

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

**THIRTY-FIRST DAY'S PROCEEDINGS**

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

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Thursday, May 20, 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	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones	Ullo
Dean	Jordan	

Total—38

**ABSENT**

Tarver  
Total—1

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

**Prayer**

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

**Reading of the Journal**

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

**Morning Hour**

**Rules Suspended**

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

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

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

**SENATE BILL NO. 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.

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

**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 Bean, the bill was read by title and returned to the Calendar, subject to call.

**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.

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

**SENATE BILL NO. 597 (DUPLICATE OF HOUSE BILL NO. 679)—**

BY SENATOR SCHEDLER AND REPRESENTATIVE JOHNS AND COAUTHORED BY REPRESENTATIVE MCMAINS

**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.

**Floor Amendments Sent Up**

Senator Lentini sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lentini to Engrossed Senate Bill No. 597 by Senator Schedler

**AMENDMENT NO. 1**

On page 1, line 3, after "prescriptive" delete "and peremptive"

**AMENDMENT NO. 2**

On page 1, line 5, after "one year" delete "and a peremptive period of three years"

May 20, 1999

AMENDMENT NO. 3

On page 2, delete lines 16 through 20 and on line 21, change "(D)" to "(C)" and on line 22 change "D" to "C"

AMENDMENT NO. 4

On page 3, delete line 27

AMENDMENT NO. 5

On page 4, delete lines 1 through 4 and on line 5 change "(D)" to "(C)" and one line 6 change "D" to "C"

AMENDMENT NO. 6

On page 5, line 1, after "discovered" delete the remainder of the line and insert in lieu thereof a period "."

AMENDMENT NO. 7

On page 5, delete lines 2 through 7 in their entirety

AMENDMENT NO. 8

On page 5, at the beginning of line 8 insert "B. With"

AMENDMENT NO. 9

On page 5, line 11, after "2000." delete the remainder of the line and delete lines 12 through 14 in their entirety

Motion

Senator Hines moved the previous question on the amendment.

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

The vote on the previous question was 25 yeas, 8 nays, 6 absent. The actual tally is not available.

The Chair declared the previous question was called on the amendment.

Senator Landry moved the adoption of Amendments No. 3, 4, and 5.

Senator Lentini objected.

ROLL CALL

The roll was called with the following result:

YEAS

Boissiere Fields C Jordan
Cain Fields W Lambert
Campbell Hollis Landry
Cox Irons Lentini
Cravins Johnson Malone
Dardenne Jones

NAYS

Mr. President Ellington Schedler
Barham Greene Siracusa
Bean Hainkel Smith
Branch Heitmeier Theunissen
Casanova Hines Thomas
Dean Robichaux Ullo
Dyess Romero

ABSENT

Bajoie Tarver
Total—2

The Chair declared Amendments No. 3, 4 and 5 were rejected.

Senator Lentini moved the adoption of Amendments No. 1, 2, 6, 7, 8 and 9.

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bean Cravins Johnson
Boissiere Fields C Jones
Cain Fields W Jordan
Campbell Hollis Lambert
Cox Irons Lentini
Total—15

NAYS

Mr. President Greene Schedler
Barham Hainkel Siracusa
Branch Heitmeier Smith
Casanova Hines Theunissen
Dardenne Landry Thomas
Dean Malone Ullo
Dyess Robichaux
Ellington Romero

Total—22

ABSENT

Bajoie Tarver
Total—2

The Chair declared Amendments No. 1, 2, 6, 7, 8 and 9 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. 597 by Senator Schedler

AMENDMENT NO. 1

On page 4, at the end of line 24, after "jurisdiction" delete "and proper" and at the beginning of line 25, delete "venue"

AMENDMENT NO. 2

On page 5, line 10, after "jurisdiction" delete "and proper venue"

Motion

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

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Ellington	Romero
Barham	Hainkel	Schedler
Bean	Hines	Siracusa
Boissiere	Hollis	Smith
Cain	Johnson	Theunissen
Dyess	Jones	Thomas
Total—18		

NAYS

Branch	Dean	Lambert
Campbell	Fields C	Landry
Casanova	Fields W	Lentini
Cox	Greene	Malone
Cravins	Heitmeier	Robichaux
Dardenne	Jordan	Ullo
Total—18		

ABSENT

Mr. President	Irons	Tarver
Total—3		

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

On motion of Senator Landry, the amendments were adopted.

**Senator Ellington in the Chair**

**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. 597 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 14, after "defect by" delete "clear and convincing" and insert "a preponderance of the"

AMENDMENT NO. 2

On page 3, line 25, after "defect, by" delete "clear and convincing" and insert "a preponderance of the"

On motion of Senator Landry, 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. 597 by Senator Schedler

AMENDMENT NO. 1

On page 6, after line 10, insert the following:

"Section 2. The provisions of this Act shall not affect any legal proceedings filed prior to the effective date of this Act."

Senator Landry moved adoption of the amendments.

Senator Dean objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Dean  
Total—1

ABSENT

Mr. President	Bajoie	Tarver
Total—3		

The Chair declared the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dyess	Landry
Bajoie	Ellington	Malone
Barham	Fields C	Robichaux
Bean	Fields W	Schedler
Branch	Greene	Siracusa
Cain	Hainkel	Smith
Campbell	Heitmeier	Theunissen
Casanova	Hines	Thomas
Cravins	Hollis	Ullo
Dardenne	Irons	
Dean	Johnson	
Total—31		

NAYS

Boissiere	Jones	Lambert
Cox	Jordan	Lentini
Total—6		

ABSENT

Romero	Tarver
Total—2	

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

**Mr. President in the Chair**

**Personal Privilege**

May 20, 1999

Senator Romero asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on Senate Bill No. 597. He had intended to vote yea on the bill. He asked that the Official Journal so state.

Rules Suspended

Senator Bean asked for and obtained a suspension of the rules for the purpose of considering House Bill No. 1322 which is on third reading and final passage out of its regular order.

House Bills and Joint Resolutions on Third Reading and Final Passage

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

HOUSE BILL NO. 1322— BY REPRESENTATIVE WADDELL AN ACT

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

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

ROLL CALL

The roll was called with the following result:

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

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

Rules Suspended

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

Introduction of 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. 132— BY SENATORS ULLO AND DARDENNE A CONCURRENT RESOLUTION

To urge and request manufacturers and sellers of firearms and ammunition who sell or distribute within the state of Louisiana to provide suggestions or advice on how to provide for additional forms of safety or security relative to the sale, distribution, handling, use or storage of firearms or ammunition.

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

Privilege Report of the Legislative Bureau

May 20, 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. 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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

May 20, 1999

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 827 by Representative Ansardi

AMENDMENT NO. 1

On page 13, line 9, following "Article" change "647" to "646.1"

AMENDMENT NO. 2

On page 16, line 24, following "Article" and before ", or" change "647" to "646.1"

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**HOUSE BILL NO. 1047 (Duplicate of Senate Bill No. 683)—**

BY REPRESENTATIVE DEVILLE AND SENATOR DARDENNE AND COAUTHORED BY REPRESENTATIVES RIDDLE, WALSWORTH, JACK SMITH, CARTER, MCMAINS, BAUDOIN, AND SCHWEGMANN

AN ACT

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

Reported without amendments.

**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 without amendments.

**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 without amendments.

**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.

Reported without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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.

May 20, 1999

Reported without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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 without amendments.

**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.

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.

**Motion to Recommit**

Senator Bean asked for and obtained a suspension of the rules and recommitted House Bill No. 228, which was just passed to a Third Reading and Final Passage, to the Committee on Finance.

**Motion to Recommit**

Senator Bean asked for and obtained a suspension of the rules and recommitted House Bill No. 330, which was just passed to a Third Reading and Final Passage, to the Committee on Finance.

**Motion to Recommit**

Senator Bean asked for and obtained a suspension of the rules and recommitted House Bill No. 608, which was just passed to a Third Reading and Final Passage, to the Committee on Finance.

**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 20, 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. 2—**  
BY REPRESENTATIVES ALARIO, LEBLANC, DOWNER, AND THOMPSON AND SENATORS BARHAM AND HAINKEL  
AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

**HOUSE BILL NO. 2027—**  
BY REPRESENTATIVE LEBLANC  
AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and designated purposes in specific amounts for the purpose of making supplemental appropriations for the funding of said agencies and purposes during the 1998-1999 Fiscal Year; and to provide for related matters.

**HOUSE BILL NO. 2145—**  
BY REPRESENTATIVE LEBLANC  
AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 1999-2000; and to provide for related matters.

**HOUSE BILL NO. 2259— (Substitute Bill for House Bill No. 1728 by Representative Perkins)**

BY REPRESENTATIVE PERKINS  
AN ACT

To enact R.S. 49:953(A)(1)(a)(viii) and 972, relative to administrative procedure; to provide that prior to the adoption, amendment, or repeal of any rule by any state agency that a family impact statement be issued; to provide for contents of the family impact statement; and to provide for related matters.

**HOUSE BILL NO. 1621—**

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

AN ACT

To amend and reenact R.S. 32:414.2(A)(1)(b)(i), relative to commercial motor vehicle drivers; to provide relative to an economic hardship license; to provide relative to disqualification of commercial driving privileges; and to provide for related matters.

**HOUSE BILL NO. 990—**

BY REPRESENTATIVE MICHOT  
AN ACT

To amend and reenact R.S. 51:423, relative to the Unfair Sales Law and sales at less than cost; to provide for violations and penalties; and to provide for related matters.

**HOUSE BILL NO. 1709—**

BY REPRESENTATIVE DIEZ  
AN ACT

To enact R.S. 47:532(D)(4), relative to the registration of vehicles; to authorize the adoption and enforcement of administrative regulations for the issuance of permanent metal plates of certain motor vehicles; and to provide for related matters.

**HOUSE BILL NO. 1903—**

BY REPRESENTATIVE TRAVIS  
AN ACT

To enact R.S. 36:109(D)(1) and to repeal R.S. 36:4(B)(1)(g), relative to the International Trade Development Board; to correct an erroneous placement of such board to the office of the governor rather than the Department of Economic Development; and to provide for related matters.

**HOUSE BILL NO. 2036—**

BY REPRESENTATIVE WRIGHT  
AN ACT

To designate a bridge located along Louisiana Highway 8, in Boyce, Louisiana, which crosses the Red River in Grant and Rapides parishes as the Richard S. Thompson Bridge; and to provide for related matters.

**HOUSE BILL NO. 2059—**

BY REPRESENTATIVES HEATON AND TRAVIS  
AN ACT

To amend and reenact R.S. 37:1361(A), 1371, 1373(A), 1378(A)(introductory paragraph), (2), (3), and (8), and (B) and to enact R.S. 37:1367(H), 1368(I), and 1377(H), relative to plumbers; to provide for the purposes of and regulation by the State Plumbing Board; to require and provide for licensure of medical gas and vacuum systems verifiers; to provide for fees; to provide relative to injunctions; to define medical gas and vacuum systems verifier; to provide for disciplinary action; and to provide for related matters.

**HOUSE BILL NO. 2082—**

BY REPRESENTATIVES BOWLER, JENKINS, AND PERKINS  
AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; to provide relative to license plates; to create the "CHOOSE LIFE" prestige license plate; to provide for the issuance of such plate; to provide for a minimum number of applicants; to provide for the design and color of such plate; to provide relative to the fees for such plates; to provide for the creation of the "Choose Life" fund within the state

treasury; to provide for the deposit of certain monies into the fund; to provide for the use of such monies; to provide for the qualifications of organizations applying for receipt of such monies; to require annual disbursement of such monies; to require qualified organizations to submit an annual audit; to create the Choose Life Advisory Council; to provide for membership, terms, duties and pay for members of such Council; to authorize promulgation of rules and regulations; and to provide for related matters.

**HOUSE BILL NO. 402—**

BY REPRESENTATIVE RIDDLE  
AN ACT

To amend and reenact R.S. 9:4103(A), relative to alternative dispute resolution; to provide for the referral of a case to mediation by the court or on motion of any party; and to provide for related matters.

**HOUSE BILL NO. 79—**

BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact Civil Code Articles 776 and 780, relative to building restrictions; to clarify the codal authority to amend such restrictions; and to provide for related matters.

**HOUSE BILL NO. 1838—**

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

AN ACT

To amend and reenact R.S. 29:733(C)(Art. 5) and to enact R.S. 29:733.1, relative to emergency preparedness; to provide for limitation of liability of emergency personnel and owners and operators of facilities used for shelter in emergencies; and to provide for related matters.

**HOUSE BILL NO. 1262—**

BY REPRESENTATIVES GAUTREAUX, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, DURAND, HEBERT, LEBLANC, MARIONNEAUX, MCCAIN, QUEZAIRE, JACK SMITH, DANIEL, FAUCHEUX, FRITH, FRUGE, HILL, MICHOT, SCHNEIDER, AND TRICHE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, SCHEDLER, GREENE, ROMERO, AND SIRACUSA

AN ACT

To amend and reenact R.S. 30:2000.4 and to enact R.S. 30:2000.9 and 2000.10, relative to the Atchafalaya Basin Program; to provide for a capital improvement program; to provide for the operation and maintenance of projects under the capital improvement program; to provide for the powers and duties related thereto; 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. 2—**

BY REPRESENTATIVES ALARIO, LEBLANC, DOWNER, AND THOMPSON AND SENATORS BARHAM AND HAINKEL

AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

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

**HOUSE BILL NO. 79—**

BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact Civil Code Articles 776 and 780, relative to building restrictions; to clarify the codal authority to amend such restrictions; and to provide for related matters.

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

**HOUSE BILL NO. 402—**

BY REPRESENTATIVE RIDDLE  
AN ACT

To amend and reenact R.S. 9:4103(A), relative to alternative dispute resolution; to provide for the referral of a case to mediation by the court or on motion of any party; and to provide for related matters.

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

**HOUSE BILL NO. 990—**

BY REPRESENTATIVE MICHOT  
AN ACT

To amend and reenact R.S. 51:423, relative to the Unfair Sales Law and sales at less than cost; to provide for violations and penalties; and to provide for related matters.

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

**HOUSE BILL NO. 1262—**

BY REPRESENTATIVES GAUTREAUX, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, DURAND, HEBERT, LEBLANC, MARIONNEAUX, MCCAIN, QUEZAIRE, JACK SMITH, DANIEL, FAUCHEUX, FRITH, FRUGE, HILL, MICHOT, SCHNEIDER, AND TRICHE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, SCHEDLER, GREENE, ROMERO, AND SIRACUSA  
AN ACT

To amend and reenact R.S. 30:2000.4 and to enact R.S. 30:2000.9 and 2000.10, relative to the Atchafalaya Basin Program; to provide for a capital improvement program; to provide for the operation and maintenance of projects under the capital improvement program; to provide for the powers and duties related thereto; and to provide for related matters.

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

**HOUSE BILL NO. 1621—**

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

To amend and reenact R.S. 32:414.2(A)(1)(b)(i), relative to commercial motor vehicle drivers; to provide relative to an economic hardship license; to provide relative to disqualification of commercial driving privileges; 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. 1709—**

BY REPRESENTATIVE DIEZ  
AN ACT

To enact R.S. 47:532(D)(4), relative to the registration of vehicles; to authorize the adoption and enforcement of administrative regulations for the issuance of permanent metal plates of certain motor vehicles; 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. 1838—**

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

To amend and reenact R.S. 29:733(C)(Art. 5) and to enact R.S. 29:733.1, relative to emergency preparedness; to provide for limitation of liability of emergency personnel and owners and operators of facilities used for shelter in emergencies; and to provide for related matters.

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

**HOUSE BILL NO. 1903—**

BY REPRESENTATIVE TRAVIS  
AN ACT

To enact R.S. 36:109(D)(1) and to repeal R.S. 36:4(B)(1)(g), relative to the International Trade Development Board; to correct an erroneous placement of such board to the office of the governor rather than the Department of Economic Development; 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. 2027—**

BY REPRESENTATIVE LEBLANC  
AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and designated purposes in specific amounts for the purpose of making supplemental appropriations for the funding of said agencies and purposes during the 1998-1999 Fiscal Year; and to provide for related matters.

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

**HOUSE BILL NO. 2036—**

BY REPRESENTATIVE WRIGHT  
AN ACT

To designate a bridge located along Louisiana Highway 8, in Boyce, Louisiana, which crosses the Red River in Grant and Rapides parishes as the Richard S. Thompson Bridge; 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. 2059—**

BY REPRESENTATIVES HEATON AND TRAVIS  
AN ACT

To amend and reenact R.S. 37:1361(A), 1371, 1373(A), 1378(A)(introductory paragraph), (2), (3), and (8), and (B) and to enact R.S. 37:1367(H), 1368(I), and 1377(H), relative to plumbers; to provide for the purposes of and regulation by the State Plumbing Board; to require and provide for licensure of medical gas and vacuum systems verifiers; to provide for fees; to provide relative to injunctions; to define medical gas and vacuum systems verifier; to provide for disciplinary action; and to provide for related matters.

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

**HOUSE BILL NO. 2082—**

BY REPRESENTATIVES BOWLER, JENKINS, AND PERKINS  
AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; to provide relative to license plates; to create the "CHOOSE LIFE" prestige license plate; to provide for the issuance of such plate; to provide for a minimum number of applicants; to provide for the design and color of such plate; to provide relative to the fees for such plates; to

provide for the creation of the "Choose Life" fund within the state treasury; to provide for the deposit of certain monies into the fund; to provide for the use of such monies; to provide for the qualifications of organizations applying for receipt of such monies; to require annual disbursement of such monies; to require qualified organizations to submit an annual audit; to create the Choose Life Advisory Council; to provide for membership, terms, duties and pay for members of such Council; to authorize promulgation of rules and regulations; and to provide for related matters.

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

**HOUSE BILL NO. 2145—**  
BY REPRESENTATIVE LEBLANC  
AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 1999-2000; and to provide for related matters.

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

**HOUSE BILL NO. 2259— (Substitute Bill for House Bill No. 1728 by Representative Perkins)**  
BY REPRESENTATIVE PERKINS  
AN ACT

To enact R.S. 49:953(A)(1)(a)(viii) and 972, relative to administrative procedure; to provide that prior to the adoption, amendment, or repeal of any rule by any state agency that a family impact statement be issued; to provide for contents of the family impact statement; and to provide for related matters.

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

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**EDUCATION**

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

May 20, 1999

To the President and Members of the Senate:

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

**SENATE BILL NO. 1068—**  
BY SENATOR EWING  
AN ACT

To enact Part V of Chapter 8 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1987, relative to the education of children confined to certain correctional centers for youth; to establish and provide for a school district for such correctional centers; to provide for the state funding of the district and the uses to which state funds for the district may be put; to provide for the administration of the district; to provide for the provision of educational services; and to provide for related matters.

Reported with amendments.

**HOUSE CONCURRENT RESOLUTION NO. 98—**  
BY REPRESENTATIVES HEBERT AND ROMERO AND SENATOR ROMERO  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take appropriate action to provide that reimbursement of operational expenses of school bus drivers who own their own school buses and are contract employees of a school system will not be taxed as income.

Reported favorably.

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

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

Reported with amendments.

**HOUSE BILL NO. 165—**  
BY REPRESENTATIVE WILKERSON  
AN ACT

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

Reported with amendments.

**HOUSE BILL NO. 345—**  
BY REPRESENTATIVE LONG  
AN ACT

To amend and reenact R.S. 17:1964(A) and (D), relative to the board of directors for the Louisiana School of Math, Science, and the Arts; to add one member to the board; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 359—**  
BY REPRESENTATIVES PRATT, BRUNEAU, JOHNS, MICHOT, PINAC, STELLY, CLARKSON, FLAVIN, AND WALSWORTH  
A JOINT RESOLUTION

Proposing to amend Article VIII, Section 9(B) of the Constitution of Louisiana, to provide that each parish school board shall fix the qualifications and prescribe the duties of the parish superintendent of schools; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 360—**  
BY REPRESENTATIVES PRATT, BRUNEAU, JOHNS, MICHOT, PINAC, AND STELLY  
AN ACT

To amend and reenact R.S. 17:54(B), to provide that each city and parish school board shall fix the qualifications and duties of the superintendent of schools; to provide for effectiveness; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 499—**  
BY REPRESENTATIVE BARTON  
AN ACT

May 20, 1999

To enact R.S. 43:111(D), relative to advertising by public postsecondary educational institutions; to authorize such an institution to expend certain funds for advertising; to provide with respect to such advertising; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 542—**  
BY REPRESENTATIVE FAUCHEUX  
AN ACT

To amend and reenact R.S. 17:54(B), relative to appointments of local superintendents of schools; to require each city and parish school board to advertise vacancies and solicit applications for the position of local superintendent; to provide for publication thereof; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1235—**  
BY REPRESENTATIVE MCDONALD  
AN ACT

To amend and reenact R.S. 17:3092(10), 3095(D), (F), and (G), and 3096(B)(2) and (D) and to repeal R.S. 17:3095(B), all relative to the Louisiana Student Tuition Assistance and Revenue Trust Program; to provide relative to definitions of terms; to provide relative to education savings accounts and education assistance accounts; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1472—**  
BY REPRESENTATIVE PRATT  
AN ACT

To repeal R.S. 17:222(C)(3), relative to the age of school entrance; to repeal the exception for certain parish school boards to establish requirements for starting school that differ from the other school systems.

Reported favorably.

**HOUSE BILL NO. 1549—**  
BY REPRESENTATIVE DOWNER  
AN ACT

To amend and reenact R.S. 17:3151(A), relative to admission requirements for postsecondary educational institutions; to require certain proof of federal draft registration to be eligible to enroll in postsecondary educational institutions; to provide relative to rules and regulations of higher education management boards; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1725—**  
BY REPRESENTATIVE MCDONALD  
AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(a)(introductory paragraph),(b), (c), and (d), (2), (3), (4)(introductory paragraph) and (a), (B)(2)(introductory paragraph), (3)(introductory paragraph) and (a), (C)(2)(f), (D)(introductory paragraph), (E), and (R) and to repeal R.S. 17:3048.1(C)(2)(d), relative to the Tuition Opportunity Program for Students; to provide for eligibility requirements, including residency and attainment of certain academic standards for continued program participation; to provide for award payments, including purposes and use; to provide limitations on certain award payments and for their effectiveness; to provide for program administration; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1941—**  
BY REPRESENTATIVE HOLDEN  
AN ACT

To enact R.S. 17:7(24), relative to the powers and duties of the State Board of Elementary and Secondary Education; to provide for the development and implementation of a pilot education and nutrition summer program for children; to provide relative to the selection of sites and participation in the program; to provide for rules and regulations and funding for the program; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 2050—**  
BY REPRESENTATIVE MONTGOMERY  
AN ACT

To enact R.S. 17:497.4, relative to training and certification of school bus operators; to provide for the development and implementation of a program for training and certification of such operators; to provide for program purpose; to provide relative to training sessions and dissemination of information by the state Department of Education; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 2077—**  
BY REPRESENTATIVES THOMPSON AND HAMMETT  
AN ACT

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

Reported favorably.

Respectfully submitted,  
THOMAS A. GREENE  
Chairman

**REPORT OF COMMITTEE ON  
TRANSPORTATION, HIGHWAYS,  
AND PUBLIC WORKS**

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

May 20, 1999

To the President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 119—**  
BY SENATOR C. FIELDS  
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a left-turn signal at the intersection of Scenic Highway and Mills Avenue in Scotlandville in East Baton Rouge Parish.

Reported favorably.

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

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

Reported favorably.

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

A CONCURRENT RESOLUTION

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

Reported favorably.

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

A CONCURRENT RESOLUTION

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

Reported favorably.

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

A CONCURRENT RESOLUTION

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

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 135—**  
BY REPRESENTATIVE HAMMETT

A CONCURRENT RESOLUTION

To direct the Department of Transportation and Development to install a traffic light at the intersection of LA Hwy. No. 15 and Delaware Street in Ferriday, Louisiana.

Reported with amendments.

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

A CONCURRENT RESOLUTION

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

Reported favorably.

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

A CONCURRENT RESOLUTION

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

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 201—**  
BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

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

Reported favorably.

**HOUSE BILL NO. 29—**

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 38:2212(A)(3)(a) and (C)(2), relative to public contracts; to provide for the time period for advertisement of bids; to provide for the time for the opening of bids when plans and specifications are modified; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 61—**

BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 32:238(B), relative to directional signs; to authorize the Department of Transportation and Development to erect directional signs for seasonal attractions; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 121—**

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 47:519(G) and (H), relative to motor vehicle license plates; to extend the expiration of temporary registration plates under certain circumstances; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 127—**

BY REPRESENTATIVES SCHWEGMANN AND SALTER

AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; to provide for the creation of an "Animal Friendly" license plate; to provide for the charge of the plate; to create the Pet Overpopulation Fund; to provide for the dedication of revenues; to provide for the Pet Overpopulation Advisory Council; to provide for the promulgation of rules and regulations; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 205—**

BY REPRESENTATIVE JACK SMITH

AN ACT

To designate a bridge in Stephenville as the Wilton J. Stephens Bridge, and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 211—**

BY REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 48:256.2, relative to the Department of Transportation and Development; to provide for the removal of reduced speed limit signs; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 338—**

BY REPRESENTATIVE WALSWORTH

AN ACT

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

Reported favorably.

**HOUSE BILL NO. 541—**

BY REPRESENTATIVE DEWITT  
AN ACT

To amend and reenact R.S. 32:383.1(A), relative to loads on trucks; to provide for the covering of loads; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 926—**

BY REPRESENTATIVE JOHNS  
AN ACT

To enact R.S. 47:463.57, relative to prestige license plates; to provide for a Louisiana Association of Life Underwriters prestige license plate; to provide for eligibility; to provide for the design of the plate; to provide for the charge; to provide for disbursement of a donation; to provide for the promulgation of rules; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1046—**

BY REPRESENTATIVES ANSARDI, MCMAINS, BOWLER, CLARKSON, FRUGE, JOHNS, WALSWORTH, WIGGINS, WILKERSON, AND WRIGHT  
AN ACT

To enact R.S. 48:381.3, relative to public utility facilities; to provide for the duty of care with respect to the placement of public utility facilities on or adjacent to rights-of-way of state highways; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1464—**

BY REPRESENTATIVE WILKERSON  
AN ACT

To direct the Department of Transportation and Development to cut and remove the trees and brush at the intersection of Interstate Highway 20 and Louisiana Highway 149 in Grambling; to cut the grass; to clear the area of all litter, yard waste, trash, and debris; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1580—**

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

To amend and reenact R.S. 32:1304(E)(2), relative to motor vehicle inspection stickers; to provide for the fees of replacement motor vehicle inspection stickers; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1829—**

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

To repeal R.S. 48:21(C), relative to the Department of Transportation and Development; to repeal provisions requiring the department to seek reimbursement for the use of state-owned or leased aircraft by any local political subdivision.

Reported favorably.

**HOUSE BILL NO. 1830—**

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

To amend and reenact R.S. 48:193, relative to the state highway system; to provide for highways through municipalities; to change references in the statute from the board of highways to the

department; to provide relative to the functional classifications of state highways; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1831—**

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

To repeal R.S. 3:2809, relative to fencing of public highways; to repeal authorization of state aid for the fencing of public highways.

Reported favorably.

**HOUSE BILL NO. 1840—**

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

To amend and reenact R.S. 48:381.2(D), relative to use and occupancy of highway rights-of-way; to provide relative to the Right-of-Way Permit Processing Fund; to provide for the deposit and expenditure of funds; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1843—**

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

To repeal R.S. 48:27 through 34, 202, and 942 through 948, relative to the now obsolete authority of the Department of Transportation and Development and the former Department of Highways to issue bonds.

Reported with amendments.

**HOUSE BILL NO. 1856—**

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

To amend and reenact R.S. 32:390(A), relative to motor carriers; to provide for a statewide Weigh-In-Motion and Enforcement Camera System; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1857—**

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

To amend and reenact R.S. 48:253(A) and (B)(1), relative to contracts let by the Department of Transportation and Development; to provide for acceptable forms of bid guarantees; to provide for certain causes for forfeiture; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1858—**

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

To amend and reenact R.S. 48:253(C), relative to contracts let by the Department of Transportation and Development; to require the department to return checks or money orders of unsuccessful bidders within a certain time; and to provide for related matters.

Reported favorably.

May 20, 1999

**HOUSE BILL NO. 1910—**

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

## AN ACT

To amend and reenact R.S. 48:163.1, relative to the general highway fund; to provide for the use of highway funds for bicycle paths; to change references in the statute from the office of highways to the Department of Transportation and Development; to change references in the statute from the general highway fund to the transportation trust fund or the parish transportation fund; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
RON LANDRY  
Chairman

## REPORT OF COMMITTEE ON

## NATURAL RESOURCES

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

May 20, 1999

To the President and Members of the Senate:

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

**HOUSE CONCURRENT RESOLUTION NO. 13—**

BY REPRESENTATIVE JOHN SMITH

## A CONCURRENT RESOLUTION

To request that the Department of Natural Resources study the possibility of establishment of new rental and royalty requirements for the lease of state land and the possibility of incorporating such new requirements into existing leases.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 75—**

BY REPRESENTATIVE HEBERT

## A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources to study the effects of the Keystone Lock and Dam located on Bayou Teche on fields and siltation, and to report study findings and recommendations to the House and Senate Committees on Natural Resources prior to the convening of the 2000 Regular Session of the Legislature.

Reported favorably.

**HOUSE BILL NO. 415—**

BY REPRESENTATIVE SHAW

## AN ACT

To authorize and provide for the transfer or lease of certain property in Caddo Parish to the Caddo Parish Communications District Number One from the Caddo Parish School Board; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 462—**

BY REPRESENTATIVES FONTENOT, DEWITT, AND WESTON

## AN ACT

To amend and reenact R.S. 36:208(E), R.S. 48:757(A)(1)(a), R.S. 56:1684(C), 1685(B) and (C)(14), 1685.1, 1687.1(A), 1691(B)(2), 1700(A) and (D), 1701, 1702, 1943(1), and 1948.5(52)(f) and to enact R.S. 56:1685(C)(21), relative to state parks and state commemorative areas; to amend the list of state

parks and commemorative areas which are owned by the office of state parks; to provide relative to agreements for the management of certain commemorative areas; to change the designation and names of state commemorative areas; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 513—**

BY REPRESENTATIVE GAUTREAUX

## AN ACT

To amend and reenact R.S. 56:116(C)(2) and 116.3(B), relative to hunting deer; to authorize certain persons to use magnified scopes on muzzleloaders; to provide for disabled hunters to hunt certain deer; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 695—**

BY REPRESENTATIVE DEWITT

## AN ACT

To enact R.S. 56:768, relative to wildlife management areas; to require the Department of Wildlife and Fisheries to ensure land access to private property located within the boundaries of a wildlife management area; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 768—**

BY REPRESENTATIVE TRAVIS

## AN ACT

To authorize and provide for the lease of certain state property located in East Feliciana Parish to the Second Baptist Church of Jackson; to provide certain terms and conditions; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 769—**

BY REPRESENTATIVE TRAVIS

## AN ACT

To authorize and provide for the lease of certain state property located in East Feliciana Parish to the town of Jackson; to provide certain terms and conditions; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 771—**

BY REPRESENTATIVE MARTINY

## AN ACT

To authorize and provide the state through the Department of Transportation and Development to transfer certain tracts of land situated in Jefferson Parish to the city of Kenner; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1035—**

BY REPRESENTATIVE SHAW

## AN ACT

To authorize and provide for the transfer or lease of certain state property in Caddo Parish to the city of Shreveport from the Department of Transportation and Development; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1076—**

BY REPRESENTATIVE DEVILLE

## AN ACT

To authorize and provide for the transfer or lease of certain state property; to provide for the transfer or lease of such property in St. Landry Parish to the town of Port Barre from the Department of

Transportation and Development; to provide for the transfer of such property located in St. Mary Parish from the Department of Natural Resources to the West St. Mary Parish Port, Harbor and Terminal District; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1100—**  
BY REPRESENTATIVE SCHNEIDER  
AN ACT

To enact R.S. 56:30.2, relative to wildlife and fisheries; to provide relative to public hearings held by the Department of Wildlife and Fisheries or Wildlife and Fisheries Commission; to require certain advance notice to legislators of hearings held in legislative districts; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1186—**  
BY REPRESENTATIVE WALSWORTH  
AN ACT

To authorize and provide for the transfer or lease of certain state property in Ouachita Parish to the city of West Monroe from the Department of Transportation and Development; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1388—**  
BY REPRESENTATIVES ALEXANDER, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To authorize and provide for the lease of certain state property in Rapides Parish to the Volunteers of America of North Louisiana or its affiliates from the Department of Health and Hospitals; to repeal Act No. 289 of the 1997 Regular Session; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1438—**  
BY REPRESENTATIVES FRUGE, BARTON, FLAVIN, FRITH, PINAC, POWELL, SCHNEIDER, AND TRAVIS  
AN ACT

To amend and reenact R.S. 12:443(5), 444, 445, and 447(A), relative to seafood marketing associations; to provide relative to the marketing and selling of certain products; to provide relative to the membership of seafood associations; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1769—**  
BY REPRESENTATIVE WINSTON  
AN ACT

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

Reported with amendments.

**HOUSE BILL NO. 1968—**  
BY REPRESENTATIVE KENNEY  
AN ACT

To amend and reenact Section 1(D) of Act 435 of the 1997 Regular Session of the Legislature, relative to reservoirs; to provide relative to nonsubmerged lands; to provide relative to the Bayou de Chene Reservoir; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1978—**  
BY REPRESENTATIVE TRAVIS  
AN ACT

To authorize and provide for the state and the Department of Health and Hospitals to transfer certain tracts of land situated in East Feliciana Parish to the town of Jackson; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1983—**  
BY REPRESENTATIVES HOPKINS, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To amend and reenact R.S. 30:907(B)(16) and (C) and 927(2), and to enact R.S. 30:907(B)(17), (18), (19), and (20), relative to the Louisiana Surface Mining and Reclamation Act; to require additional information on surface coal mining permit applications to protect the environment, historic places, wildlife, and threatened and endangered species; to increase eligibility requirements for the Small Operator Assistance Program; to eliminate the permit exemption for mines of two acres or less; to provide a permit exemption for certain mining operations; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 2008—**  
BY REPRESENTATIVE DURAND  
AN ACT

To amend and reenact R.S. 41:1217(A)(2), relative to lease of public lands; to extend leases of certain public lands beyond forty years; to provide terms and conditions; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 2057—**  
BY REPRESENTATIVE WIGGINS AND SENATOR ELLINGTON  
AN ACT

To authorize and provide for the lease of certain state property in Rapides Parish to the city of Pineville from the Department of Health and Hospitals; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 2186—**  
BY REPRESENTATIVES JENKINS, PERKINS, AND DANIEL  
AN ACT

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

Reported favorably.

**HOUSE BILL NO. 2229—**  
BY REPRESENTATIVE GUILLORY  
AN ACT

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

Reported favorably.

**HOUSE BILL NO. 2231—**  
BY REPRESENTATIVE WOOTON  
AN ACT

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

effectiveness; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
CRAIG F. ROMERO  
Chairman

REPORT OF COMMITTEE ON

LABOR AND INDUSTRIAL RELATIONS

Senator Jones, Chairman on behalf of the Committee on Labor and Industrial Relations, submitted the following report:

May 20, 1999

To the President and Members of the Senate:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

HOUSE BILL NO. 262—  
BY REPRESENTATIVE JACK SMITH  
AN ACT

To repeal R.S. 23:1036(L), relative to workers' compensation benefits payable to volunteer firefighters; to remove limitation of applicability of provisions to certain claims.

Reported favorably.

HOUSE BILL NO. 1651—  
BY REPRESENTATIVES MURRAY, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, BARTON, GUILLORY, HUNTER, ODINET, AND WIGGINS AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, SCHEDLER, AND BEAN  
AN ACT

To amend and reenact R.S. 23:1474(I), 1514(A), 1515(A), 1535(B) and (C), and 1592(E) and to enact R.S. 23:1474(J), 1514(D) and (E), 1535(D) and (E), and 1536(D)(3)(c) and (d) and (J), and 1553 (B)(8), (9), (10), and (11) and (D)(5), relative to unemployment compensation; to increase benefit amounts based upon the applied trust fund balance and direction of the fund; to increase the funds to be appropriated to the subaccount in the employment security administration fund for customized training; to provide for an incremental reduction in the employer contribution rate; to authorize an increase in the appropriation for the customized training fund in the social charge recoupment account; to authorize an increase in the appropriation for administrative costs in the social charge recoupment account; to provide for sunset provisions; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

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

May 20, 1999

To the President and Members of the Senate:

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

SENATE BILL NO. 517—  
BY SENATOR BAJOIE  
AN ACT

To amend and reenact R.S. 47:322.38(B)(2), relative to the New Orleans Area Tourism and Economic Development Fund; to provide for grants for certain activities in certain parishes; to provide relative to eligibility for allocation, administration, and use of such grant fund; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 906—  
BY SENATOR HAINKEL (BY REQUEST)  
AN ACT

To enact R.S. 33:2844.2 through 2844.5, relative to the enforcement of taxes; to provide that local governing authorities may privatize collection of delinquent ad valorem taxes; to provide for civil penalties; to provide relative to court actions; to provide for the recovery of costs, expenses and attorney's fee; to provide for the liability of a municipality, parish, or other taxing authority relative to costs; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 18—  
BY REPRESENTATIVE BAYLOR  
A CONCURRENT RESOLUTION

To encourage municipal officials to provide increased funding for youth-based facilities, programs, and services of recreation departments and agencies as a budget priority.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 20—  
BY REPRESENTATIVE BAYLOR  
A CONCURRENT RESOLUTION

To proclaim support for the Boys and Girls Clubs of America and their services to the youth of our communities and urge municipal officials to become better informed about the benefits of working with these organizations.

Reported favorably.

HOUSE BILL NO. 117—  
BY REPRESENTATIVES DOWNER, DUPRE, GAUTREAUX, AND TRICHE  
AN ACT

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

Reported favorably.

HOUSE BILL NO. 118—  
BY REPRESENTATIVES DOWNER, CLARKSON, AND DUPRE  
AN ACT

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

Reported favorably.

HOUSE BILL NO. 328—  
BY REPRESENTATIVE FAUCHEUX  
AN ACT

To enact Chapter 5-F of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.31 through 380.36, and R.S. 36:744(O) and 801.10, to create the Garyville Timbermill Museum in the Department of State; to provide relative to the governing authority of the museum including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption

of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 395—**  
BY REPRESENTATIVE FLAVIN  
AN ACT

To amend and reenact R.S. 33:120.8, relative to the Calcasieu Parish Police Jury; to authorize the Calcasieu Parish Police Jury to increase the per diem paid to members of the Calcasieu Parish Planning and Zoning Board; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 916—**  
BY REPRESENTATIVE WINSTON  
AN ACT

To enact R.S. 33:130.403(10) and 130.405(C), relative to the St. Tammany Economic and Industrial Development District; to authorize the district to enter certain cooperative endeavor agreements; to authorize, subject to voter approval, imposition of additional taxes, fees, charges, or assessments; to provide for redesignation of certain text of present law; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 949—**  
BY REPRESENTATIVE GUILLORY  
AN ACT

To enact Subpart B-28 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.551 through 130.559, relative to economic development in north Lake Charles; to create and comprehensively provide relative to the North Lake Charles Economic Development District; 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; to provide for the levy and collection of taxes and the issuance of debt; and to provide for related matters.

Reported with amendments.

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

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

Reported favorably.

**HOUSE BILL NO. 1087—**  
BY REPRESENTATIVES MARTINY, ANSARDI, BOWLER, DAMICO, DONELON, LANCASTER, TOOMY, AND VITTER AND SENATORS HAINKEL AND ULLO  
AN ACT

To enact R.S. 39:471.1, relative to certain parishes operating under home rule charters; to provide relative to the governance of special districts within such parishes; to provide for the precedence of charter provisions; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1229—**  
BY REPRESENTATIVES TOOMY, BOWLER, AND LANCASTER AND SENATOR HAINKEL

AN ACT

To enact Part XV of Chapter 2 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:1420.11 through 1420.13, relative to Jefferson Parish; to provide relative to the authority of the parish governing authority with respect to special districts within the parish; to provide relative to the creation, merger, abolition, authority, and governance of such districts; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1231—**  
BY REPRESENTATIVES SALTER AND DOWNER  
AN ACT

To enact Part II-C of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:2238 through 2240.1, relative to the procurement of certain used fire and emergency response vehicles, including associated equipment, with a unit cost of less than one hundred thousand dollars by political subdivisions; to provide for definitions; to provide for methods of procurement; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1366—**  
BY REPRESENTATIVE ANSARDI  
AN ACT

To amend and reenact R.S. 33:5062(C), relative to weed cutting in municipalities with a population of less than four hundred thousand; to provide relative to the notification period; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1690—**  
BY REPRESENTATIVE WESTON  
AN ACT

To enact R.S. 41:1212(J), relative to leased lands; to provide that leases of space in certain public facilities on land owned by a parish or municipality shall not be subject to certain provisions of law relative to the lease of public property; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1720—**  
BY REPRESENTATIVE WESTON  
AN ACT

To amend and reenact R.S. 40:1502.1(A)(1) and (2) and (C)(2)(a), relative to service charges assessed by certain fire protection districts; to provide relative to the assessment of such charge against grounds on which structures are situated; to provide relative to structures subject to such assessment; and to provide for related matters.

Reported favorably.

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

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

Reported favorably.

Respectfully submitted,  
 DIANA E. BAJOIE  
 Chairwoman

**Rules Suspended**

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of holding a meeting of the Committee on Finance without the required 24 hour notice.

**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. 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 by the Committee on Health and Welfare.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 114 by Senator Dyess

AMENDMENT NO. 1

On page 1, line 12, change "twenty-five" to "fifteen"

AMENDMENT NO. 2

On page 1, after line 14, insert the following:

"Section 2. This Act shall become effective when sufficient additional funds are appropriated to the Traumatic Head and Spinal Cord Injury Trust Fund to cover the additional expenditures required under the provisions of this Act."

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

**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 by the Committee on Health and Welfare.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 677 by Senator Heitmeier

AMENDMENT NO. 1

On page 9, line 16, delete "new"

AMENDMENT NO. 2

On page 9, line 18, after "physician." insert the following:

"However, a prescription shall not be ordered by a psychologist certified to prescribe if the patient's primary or admitting physician informs the psychologist certified to prescribe that the patient's physical condition contraindicates its use."

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

**SENATE BILL NO. 1031—**

BY SENATORS GREENE, CASANOVA, DYESS, HINES AND SCHEDLER  
 AN ACT

To amend and reenact R.S. 40:1299.35.1, 1299.35.2, 1299.35.4, and 1299.35.10(A)(18) and to repeal R.S. 40:1299.35.3, 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 unless performed or induced by a physician licensed by the state; to require the performance of an ultra-sound test prior to performing or inducing an abortion or termination of pregnancy after viability; 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 provide for certain information contained in an abortion report; to provide for severability provisions; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 1031 by Senator Greene

AMENDMENT NO. 1

On page 1, lines 2 and 15, between "R.S. 40:1299.35.1," and "1299.35.4," insert "1299.35.2,"

AMENDMENT NO. 2

On page 1, line 3, delete "enact R.S. 40:1299.35.6(C)(5)" and insert "repeal R.S. 40:1299.35.3"

AMENDMENT NO. 3

On page 1, line 5, after "purpose;" insert "to prohibit the performance or inducement of an abortion unless performed or induced by a physician licensed by the state; to require the performance of an ultra-sound test prior to performing or inducing an abortion or termination of pregnancy after viability;"

AMENDMENT NO. 4

On page 1, line 8, after "thereof;" delete the remainder of the line, delete lines 9 and 10 in their entirety, and at the beginning of line 11, delete "woman seeking an abortion;"

AMENDMENT NO. 5

On page 1, line 16, after "reenacted" delete the remainder of the line

AMENDMENT NO. 6

On page 2, delete lines 5 through 15 in their entirety and insert the following:

"(1) "Abortion" means the deliberate termination of a human pregnancy after fertilization of a female ovum, by any person, including the pregnant woman herself, with an intention other than to produce a live birth, remove an ectopic pregnancy, or to remove a dead unborn child caused by a spontaneous abortion, missed abortion, or inevitable abortion."

AMENDMENT NO. 7

On page 2, line 16, delete "and "fetus" mean" and insert "means"

AMENDMENT NO. 8

On page 3, line 1, change "a fetus" to "an unborn child"

AMENDMENT NO. 9

On page 3, line 4, change "twenty-six" to "twenty-two"

AMENDMENT NO. 10

On page 3, line 12, after "developing" insert "embryo or"

AMENDMENT NO. 11

On page 3, delete line 16 in its entirety and insert the following:

"measured by the time elapsed since the first day of the last menstrual period as determined by a physician and confirmed through the use of an ultra-sound test of a quality generally used in existing medical practice."

AMENDMENT NO. 12

On page 4, delete lines 4 through 6 in their entirety and insert the following:

"deliberate and artificial termination of pregnancy after the unborn child has reached the point of viability and prior to the spontaneous onset of labor in order to preserve the life or health of the mother."

AMENDMENT NO. 13

On page 4, delete lines 8 through 22 in their entirety and insert the following:

"§1299.35.2. Abortion by physician; **ultra-sound test required**

A. No person shall perform or induce an abortion unless that person is a physician **licensed to practice medicine in the state of Louisiana.**

B. In order to preserve the health of the mother by insuring the use of the methods of abortion **or termination of pregnancy after viability** most likely to preserve the health of the mother, **to determine the gestational age of the unborn child**, and to enable the physician to exercise his best medical judgment, each physician who performs or induces any abortion **or termination of pregnancy after viability at any time during the pregnancy** shall **first** perform an ultra-sound test **of a quality generally used in existing medical practice, to facilitate the determination of the state of development of the unborn child.**

AMENDMENT NO. 14

On page 7, line 2, after "**emergency**" insert a period "." and delete the remainder of the line and delete line 3 in its entirety

AMENDMENT NO. 15

On page 7, between lines 3 and 4, insert the following:

**"(2) For purposes of this Section, "medical emergency" means a condition which, on the basis of the physician's good faith medical judgement, necessitates the termination of the pregnancy for the preservation of the life or health of the mother.**

**(3) The termination of pregnancy after viability shall only be performed in a properly licensed hospital and by a licensed physician who shall terminate the pregnancy in a manner which provides the best opportunity for the unborn child to survive and which is consistent with the primary objective of preserving the life and health of the mother.**

**(4) A child born alive as a result of a termination of pregnancy after viability shall be provided immediate medical care and reasonable steps shall be taken to preserve the life and health of the child which are in keeping with good medical practice and using standard good faith medical judgment."**

AMENDMENT NO. 16

On page 7, line 4, change "(2)" to "(5)"

AMENDMENT NO. 17

On page 7, at the end of line 8, insert the following:

**"Such certification shall be signed by the physician performing the termination of pregnancy after viability and made part of the medical record of each pregnant woman upon whom a termination of pregnancy after viability is performed."**

AMENDMENT NO. 18

On page 7, delete lines 10 through 23 in their entirety

AMENDMENT NO. 19

On page 8, line 4, after "test" delete the remainder of the line and delete lines 5 and 6 in their entirety and insert "**required under R.S. 40:1299.35.2(B).**"

AMENDMENT NO. 20

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

"Section 2. R.S. 40:1299.35.3 is hereby repealed in its entirety."

AMENDMENT NO. 21

On page 8, line 8, change "2" to "3"

AMENDMENT NO. 22

On page 8, line 12, change "3" to "4"

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

**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 by the Committee on Insurance. The bill, which was designated a duplicate of House Bill No. 1297, was read by title, ordered engrossed, and recommitted to the Committee on Finance.

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

**HOUSE BILL NO. 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 by the Committee on Insurance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 198 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 15 change "2001" to "2002"

AMENDMENT NO. 2

On page 2, line 1 change "2001" to "2002"

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

**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 by the Committee on Commerce and Consumer Protection.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Reengrossed House Bill No. 222 by Representative Morrish

AMENDMENT NO. 1

On page 1, line 13, after "**fifteen**" insert "**working**"

AMENDMENT NO. 2

On page 2, at the end of line 2, change "**twenty**" to "**twenty-five**"

AMENDMENT NO. 3

On page 2, line 16, after "**fifteen**" insert "**working**"

AMENDMENT NO. 4

On page 2, line 18, after "of" change "**twenty**" to "**twenty-five**"

AMENDMENT NO. 5

On page 2, line 21, after "**fifteen**" insert "**-working**"

AMENDMENT NO. 6

On page 3, line 11, after "**exceed**" change "**twenty**" to "**twenty-five**"

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

**HOUSE BILL NO. 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 by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection. Under the provisions of Joint Rule No. 3 of the

May 20, 1999

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

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

**HOUSE BILL NO. 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 by the Committee on Senate and Governmental Affairs. The bill was read by title and recommitted to the Committee on Finance.

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

**HOUSE BILL NO. 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 by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Reengrossed House Bill No. 443 by Representative Travis

AMENDMENT NO. 1

On page 1, line 3, after "656(A)(1)(d)," insert "and to enact R.S. 6:653.4."

AMENDMENT NO. 2

On page 1, line 8, after "members;" insert "to provide for death of members or account owners;"

AMENDMENT NO. 3

On page 1, line 12, after "reenacted" insert "and R.S. 6:653.4 is hereby enacted"

AMENDMENT NO. 4

On page 3, at the end of line 25, insert "or"

AMENDMENT NO. 5

On page 4, between lines 18 and 19, insert the following:

"§653.4. Death of member or account owner; transfer to succession representative, heirs and legal representative

**R.S. 6:653.4 is all proposed new law.**

A. A credit union may conduct business in accordance with its by-laws, membership agreements and other relevant contract terms concerning a deceased person until it receives written notice of the person's death that identifies therein the accounts, shares, all accrued interest or dividends, safe deposit boxes and their contents and any other property, either on deposit or otherwise in the credit union's possession, that are standing in the deceased's name or in which the deceased has an interest.

B. Except as provided in R.S. 6:664, a credit union may transfer property standing in a deceased's name or in which a deceased has an interest to succession representatives, surviving spouse, heirs, or legates of the deceased, as the case may be, upon receiving proof of proper authority and after obtaining a receipt therefor. If a judgment places the property into possession of a person *sui juris*, a credit union may transfer the property to that person's legal representative upon additionally receiving proof of authority of the legal representative.

C. Letters issued to succession representative(s) by a court of competent jurisdiction, letters issued to the legal representative of persons *sui juris* by a court of competent jurisdiction, and a judgment rendered by a court of competent jurisdiction recognizing and putting in possession the surviving spouse, the heirs and/or the legatees of the deceased constitutes proper authority to transfer property in accordance with this Section. Conclusive proof to a credit union of the letters or judgment and of the jurisdiction of the court rendering same shall result from copies thereof, duly certified when rendered by a court of this state, or certified according to the Acts of Congress when rendered by a court of any possession or dependency of the United States, or certified according to the law of the place with the genuineness of the certification attested by a consular agent of the United States when rendered by a court of any foreign country.

D. A receipt obtained by the credit union for the property transferred may be in any form, but must be signed, as the case may be, by the succession representative(s) accompanied by a certified copy of the letters or by the surviving spouse, heirs, and/or legatees accompanied by a certified copy of the judgment recognizing and placing them into possession of the said property and, when a judgment places the property into possession of a person *sui juris*, the receipt must be signed in his stead by his legal representative and additionally accompanied by a certified copy of the letters of tutorship or curatorship.

E. Transfers made and receipted for in accordance herewith, shall constitute full protection to a credit union as to any heir, legatee, surviving spouse, creditor, those who are *sui juris* or other person having rights or claims to the transferred funds or property and the credit union shall have no liability to the state of Louisiana for any taxes due thereon.

F. No credit union shall transfer any property to a succession representative appointed by a court outside this state or to any surviving spouse or heir recognized by a judgment of a court of any other state or any foreign country until the inheritance tax due the state of Louisiana has been fixed and paid or until the secretary of the Department of Revenue has approved such transfer.

\* \* \*

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

**HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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, BAJOIE, 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 by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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.

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

**HOUSE BILL NO. 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 by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection. Under the provisions of Joint Rule No. 3 of the

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

**HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Engrossed House Bill No. 734 by Representative Travis

AMENDMENT NO. 1

On page 4, line 11, after "bank" delete the period "." and insert ";or"

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

**HOUSE BILL NO. 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 by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Insurance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 964 by Representative Donelon

AMENDMENT NO. 1

On page 1, at the beginning of line 14, delete "countersigned" and insert "signed"

AMENDMENT NO. 2

On page 7, line 1, after "except that" delete the remainder of the line

AMENDMENT NO. 3

On page 7, delete line 2 and insert " a tax on the"

AMENDMENT NO. 4

On page 7, line 5, after "due" and before "at" insert "on the dates and in a manner as provided in R.S. 22:1265"

AMENDMENT NO. 5

On page 7, line 6, after "collected" delete the remainder of the line and insert in lieu thereof

"by the commissioner of insurance shall be paid to the state"

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

**HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Insurance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 1170 by Representative Bowler

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 22:893 and to"

AMENDMENT NO. 2

On page 1, line 7, after "1." insert "R.S. 22:893 is hereby amended and reenacted and"

AMENDMENT NO. 3

On page 1, between lines 8 and 9, insert the following:

"§893. Reserves--noncancellable health and accident insurance  
A. The legal minimum standard for computing the active life reserve, including the unearned premium reserve, of noncancellable health and accident policies shall be based on Conference Modification of Class III Disability Experience with interest at not to exceed three and one-half per cent per annum on the full preliminary term basis.

B. For policies with a waiting period of less than three months or providing benefits at ages beyond the limits of Conference Modification of Class III Disability Experience, the tables shall be extended to cover the provisions of such policies on such basis as the commissioner of insurance may approve.

C. The reserve for losses under noncancellable disability policies shall be based on Conference Modification of Class III Disability Experience, except that for claims of less than twenty-seven months' duration the reserve may be taken as equivalent to the prospective claim payments for three and one-half times the elapsed period of disability; but in no case shall the reserve be less than the equivalent of seven weeks' claim payments.

D. For a point of service policy, reserves shall be required for the indemnity exposure only and may be based on an insurer's actual experience or, in the case of an insurer in business for less than five years, may be based on industry standards.

E. The commissioner of insurance shall modify the application of the tables and requirements prescribed in this Section to policies or to claims arising under policies in accordance with the waiting period contained in such policies and in accordance with any limitation as to the time for which indemnity is payable.

\* \* \*

AMENDMENT NO. 4

On page 2, line 2, after "individuals." delete "Such" and insert "The indemnity of exposure of such"

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

**HOUSE BILL NO. 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 by the Committee on Insurance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 1295 by Representative Donelon

AMENDMENT NO. 1

On page 1, delete line 2, and insert in lieu thereof:

"To amend and reenact R.S. 22:691(F) and 1117(F), and to repeal R.S. 22:630(C), 1118.1 and 1118.2, and Part V of Chapter 2 of Title 22 of the"

AMENDMENT NO. 2

On page 1, line 5, after "agents" insert "; to provide for standard fire insurance policies; to prohibit endorsements in blank; to prohibit countersignatures; and to provide for related matters."

AMENDMENT NO. 3

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

"Section 1. R.S. 22:691(F) and 1117(F) are hereby amended and reenacted to read as follows:

§691. Fire insurance contract; standard provisions; variations

\* \* \*

F. The form of the standard fire insurance policy of the state of Louisiana (with permission to substitute for the word "company" a more accurate descriptive term for the type of insurer) shall be as follows:

(1) FIRST PAGE OF STANDARD FIRE POLICY No.

(Space for insertion of name of company or companies issuing the policy and other matter permitted to be stated at the head of the policy.)

(Space for listing amounts of insurance, rates and premiums for the basic coverages insured under the standard form of policy and for additional coverages or perils insured under endorsements attached.)

In consideration of the provisions and stipulations herein or added hereto and of \_\_\_\_\_ dollars premium this company, for the term of \_\_\_\_\_ from the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_, to the \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_, at 12:01 A.M. Standard Time, at location of property involved, to an amount not exceeding \_\_\_\_\_ dollars, does insure \_\_\_\_\_ and legal representatives, to the extent of the actual cash value of the property at the time of loss, but not exceeding the amount which it would cost to repair or replace the property with material of like kind and quality within a reasonable time after such loss, without allowance for any increased cost of repair or reconstruction by reason of any ordinance or law regulating construction or repair, and without compensation for loss resulting from interruption of business or manufacture, nor in any event for more than the interest of the insured, against all DIRECT LOSS BY FIRE, LIGHTNING AND BY REMOVAL FROM PREMISES ENDANGERED BY THE PERILS INSURED AGAINST IN THIS POLICY, EXCEPT AS HEREINAFTER PROVIDED, to the property described hereinafter while located or contained as described in this policy, or pro rata for five days at each proper place to which any of the property shall necessarily be removed for preservation from the perils insured against in this policy, but not elsewhere.

Assignment of this policy shall not be valid except with the written consent of this Company.

This policy is made and accepted subject to the foregoing provisions and stipulations and those hereinafter stated, which are hereby made a part of this policy, together with such other provisions, stipulations and agreements as may be added hereto, as provided in this policy.

IN WITNESS WHEREOF, this Company has executed and attested these presents; but this policy shall not be valid unless countersigned by the duly authorized Agent of the Company at \_\_\_\_\_.

\_\_\_\_\_ (signature of officer).

Countersigned Signed this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_.

AGENT

\* \* \*

§1117. Prohibited acts

\* \* \*

F. It shall be unlawful for any agent to sign or countersign any policy of insurance or countersignature endorsement in blank.

\* \* \*

AMENDMENT NO. 4

On page 1, delete line 7, and insert "Section 2. R.S. 22:630(C), 1118.1, 1118.2, and Part V of Chapter 2 of Title 22"

AMENDMENT NO. 5

On page 1, line 10, change "Section 2." with "Section 3."

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

HOUSE BILL NO. 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 by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 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 by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 1300 by Representative Donelon

AMENDMENT NO. 1

On page 3, line 24, after "underwritten" insert "health insurance plans; short term, limited duration health insurance policies; and individually underwritten"

AMENDMENT NO. 2

On page 2, line 13, after "following" delete the remainder of the line and delete lines 14 through 16 in their entirety and insert in lieu thereof the following:

"diagnosed severe mental illnesses:"

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

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

**HOUSE BILL NO. 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 by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Insurance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 1355 by Representative Donelon

AMENDMENT NO. 1

On page 2, line 5, change "executive secretary," to "assistant to the commissioner."

AMENDMENT NO. 2

On page 3, line 26, change "assistant" to "deputy"

AMENDMENT NO. 3  
On page 5, line 14, change "assistant" to "deputy"

AMENDMENT NO. 4  
On page 7, line 19, change "an assistant" to "a deputy"

AMENDMENT NO. 5  
On page 7, line 25, change "assistant" to "deputy"

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

**HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Health and Welfare.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 1395 by Representative Long

AMENDMENT NO. 1

On pages 2, delete lines 11 and 12 and insert the following:

"(d) Failure to report to law enforcement authorities a vehicular accident involving a vehicle used to provide Medicaid transportation."

AMENDMENT NO. 2

On page 3, delete lines 4 and 5 and insert the following:

"(a) Failure to report to the Department of Health and Hospitals a vehicular accident involving a vehicle used to provide Medicaid transportation."

AMENDMENT NO. 3

On page 3, line 9, after "vehicle" insert "used to provide Medicaid transportation"

On motion of Senator Hines, 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. 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 by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Engrossed House Bill No. 1574 by Representative Travis

AMENDMENT NO. 1

On page 1, line 2, after "and (10)," insert "1662.4(B),"

AMENDMENT NO. 2

On page 2, line 1, after "and (10)," insert "1662.4(B),"

AMENDMENT NO. 3

On page 4, delete line 21 and insert the following:

"§1662.4 Licensure required

\* \* \*

B. No person or company shall knowingly aid, abet, facilitate, or otherwise assist any unlicensed person or company in engaging in alarm contracting, including but not limited to the sale of an electronic protective system as defined in this Subpart when such person or company knew or should have known that the person or company thus assisted was unlicensed.

\* \* \*

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

HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection. Under the provisions of Joint Rule No. 3 of the

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

**HOUSE BILL NO. 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 by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Engrossed House Bill No. 1704 by Representative Travis

AMENDMENT NO. 1

On page 1, line 15, after "owner." insert "The owner shall document such service or repair and assume responsibility for all such service or repair."

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

**HOUSE BILL NO. 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 by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Insurance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 2078 by Representative Theriot

AMENDMENT NO. 1

On page 1, line 7, between "representatives;" and "and to provide" insert the following:

"to provide for Senate confirmation of certain members;"

AMENDMENT NO. 2

On page 2, line 9, after "insurance" change the period "." to a comma "," and add the following:

"and each appointment shall be subject to confirmation by the Senate."

AMENDMENT NO. 3

On page 3, delete lines 13 through 25 in their entirety and insert in lieu thereof the following:

"§1406.5. ~~Governing committee~~ **Board of directors** of plan  
~~The governing committee of the plan shall consist of seven representatives of participants in the plan.~~

**R.S. 22:1406.5 is all proposed new law.**

A. The governing committee of the plan shall be a board of directors which shall consist of the following thirteen members:

- (1) The commissioner of the Department of Insurance, or his designee.
- (2) One member shall be a representative designated by the Louisiana Insurance Rating Commission.
- (3) One member shall be a representative designated by the Professional Insurance Agents of Louisiana, or its successor.
- (4) One member shall be a representative designated by the Independent Insurance Agents of Louisiana, or its successor.
- (5) The chairman of the House Committee on Insurance, or a member of that committee designated by the chairman, shall be an ex-officio member.
- (6) The chairman of the Senate Committee on Insurance, or a member of that committee designated by the chairman, shall be an ex-officio member.
- (7) Seven members shall consist of representatives of participants of the plan.

B. Except for the ex-officio members of the legislature, or their designees, serving on the board pursuant to Subsection A of this Section, each board member shall have one vote on the board. The ex-officio members of the legislature, or their designees, shall serve as nonvoting members of the board and shall not be counted for purposes of establishing a quorum of the board.

\* \* \*

§1435. ~~Governing committee~~ **Board of directors** of the plan  
~~The governing committee of the plan shall consist of seven representatives of participants in the plan.~~

**R.S. 22:1435 is all proposed new law.**

A. The governing committee of the plan shall consist of a board of directors which shall consist of the following thirteen members:

- (1) The commissioner of the Department of Insurance, or his designee.
- (2) One member shall be a representative designated by the Louisiana Insurance Rating Commission.
- (3) One member shall be a representative designated by the Professional Insurance Agents of Louisiana, or its successor.
- (4) One member shall be a representative designated by the Independent Insurance Agents of Louisiana, or its successor.
- (5) The chairman of the House Committee on Insurance, or a member of that committee designated by the chairman, shall be an ex-officio member.
- (6) The chairman of the Senate Committee on Insurance, or a member of that committee designated by the chairman, shall be an ex-officio member.
- (7) Seven members shall consist of representatives of participants in the plan.

B. Except for the ex-officio members of the legislature, or their designees, serving on the board pursuant to Subsection A of this Section, each board member shall have one vote on the board. The ex-officio members of the legislature, or their designees, shall serve as nonvoting members of the board and shall not be counted for purposes of establishing a quorum of the board.

Section 2. In the event of any conflict between the provisions of this Act and the Act which originated as House Bill No. 1103 of this 1999 Regular Session of the Legislature, regardless of which Act is adopted later or signed later by the governor, the provisions of this Act shall prevail."

AMENDMENT NO. 4

On page 4, delete lines 1 through 20 in their entirety.

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

**HOUSE BILL NO. 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 by the Committee on Insurance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 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 by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**Privilege Report of the Committee on Senate and Governmental Affairs**

**ENROLLMENTS**

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

May 20, 1999

To the President and Members of the Senate:

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

The following Senate Resolution has been properly enrolled:

**SENATE RESOLUTION NO. 39—**

BY SENATOR BAJOIE

**A RESOLUTION**

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

Respectfully submitted,  
JAY DARDENNE  
Chairman

The foregoing Senate Resolution was signed by the President of the Senate and presented to the Secretary of State by the Secretary.

**Privilege Report of the Committee on Senate and Governmental Affairs**

**ENROLLMENTS**

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

May 20, 1999

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

**SENATE CONCURRENT RESOLUTION NO. 127—**

BY SENATOR HINES

**A CONCURRENT RESOLUTION**

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

**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.

Respectfully submitted,  
JAY DARDENNE  
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

**Message to the Secretary of State**

**SIGNED**

**SENATE CONCURRENT RESOLUTIONS**

May 20, 1999

To the Honorable Secretary of State:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Concurrent Resolution:

**SENATE CONCURRENT RESOLUTION NO. 120—**

BY SENATOR JONES

**A CONCURRENT RESOLUTION**

To commend Martha Tribble on her outstanding twenty years of service and dedication to the state as a legislative assistant.

Respectfully submitted,  
MICHAEL S. BAER, III  
Secretary of the Senate

**Message to the Governor**

**SIGNED SENATE BILLS**

May 20, 1999

To the Honorable Governor of the State of Louisiana:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Bill:

**SENATE BILL NO. 548 (DUPLICATE OF HOUSE BILL NO. 1270)—**

BY SENATOR ROMERO AND REPRESENTATIVE HEBERT AND COAUTHORED BY REPRESENTATIVE FAUCHEUX

**AN ACT**

To amend and reenact R.S. 36:609(C)(1) and to repeal R.S. 56:441, relative to shell dredging; to repeal and remove the authority for shell dredging; and to provide for related matters.

and they are hereby presented for executive approval.

Respectfully submitted,  
MICHAEL S. BAER, III  
Secretary of the Senate

May 20, 1999

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**Leaves of Absence**

The following leaves of absence were asked for and granted:

Tarver            1 Day

**Adjournment**

Senator Bean moved that the Senate adjourn until Monday, May 24, 1999 at 5:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 5:00 o'clock P.M. on Monday, May 24, 1999.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk