consumer Protection to submit the following report:

HOUSE BILL NO. 222—
BY REPRESENTATIVE MORRISH
AN ACT

To amend and reenact R.S. 9:2782(A), (B), and (C)(1) and 3529, relative to nonsufficient fund checks; to provide for an increase in the service charge amount which is allowed to be charged for checks returned for nonsufficient funds; to provide relative to the time required to tender payment; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 316—
BY REPRESENTATIVE GREEN
AN ACT

To amend and reenact R.S. 10:3-111 and to repeal R.S. 10:4A-209(f), relative to banks; to prohibit a drawee from charging a fee for the payment of an instrument pursuant to the drawer's instructions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 443—
BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

To amend and reenact R.S. 6:646(A)(4) and (B)(2), 649.1(A) and (D), 651(C), and 656(A)(1)(d), relative to credit unions; to provide for mail ballots for votes on mergers; to provide for the filing of financial reports to the commissioner of the office of financial institutions; to provide for liability of directors and officers; to provide for annual examinations by supervisory committees; to

provide for loans made to directors of supervisory or credit committee members; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 444—
BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

To enact R.S. 9:3572.2(B)(6), relative to consumer loan brokers; to provide for an exemption from the definition of loan broker; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 445—
BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

To amend and reenact R.S. 51:705(A) and 712(A)(2) and to enact R.S. 51:705(G), relative to the Louisiana Securities Law; to provide for the sale of federal covered securities; to provide for notice filings for federal covered securities; to provide for proof of certain unlawful acts in the sale of securities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 582—
BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

To amend and reenact R.S. 6:415(A)(2) and (B), relative to loan restrictions; to provide for secured loans in excess of required limits when fully secured by a pledge of deposits of the lending bank; to provide penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 583—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 6:123(B) and 125 and R.S. 9:3554(L), relative to powers and duties of the commissioner of the office of financial institutions; to allow for the acceptance of certain information from certain regulated financial institutions; to allow for the providing of certain information upon request; to allow for the examination of records of certain regulated financial institutions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 584—
BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

To amend and reenact R.S. 6:550(A)(7) through (9) and to enact R.S. 6:550(A)(10), (T), and (U), relative to activities of foreign banks; to provide for the definition of "state representative office"; to allow for the establishment of state representative offices by foreign banks; to provide for the promulgation of rules and regulations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 585—
BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

To amend and reenact R.S. 6:532(4), 540(A)(3) and (B)(2)(introductory paragraph) and (3), and 540.2(C), relative to interstate banking; to provide for the definition of "banking office"; to provide for authority of the commissioner to regulate banking offices; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 734—
BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

To amend and reenact R.S. 6:217(B), 243(B)(2), 285(C)(2), and 289(A) and (B)(1) and R.S. 12:23(E)(1) and to repeal R.S. 6:243(C) and 332, relative to the organization and operation of state banks; to provide for recording of certificates of authority with the secretary of state; to provide for service of process; to provide for loans to executive officers and employees; to provide for the sale of certain property; to provide for the use of certain terms in corporate names; to provide relative to hearing on cease and desist orders; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1002—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 37:3283(G)(2) and (3) and 3284(B)(2)(introductory paragraph) and (4) and (D)(1), relative to private security officers' training; to provide for transfer of employment; to reduce the time period within which security officers must complete certain classroom training; to revise the retraining requirements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1328—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 9:3576.3(2)(a)(introductory paragraph) and (3), 3576.13, and 3576.18(A), relative to collection agencies; to provide for definitions of "collection agency" and "claim"; to provide for a change of name or business location; to provide for trust fund accounts; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1338—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 37:1786(C) and 1788(B), relative to pawnbrokers; to provide for penalties for late license renewals; to provide for a change of name fee; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1371—
BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

To amend and reenact R.S. 9:3514, 3516(22), 3517(C), 3521(A) and (B)(introductory paragraph), 3528(A) and (B), 3531, 3543(A), 3554(I), (J), and (L), 3555(D), 3556.1(A), and 3561.1(A) and to enact R.S. 9:3511(E) and 3554(E)(3)(c), relative to the Louisiana Consumer Credit Law; to provide for the scope of the law; to provide for disclosures of the contract; to provide for definitions; to provide for additional fees and charges; to provide for maximum charges after negotiations; to provide for maximum deferral charges; to provide for disclosure of prepayment information; to provide relative to property insurance; to provide for revocations or suspensions; to provide for the institution of civil actions; to provide for examination authority; to provide relative to the Louisiana Consumer Credit Education Fund; to provide for the maintenance of records; to provide for application and license fees; and to provide for related matters.

Reported favorably.

May 19, 1999

HOUSE BILL NO. 1448—

BY REPRESENTATIVE TRAVIS

AN ACT

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

Reported favorably.

HOUSE BILL NO. 1574—

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

AN ACT

To amend and reenact R.S. 40:1662.3(1), (2), (5), (9), and (10), 1662.6(A), (B)(1), (5), and (6), 1662.7(B), (C), (D), and (E), 1662.8(B)(2) and (4), 1662.9(A)(introductory paragraph), (4), and (5), 1662.11(A)(1), and 1662.14(A)(2) and (3)(b), to enact R.S. 40:1662.3(11) through (19), 1662.6(B)(8) and (9), 1662.7(F), 1662.8(B)(5), 1662.9(A)(6), (E), and (F), and 1662.14(A)(6), and to repeal R.S. 40:1662.10, relative to the Alarm Industry Licensing Act; to provide relative to definitions; to provide for the application and licensure of alarm contracting companies and the requirements to maintain licensure; to provide for licensure and requirements of other types of individual licenses; to provide for license renewal and continuing education requirements; to provide for classifications of offenses and prohibited acts; to delete provisions with regard to certain provisional licenses; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1575—

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

AN ACT

To enact R.S. 23:541(E), relative to regulations affecting boilers; to provide for boiler inspection fees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1577—

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

AN ACT

To amend and reenact R.S. 40:1484.4(B)(1) and (D)(1) and 1484.5(A) and to repeal R.S. 40:1484.4(B)(introductory paragraph), relative to amusement rides and attractions; to provide for certain annual inspections; to provide for fees for inspection certificates; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1704—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 40:1653(F) and to enact R.S. 40:1653(G) and (H), relative to fire alarm systems; to provide for the registration and licensure of certain persons; to provide for fees; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1811—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 37:1797, 1806.1, and 1807(A), and to enact R.S. 37:1804(10), and to repeal R.S. 37:1793(C), relative to the regulation of pawnbrokers; to provide for authority to inspect records; to provide for prohibited practices; to provide for guidance and advisory opinions by the commissioner; to provide for the disposition of civil penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1989—

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

AN ACT

To amend and reenact R.S. 40:1643(C), relative to required fire protection sprinkler systems; to provide for extensions of time to meet the requirement for high-rise buildings in certain cases; and to provide for related matters.

Reported favorably.

Respectfully submitted,
KEN HOLLIS
Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

May 19, 1999

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 121—

BY SENATOR JOHNSON

A CONCURRENT RESOLUTION

To direct the governor of the state of Louisiana, the president of the Senate, and the speaker of the House of Representatives to, individually or jointly, take appropriate action to prohibit smoking throughout the state capitol thereby creating and declaring the capitol a "smoke-free" environment.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 16—

BY REPRESENTATIVE MURRAY

A CONCURRENT RESOLUTION

To request the House Committee on House and Governmental Affairs and the Senate Committee on Senate and Governmental Affairs to meet and to function as a joint committee to study the feasibility of increasing campaign contribution limits based on the rate of inflation and to report the findings of the joint committee to the legislature prior to the convening of the 2001 Regular Session.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 43—
BY REPRESENTATIVE LONG

A CONCURRENT RESOLUTION

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

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 89—
BY REPRESENTATIVE WALSWORTH

A CONCURRENT RESOLUTION

To designate the square dance as the American Folk Dance of the state of Louisiana.

Reported favorably.

HOUSE BILL NO. 119—
BY REPRESENTATIVES DOWNER, BRUNEAU, DONELON, AND LANCASTER AND SENATOR BRANCH
AN ACT

To amend and reenact R.S. 9:3861(B), R.S. 29:403(8), and R.S. 40:1299.60(B), relative to military affairs; to provide for the definitions of "military personnel" and "uniformed services"; to provide relative to the reserve components of the armed forces; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 282—
BY REPRESENTATIVE WILKERSON
AN ACT

To amend and reenact R.S. 24:204(B) and to enact R.S. 24:204(C), relative to the Louisiana State Law Institute; to allow a member of the Louisiana State Law Institute to submit and present a minority report on legislation proposed by the law institute; to provide for the content of such report; to provide for the distribution of such report; to require the inclusion of a summary of each minority report in the digest of such proposed legislation; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 283—
BY REPRESENTATIVE WILKERSON
AN ACT

To enact R.S. 24:202(A)(18) and (19), relative to the membership of the council of the Louisiana State Law Institute; to provide that any Louisiana members of the Board of Governors of the National Bar Association shall serve as ex officio members of the council of the law institute; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 324 (Duplicate of Senate Bill No. 934)—
BY REPRESENTATIVES WALSWORTH AND SENATOR EWING AND COAUTHORED BY REPRESENTATIVES FAUCHEUX, JENKINS, KENNEY, AND THOMPSON
AN ACT

To amend and reenact R.S. 36:802(introductory paragraph) and to enact Chapter 27 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1231 through 1237, and R.S. 36:209(Q), to create the Louisiana Purchase Bicentennial Commission; to provide for membership on the commission and its operation; to provide relative to powers, duties, and activities of the commission; to provide relative to funds and property of the commission; to provide for termination of the commission; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 325—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend R.S. 18:435(A), (B), and (D), relative to elections; to provide for poll watchers in elections at which a proposition or question is to be submitted to the voters and in recall elections; to provide for the appointment and commissioning of such poll watchers; to define terms; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 374—
BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 24:511(C), relative to the filling of a vacancy in the office of legislative auditor; to provide with respect to filling the office of legislative auditor on a temporary basis; to create the Special Recommendation Commission; to provide for a recommendation of the commission to be reported to the legislature; to provide for the responsibilities of the commission; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 432—
BY REPRESENTATIVE DUPRE
AN ACT

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

Reported favorably.

HOUSE BILL NO. 459—
BY REPRESENTATIVE WESTON
AN ACT

To enact R.S. 42:66(N), relative to dual officeholding and employment; to allow certain state employees to hold certain elective offices in certain municipalities of the state; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 461—
BY REPRESENTATIVES BRUNEAU, ANSARDI, BARTON, BOWLER, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, DAMICO, DONELON, DUPRE, FAUCHEUX, FONTENOT, FRITH, GREEN, HEATON, HOLDEN, HOPKINS, KENNEY, LANCASTER, LEBLANC, MARTINY, MCMAINS, MONTGOMERY, MORRELL, MURRAY, POWELL, PRATT, SCHNEIDER, SCHWEGMANN, SHAW, THORNHILL, TOOMY, VITTER, WARNER, WILLARD, WINSTON, AND WOOTON AND SENATORS HAINKEL, BAJOLE, BARHAM, BOISSIERE, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, EWING, C. FIELDS, W. FIELDS, HEITMEIER, IRONS, JOHNSON, JONES, LAMBERT, LANDRY, LENTINI, MALONE, ROMERO, SCHEDLER, SIRACUSA, THEUNISSEN, AND ULLO
AN ACT

To enact R.S. 49:149.25, relative to state buildings; to provide that the former Wildlife and Fisheries building on Royal Street in New Orleans be renamed as the Judge Fred J. Cassibry Building; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 471—
BY REPRESENTATIVE COPELIN
AN ACT

To amend and reenact R.S. 42:1142(A), relative to the Board of Ethics; to provide that an advisory opinion issued to any person or governmental entity by the board or a panel thereof is subject to the supervisory jurisdiction of the appellate court; and to provide for related matters.

May 19, 1999

Reported favorably.

HOUSE BILL NO. 521—
BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 1:55(B)(1) and (E)(1)(a)(iii), relative to state holidays; to declare Christopher Columbus Day a holiday for the city court of Sulphur and for the clerk of the city court of Sulphur; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 603—
BY REPRESENTATIVE THOMPSON

AN ACT

To amend and reenact R.S. 24:554, relative to the powers of the Legislative Audit Advisory Council; to provide for the issuance of reports of findings of noncompliance with recommendations of the legislative auditor in an audit report; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 677—
BY REPRESENTATIVE FONTENOT

AN ACT

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

Reported favorably.

HOUSE BILL NO. 739—
BY REPRESENTATIVE WILLARD

AN ACT

To amend and reenact R.S. 29:253(B), relative to the Veterans' Affairs Commission; to provide for reimbursement of members for certain traveling expenses; to increase the per diem paid to members; to provide the maximum per diem which may be paid in a fiscal year; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 774—
BY REPRESENTATIVE MCCAIN

AN ACT

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

Reported favorably.

HOUSE BILL NO. 920—
BY REPRESENTATIVES WINSTON AND WADDELL

AN ACT

To enact R.S. 44:38, relative to public records; authorizes disclosure of certain confidential court and agency records of children for purposes of studies authorized by the legislature; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1372—
BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 24:522, relative to the legislative auditor; to provide for the performance audit program; to provide for duties of the legislative auditor relative to audits of performance of state agencies; to authorize the legislative auditor to evaluate and audit certain political subdivisions of the state under certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1587—
BY REPRESENTATIVES DAMICO, DEWITT, DOWNER, MCMAINS, DIEZ,
AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM,
AND SCHEDLER

AN ACT

To enact R.S. 30:2043, relative to the Department of Environmental Quality; to provide relative to maintenance of public records by the department; to provide procedures, forms, methods, and conditions; to provide relative to admissibility into evidence; to provide relative to electronic signatures; to provide for promulgation of rules; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1802—
BY REPRESENTATIVE THOMPSON

AN ACT

To amend and reenact R.S. 24:511(A), relative to the qualifications of the legislative auditor; to require that the legislative auditor be a licensed certified public accountant; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1942—
BY REPRESENTATIVE HOLDEN

AN ACT

To enact R.S. 49:153.2, relative to the display of flags at the state capitol; to provide for the flying of the flags at half-mast after the death of a current or former legislator or statewide elected official; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1949—
BY REPRESENTATIVE BAYLOR

AN ACT

To enact R.S. 44:11(C), relative to public records; to provide that the social security number of an employee of a city or parish school board is confidential under certain circumstances; to authorize the disclosure of such social security number under certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1954—
BY REPRESENTATIVES HUNTER AND MURRAY

AN ACT

To enact R.S. 24:202(A)(18) relative to the membership of the council of the Louisiana State Law Institute; to provide that certain persons shall serve as ex officio members of the council of the law institute; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1977—
BY REPRESENTATIVE DOWNER

AN ACT

To amend and reenact R.S. 42:33, relative to civil service; to provide relative to employment in the state civil service; to require proof of draft registration to be eligible for certain classified and unclassified state civil service employment; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1992—
BY REPRESENTATIVE QUEZAIRE

AN ACT

To enact R.S. 42:66(N), relative to dual officeholding; to provide an exception to the dual officeholding and dual employment prohibitions for a toll collector employed in the classified state civil

service to be employed as an emergency rural carrier with the United States Postal Service at the same time; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2108—

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

AN ACT

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

Reported favorably.

Respectfully submitted,
JAY DARDENNE
Chairman

REPORT OF COMMITTEE ON

HEALTH AND WELFARE

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

May 19, 1999

To the President and Members of the Senate:

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

SENATE BILL NO. 114—

BY SENATOR DYESS

AN ACT

To amend R.S. 46:2635(D), relative to the Traumatic Head and Spinal Cord Injury Trust Fund; to increase the maximum expenditures for a traumatic head or spinal cord injury survivor; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 677—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 37:1171(5), 1701, 2366, and 2367 and to enact Part II of Chapter 28 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:2371 through 2379, relative to psychologists; to provide for definitions; to provide for the duties of a psychologist certified to prescribe; to allow a psychologist certified to prescribe to give directions to certain other health care providers; to authorize the State Board of Examiners of Psychologists to certify qualified psychologists to prescribe drugs and to provide for other related powers and duties; to establish the qualifications for psychologists certified to prescribe and the requirements for such certification; to provide for renewal of the certificate; to provide for grounds for discipline, suspension, and revocation of a certificate; to prohibit issuance of a prescription by a psychologist who is not certified to prescribe; to provide a penalty for violation; to provide for prescribing practices; to provide for controlled substance prescriptive authority; to provide for coordination with the Louisiana Board of Pharmacy; to direct the Louisiana Law Institute to designate certain provisions of Title 37 of the Louisiana Revised Statutes of 1950 as Part I of Chapter 28; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1031—

BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 40:1299.35.1, 1299.35.4, and 1299.35.10(A)(18) and to enact R.S. 40:1299.35.6(C)(5), relative to abortion; to provide for definitions; to provide with respect to abortion after viability of the unborn child; to provide for legislative findings and purpose; to prohibit the performance or inducement of an abortion after viability; to provide for termination of pregnancy after viability under certain circumstances and for certification of reason thereof; to require the Department of Health and Hospitals to provide for the production and mandatory presentation of a videotape explaining certain information to each woman seeking an abortion; to provide for certain information contained in an abortion report; to provide for severability provisions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 320—

BY REPRESENTATIVES PERKINS, ALEXANDER, CARTER, DAMICO, DIEZ, DIMOS, DONELON, FAUCHEUX, FLAVIN, FONTENOT, FRITH, GAUTREAUX, HEBERT, ILES, JENKINS, JOHNS, KENNARD, KENNEY, MCCALLUM, MICHOT, POWELL, RIDDLE, JACK SMITH, THOMPSON, THORNHILL, WALSWORTH, WESTON, WIGGINS, AND WRIGHT

AN ACT

To amend and reenact R.S. 40:2134, relative to provisions of law dealing with the licensing and regulation of ambulatory surgical centers; to remove the exemption for abortion clinics or any facilities used for or relating to abortion procedures from such provisions; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1395—

BY REPRESENTATIVES LONG, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, CLARKSON, DURAND, GLOVER, SCHWEGMANN, AND WIGGINS AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To enact R.S. 46:450.2(C), relative to nonemergency, nonambulance transportation service providers; to provide for classes of violations by a provider; to provide for civil fines for violations; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1396—

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

AN ACT

To amend and reenact R.S. 28:771(A) and (B)(1) through (4), (5)(a), (6), and (7), 772(A), (B)(introductory paragraph) and (3), (C), and (E), R.S. 36:251(B) and (C)(1), 258(E)(1) and (2), and R.S. 47:120.38(A) and (B)(2) and (3) and 9021, relative to the office of alcohol and drug abuse in the Department of Health and Hospitals; to change the name of the office of alcohol and drug abuse to the office for addictive disorders, and to provide for related matters.

Reported favorably.

Respectfully submitted,
DONALD E. HINES
Chairman

REPORT OF COMMITTEE ON

INSURANCE

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

May 19, 1999

May 19, 1999

To the President and Members of the Senate:

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

SENATE BILL NO. 1103—
BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 22:1078(B)(3), (8) through (11), and (17) and to enact R.S. 22:1078(F), relative to fees collected by the commissioner of insurance; to increase certain license, company appointment, renewal, filing, and approval fees; to create the Agents' Market Conduct Fund; to provide for deposit of certain fees into such fund; to provide for the use of monies in the fund; to redesignate approval fees as filing fees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 198—
BY REPRESENTATIVE BRUNEAU

AN ACT

To enact R.S. 42:855, relative to the State Employees' Group Benefits Program; to prohibit requiring a refund of expenditures from a plan member or health care provider on certain paid claims on the basis of ineligibility under certain circumstances; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 275—
BY REPRESENTATIVE DONELON

AN ACT

To enact R.S. 49:191(12) and to repeal R.S. 49:191(10)(n), relative to the Department of Insurance, including provisions to provide for the re-creation of the Department of Insurance 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 department and its statutory entities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 964—
BY REPRESENTATIVES DONELON AND MARTINY

AN ACT

To amend and reenact R.S. 22:1258, 1262(A)(3) and (B)(4)(b)(ii), 1263.1, 1265(A) and (B), 1267(A)(1), and 1269(A)(introductory paragraph), and to repeal R.S. 22:1264, relative to surplus lines insurance; to provide for notices; to provide for affidavits; to provide for tax payments; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1170—
BY REPRESENTATIVE BOWLER

AN ACT

To enact R.S. 22:2002(10) and 2006(8), relative to health maintenance organizations; to define point of service policies; to authorize health maintenance organizations to issue point of service policies subject to certain requirements; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1295—
BY REPRESENTATIVES DONELON AND MARTINY

AN ACT

To repeal R.S. 22:1118.1, 1118.2, and Part V of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S.

22:1701 through 1703, relative to requirements for countersignature on certain insurance policies by resident agents.

Reported with amendments.

HOUSE BILL NO. 1296—
BY REPRESENTATIVES DONELON AND MARTINY
AN ACT

To amend and reenact R.S. 22:2078(A)(introductory paragraph) and to enact R.S. 22:1078(B)(18) and 2078.1, relative to risk purchasing groups; to require a risk purchasing group to annually renew its registration with the Department of Insurance; to provide for initial and renewal fees for such registration; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1300—
BY REPRESENTATIVES DONELON, MURRAY, AND PRATT
AN ACT

To amend and reenact R.S. 22:669(A)(1), (2), and (3), (C), and (D) and to enact R.S. 22:669(A)(5), relative to health insurance; to provide for coverage of severe mental illness; to provide for definitions; to provide for applicability; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1301—
BY REPRESENTATIVE BOWLER
AN ACT

To repeal R.S. 32:863.1(H), relative to motor vehicle insurance; to repeal provisions authorizing the promulgation of rules and regulations relative to proof of insurance.

Reported favorably.

HOUSE BILL NO. 1355—
BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact R.S. 22:2(A)(2) and (3), 8(A), 15(B)(1)(introductory paragraph) and (C)(1), 1921(introductory paragraph), and 1922(A)(1)(introductory paragraph) and (B) and R.S. 36:681(C), 686, 687(A), 688, 691, and 694, to enact R.S. 36:802.16, and to repeal R.S. 22:9(C)(2), 15(B)(1)(m), and 2034, relative to the Department of Insurance; to provide with respect to the organization of that department and the agencies made a part of that department; to provide relative to the officers of the department; to transfer certain agencies or their powers, duties, and functions to the department and to otherwise provide with respect to such agencies; to re-create the Louisiana Health Care Commission and to abolish the Dental Referral Study Commission; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2078—
BY REPRESENTATIVE THERIOT
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 2083 (Substitute for House Bill No. 1788 by Rep. Ansardi)—

BY REPRESENTATIVES ANSARDI, MURRAY, ALEXANDER, BARTON, BAYLOR, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DIEZ, DONELON, FAUCHEUX, FRITH, GLOVER, HUDSON, HUNTER, ILES, KENNARD, KENNEY, LEBLANC, MARTINY, MITCHELL, MORRELL, NEVERS, ODINET, PERKINS, PIERRE, PINAC, POWELL, ROMERO, SCALISE, SCHWEGMANN, JACK SMITH, SNEED, THOMPSON, THORNHILL, TRAVIS, TRICHE, WADDELL, WARNER, WILLARD, AND WOOTON

AN ACT

To amend and reenact R.S. 22:2021 and to enact Chapter 7 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:3070 through 3092, relative to health insurance; to require authorization or licensure of entities making medical necessity determinations as medical necessity review organizations; to provide for standards for such organizations; to provide for appeals from adverse determinations and for internal and external reviews; to provide for expedited appeals and reviews; to provide for standards for independent review organizations; to provide relative to the liability of organizations making medical necessity determinations; to provide for enforcement, including assessments, fines, and grounds for revocation or suspension of licensure; and to provide for related matters.

Reported favorably.

Respectfully submitted, GREGORY TARVER Chairman

Messages from the House

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

May 19, 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 the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 450— BY SENATOR DARZENNE

AN ACT

To amend and reenact R.S. 18:1505.4(A)(2), R.S. 39:1233.1, R.S. 42:1118.1(B), 1119(B)(2)(a)(ii) and (b)(ii), 1120(A), 1123(16)(a), and 1124(D), to enact R.S. 42:1111(E)(2)(d), and 1157(A)(5) and (6), all relative to certain reports, registrations and statements to be filed with the Board of Ethics; to provide for filing deadlines and late fees applicable to certain reports, registrations and statements; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 297 (DUPLICATE OF HOUSE BILL NO. 1792)—

BY SENATOR GREENE AND REPRESENTATIVE MCDONALD AND COAUTHORED BY REPRESENTATIVE DOWNER

AN ACT

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

application and eligibility requirements for such medical sabbatical leaves; and to provide for related matters.

Reported with amendments.

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

Rules Suspended

Senator Dyess asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 257 from the Committee on Finance.

SENATE BILL NO. 257—

BY SENATORS DYESS AND ELLINGTON AND REPRESENTATIVE WIGGINS

A JOINT RESOLUTION

Proposing to amend Article VIII, Section 13(D) of the Constitution of Louisiana, to remove the grant to the school system operated in Wards 9, 10, and 11 of Rapides Parish that it 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.

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

Rules Suspended

Senator Bean asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 1679 from the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 1679—

BY REPRESENTATIVES GLOVER, MITCHELL, MONTGOMERY, BAYLOR, AND SHAW

AN ACT

To enact Part VI of Chapter 12 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4699.2, to create and comprehensively provide relative to the Shreveport Municipal Auditorium District Authority; to establish its purposes and geographical jurisdiction; to provide relative to the composition, appointment, and terms of office of the board of commissioners of the district; to provide for the powers, duties, and functions of the board; and to provide for related matters.

Senator Bean moved the bill be indefinitely postponed.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Includes Mr. President, Barham, Bean, Boissiere, Branch, Cain, Campbell, Cox, Dardenne, Dean, Ellington, Fields C, Fields W, Hainkel, Heitmeier, Hollis, Irons, Johnson, Jones, Jordan, Landry, Malone, Romero, Siracusa, Smith, Theunissen, Thomas, Ullo.

NAYS

May 19, 1999

Total—0

ABSENT

Bajoie
Casanova
Cravins
Dyess
Total—11

Greene
Hines
Lambert
Lentini

Robichaux
Schedler
Tarver

The Chair declared House Bill No. 1679 was indefinitely postponed.

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 18, 1999

To the Honorable President and members of the Senate

Ladies and Gentlemen:

I have appointed James R. Calvin, M.D. to the Board of Trustees of the State Employees Group Benefits Program.

In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, I do hereby present this name for your review.

Sincerely,
M. J. "MIKE" FOSTER, JR.
Governor

State of Louisiana
OFFICE OF THE GOVERNOR
Baton Rouge

May 18, 1999

To the Honorable President and members of the Senate

Ladies and Gentlemen:

I have appointed Representative Jacqueline Brechtel Clarkson to the Formosan Termite Task Force.

In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, I do hereby present this name for your review.

Sincerely,
M. J. "MIKE" FOSTER, JR.
Governor

State of Louisiana
OFFICE OF THE GOVERNOR
Baton Rouge

May 18, 1999

To the Honorable President and members of the Senate

Ladies and Gentlemen:

I have appointed the persons on the attached list to the offices indicated.

In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, I do hereby present them for your review.

Sincerely,
M. J. "MIKE" FOSTER, JR.
Governor

Transportation and Development, Department of

Patternson, Curtis G.
Ray, Gerald L.

BOB ODOM
COMMISSIONER OF AGRICULTURE & FORESTRY

May 18, 1999

Honorable Randy Ewing
and Members of the Senate
P.O. Box 94183
Baton Rouge, LA 70804

Dear Senators:

I have made appointments to the following boards and commissions under my direction:

Livestock Brand Commission
Livestock Sanitary Board
Sweet Potato Commission

Enclosed is a list of those individuals who have been appointed. I am respectfully submitting them for confirmation.

I feel that these people meet all of the qualifications required by law and will serve the State of Louisiana, the Department of Agriculture and Forestry and the entities they represent to the best of their ability.

The Senate's favorable confirmation of these appointments is earnestly requested. Should you need or desire any other information from me, please contact me at any time.

Thanking you for your cooperation and assistance, I am

Sincerely,
Bob Odom
Commissioner

LIVESTOCK BRAND COMMISSION
Appointed by Commissioner
R.S. 3:732

Aaron Harris
1910 Hwy. 103
Washington, LA 70589

REPRESENTING: At-Large Position
TERM: 9/9/98-Concurrent
VICE: Vicki Hess

Mike Smith
Rt. 3, Box 440
Greensburg, LA 70441

REPRESENTING: LA Farm Bureau
TERM: 9/9/98-Concurrent
VICE: None

Robert Wyatt
P.O. Box 3206
Lake Charles, LA 70602

REPRESENTING: LA District Attorney's Assoc.
TERM: 9/9/98-Concurrent
VICE: Walter May

LIVESTOCK SANITARY BOARD
Appointed by Commissioner
R.S. 3:2091

Mr. Adrian Decker
1057 Carney Road
Zachary, LA 70791

REPRESENTING: LA Farm Bureau
TERM: 2/15/99-Concurrent
VICE: Herman Rogillio

Mr. Roger Hooper

REPRESENTING: LA Poultry Federation

Con Agra Poultry Co.
P.O. Box 726
Farmerville, LA 71241

TERM: 2/4/99-Concurrent
VICE: Wayne Jones

Mr. Jimmy Kelley
Kelley's Game Farm
120 Milby Street
DeRidder, LA 70634

REPRESENTING: Exotic Game Breeder
TERM: 2/4/99-Concurrent
VICE: None

SWEET POTATO COMMISSION
Appointed by Commissioner
R.S. 3:453

Lamar Bush
P.O. Box 1646
Oak Grove, LA 71263-1646

REPRESENTING: Shipper
TERM: 7/1/98-6/30/2002
VICE: Self

J. Alton Coco
359 Cedar Lane
Marksville, LA 71351

REPRESENTING: Canner
TERM: 8/17/98-8/17/2002
VICE: Self

James Deshotel
5922 Hwy. 115
Bunkie, LA 71322

REPRESENTING: Producer
TERM: 8/17/98-8/17/2002
VICE: Ray Poret

Marty Haley
424 Helms Lane
Oak Grove, LA 71263-7877

REPRESENTING: Canner
TERM: 1/8/99-6/30/2002
VICE: Hollis Horton

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 19, 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. 214—
BY REPRESENTATIVES WILKERSON AND PRATT AND SENATOR BAJOE
A CONCURRENT RESOLUTION

To commend Delta Sigma Theta Sorority for its achievements and designate May 19, 1999, as Delta Sigma Theta Sorority Legislative Day at the Louisiana Legislature.

HOUSE CONCURRENT RESOLUTION NO. 219—
BY REPRESENTATIVE CLARKSON
A CONCURRENT RESOLUTION

To commend the 1999 Jesuit High School soccer team on being the undefeated state champion in the highest division of soccer competition.

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

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

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

Message from the House

**SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS**

May 19, 1999

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

HOUSE BILL NO. 166—
BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 47:1838(introductory paragraph), relative to the Louisiana Tax Commission; to authorize the continued assessment and collection of fees assessed in connection with services performed by the commission; and to provide for related matters.

HOUSE BILL NO. 514—
BY REPRESENTATIVE STELLY
AN ACT

To enact R.S. 11:701(29), (30), and (31) and 739, relative to the Teachers' Retirement System; to provide with respect to definitions; to provide with respect to the purchase of service credit and funds usable therefor; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 602—
BY REPRESENTATIVE STELLY
AN ACT

To enact R.S. 11:2174.1, relative to the Sheriffs' Pension and Relief Fund; to provide with respect to out-of-state full-time law enforcement service credit and the purchase thereof; to provide regarding the application procedures for such purchases; to provide regarding the promulgation of rules and regulations; and to provide for related matters.

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.

HOUSE BILL NO. 729—
BY REPRESENTATIVE STELLY
AN ACT

To amend and reenact R.S. 11:403(28), 411(introductory paragraph) and (5), 413(6) and (8), 424(A)(1)(introductory paragraph) and (2) and (D), and 444(C)(introductory paragraph), (7), and (10)(b), relative to the Louisiana State Employees' Retirement System; to provide with respect to definitions; to provide regarding membership and eligibility criteria related thereto; and to provide regarding service credit and the conversion of certain leave to credit; to provide regarding benefits and the computation thereof; to provide regarding average compensation; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 730—
BY REPRESENTATIVE STELLY
AN ACT

To amend and reenact R.S. 11:2174(B)(1) and (5)(a), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to membership and contributions; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 750—
BY REPRESENTATIVES MARTINY, ANSARDI, BOWLER, DAMICO, LANCASTER, SCALISE, AND VITTER AND SENATORS HAINKEL, HOLLIS, LENTINI, ULLO, AND SCHEDLER
AN ACT

To enact R.S. 23:1034(E), relative to public employers' liability for workers' compensation; to provide that workers' compensation is

May 19, 1999

an injured public employee's exclusive remedy in certain circumstances; and to provide for related matters.

HOUSE BILL NO. 751—
BY REPRESENTATIVES MARTINY, ANSARDI, BOWLER, DAMICO, LANCASTER, SCALISE, AND VITTER AND SENATORS HAINKEL, LENTINI, ULLO, AND SCHEDLER
AN ACT

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

HOUSE BILL NO. 832—
BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 11:1322, relative to the State Police Pension and Retirement System; to provide with respect to survivors' benefits; to provide with respect to service credit and contributions; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 911—
BY REPRESENTATIVE STELLY
AN ACT

To amend and reenact R.S. 11:701(6) and (26), 728(F), 762(F), 781(A)(1) and (3), and 783(A)(Option 1) and to repeal R.S. 11:728(D) and 729, relative to the Teachers' Retirement System; to provide with respect to definitions; to provide with respect to credit for certain teaching service; to provide with respect to the payment of survivor benefits and the options related thereto; to provide with respect to the refund of contributions; to repeal provisions granting credit for service in certain limited situations; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1149 (Duplicate of Senate Bill No. 384)—
BY REPRESENTATIVE ANSARDI AND SENATOR THEUNISSEN AND COAUTHORED BY REPRESENTATIVES HUDSON AND MURRAY
AN ACT

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

HOUSE BILL NO. 1156—
BY REPRESENTATIVE HAMMETT
AN ACT

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

HOUSE BILL NO. 1174—
BY REPRESENTATIVES CRANE, DEWITT, AND MURRAY
AN ACT

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

HOUSE BILL NO. 1474 (Duplicate of Senate Bill No. 1002)—
BY REPRESENTATIVE FONTENOT AND SENATOR BRANCH
AN ACT

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

HOUSE BILL NO. 1682—
BY REPRESENTATIVE DANIEL (BY REQUEST)
AN ACT

To amend and reenact R.S. 11:1162(A)(6)(introductory paragraph), relative to the Louisiana School Employees' Retirement System; to provide with respect to the board of trustees and participation in the Deferred Retirement Option Plan; and to provide for related matters.

HOUSE BILL NO. 1714—
BY REPRESENTATIVES DANIEL, CURTIS, FLAVIN, JOHNS, PERKINS, STELLY, TRICHE, AND WALSWORTH
AN ACT

To amend and reenact R.S. 11:2266, relative to the Firefighters Retirement System; to provide with respect to the application for membership or disability benefits and penalties for fraudulent actions related thereto; to provide with respect to benefits and the payment thereof; and to provide for related matters.

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

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

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

Adjournment

Senator Bean moved that the Senate adjourn until Thursday, May 20, 1999 at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Thursday, May 20, 1999.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk