

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

**THIRTY-SEVENTH DAY'S PROCEEDINGS**

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

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Wednesday, June 2, 1999

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

**ROLL CALL**

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

**PRESENT**

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

Total—39

**ABSENT**

Total—0

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

**Prayer**

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

**Morning Hour**

**Messages from the Governor**

The following messages from the Governor were received and read as follows:

State of Louisiana  
OFFICE OF THE GOVERNOR  
Baton Rouge

June 1, 1999

To the Honorable President and members of the Senate:

Please be advised that the following individuals have been commissioned as Notaries Public for the parishes indicated through May 28, 1999. In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, I do hereby present them for your review.

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

**Bossier**

David B. Noles  
2304 Ashland Ave.  
Bossier City, La 71111

**Caddo**

Jill Braniff  
2500 Line Ave.  
Shreveport, La 71104

Cheri D. Morgan  
6062 Colquitt Rd.  
Keithville, La 71047

**East Baton Rouge**

Cloyd Benjamin, Jr.  
11440 Bard Ave. #405  
Baton Rouge, La 70815

Rebecca Cox  
796 Holt Dr.  
Baton Rouge, La 70815

Danette L. Leblanc  
10873 Glenn Watts Rd.  
Baton Rouge, La 70818

**East Feliciana**

Ashley B. Patten  
5538 Hwy. 952  
Jackson, La 70748

**Jefferson**

John Michael Grimley, Jr.  
701 Poydras St., Ste. 4040  
New Orleans, La 70139

Charlsey J. Wolff  
3017 21st St., Ste. 100  
Metairie, La 70002

**Lafayette**

Jacques Emil Demoss  
224 Woodvale Ave.  
Lafayette, La 70503

**Lafourche**

James M. Matherne  
308 Arlington Dr.  
Laplace, La 70068

**Lasalle**

Cheryl Allbritton  
P. O. Box 70  
Jena, La 71342

Deby Paul  
P. O. Box 70  
Jena, La 71342

**Orleans**

Benjamin M. Burson  
1713 4th St.  
New Orleans, La 70113

Laura Kaye Burnside  
2715 Essex St.  
Shreveport, La 71108

Kim Foster Robertson  
367 Arthur  
Shreveport, La 71105

Milton J. Chatelain  
447 College Hill Dr.  
Baton Rouge, La 70808

Joanne S. Engum  
3960 Government St.  
Baton Rouge, La 70806

Laura Picard  
10435 Hwy. 77  
Maringouin, La 70757

Christine P. Schulte  
One Seine Court, Ste. 314  
New Orleans, La 70114

Tiffany B. Thornton  
724 Alice Dr.  
Lafayette, La 70503

Bobbie J. Campbell  
P. O. Box 70  
Jena, La 71342

Philip D. Johnson-Wallace  
421 Loyola Ave. - Div. J  
New Orleans, La 70112

June 2, 1999

Louis O. Oubre  
Lakeway Three, Ste. 2900  
3838 North Causeway Blvd.  
Metairie, La 70002

**St. Landry**  
Catina Fontenot Bellard  
220 S. Mallet St.  
Eunice, La 70535

Donnette M. Burseson  
1015 Azalea St.  
Opelousas, La 70570

Margaret S. Robin  
P. O. Box 1  
Leonville, La 70551

Marie C. Yander  
522 Sam Yander Rd.  
Melville, La 71353

**St. Martin**  
Janice B. Duplantis  
7151 Cemetery Hwy.  
St. Martinville, La 70582

**West Baton Rouge**  
Felicia F. Davis  
P. O. Box 402  
Port Allen, La 70767

Lelia A. Bourque  
P. O. Box 7048  
Opelousas, La 70571

Kelly Guidry Leger  
1708 George Dr.  
Opelousas, La 70570

Barbara Washington  
111 Sheila  
Eunice, La 70535

Barry J. Trosclair  
3278 Grand Point Hwy.  
Breaux Bridge, La 70517

**Messages from the House**

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

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

June 2, 1999

To the Honorable President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 59—**  
BY SENATORS HINES, DARDENNE, EWING, HAINKEL AND BARHAM  
AND REPRESENTATIVES R. ALEXANDER, DEWITT, DOWNER AND  
MCMAINS

**A CONCURRENT RESOLUTION**

To memorialize the Congress of the United States to take certain actions to guarantee all monies due to states from any tobacco industry settlement, agreement, or judgment be paid in full to such states and to prohibit any activities that would result in reducing the amount of funds available to the states from any tobacco industry settlement, agreement, or judgment.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 29—**  
BY SENATOR LANDRY

**A CONCURRENT RESOLUTION**

To create the Birth Defects Registry Task Force to study the feasibility of developing a birth defects registry in Louisiana.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 22—**  
BY SENATORS HINES, DARDENNE, EWING, HAINKEL AND BARHAM  
AND REPRESENTATIVES DEWITT, DOWNER AND MCMAINS

**A CONCURRENT RESOLUTION**

To authorize the Department of Health and Hospitals to implement a Medicaid Region III modified CommunityCARE program, a Medicaid voucher program, a Medicaid center of excellence program, and a Medicaid regional managed care pilot program.

Reported without amendments.

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

**A CONCURRENT RESOLUTION**

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

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 122—**  
BY SENATOR JOHNSON

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development, the New Orleans Regional Planning Commission, and the New Orleans Regional Transit Authority to conduct a study relative to the development of a commuter rail transportation system from East New Orleans to the New Orleans central business district.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 55—**  
BY SENATOR DARDENNE

**A CONCURRENT RESOLUTION**

To direct the State Board of Elementary and Secondary Education to require all public schools having a fourth and eighth grade to hold a public meeting to inform parents of the high stakes testing component of the School and District Accountability System and the consequences for every student who receives an unsatisfactory test score on the state's criterion-referenced tests.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 57—**  
BY SENATOR COX

**A CONCURRENT RESOLUTION**

To urge and request the Evidence Code Advisory Committee of the Louisiana State Law Institute to study the tracking, confiscation, and destruction of pornographic material in the possession of law enforcement agencies that is no longer needed as evidence in criminal cases.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 7—**  
BY SENATOR SCHEDLER

**A CONCURRENT RESOLUTION**

To urge and request the Department of Health and Hospitals to study the feasibility of establishing the Florida Parish Human Services District to direct the operation and management of community-based programs and services related to public health, mental health, developmental disabilities, and substance abuse for eligible consumers in the parishes of St. Helena, Livingston, Tangipahoa, St. Tammany, and Washington.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 5—**  
BY SENATORS HINES, BAJOE, IRONS AND LANDRY AND REPRESENTATIVES R. ALEXANDER AND ILES

**A CONCURRENT RESOLUTION**

To direct the office of public health to modify the immunization schedule to require that all students who are entering middle schools be immunized against Hepatitis B unless otherwise indicated.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 81—**  
BY SENATORS JONES AND GREENE

**A CONCURRENT RESOLUTION**

To urge and request the Senate Committee on Education, the Senate Committee on Judiciary C, the House Committee on Education, and the House Committee on the Administration of Criminal Justice to function as a joint committee to study violence in schools.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 142—**  
BY SENATORS ELLINGTON AND EWING

**A CONCURRENT RESOLUTION**

To acknowledge the many lasting accomplishments of Governor John J. McKeithen and extend sincere best wishes on the occasion of his eighty-first birthday.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 143—**  
BY SENATOR EWING AND REPRESENTATIVE DOWNER

**A CONCURRENT RESOLUTION**

To designate June 1, as Navy Armed Guard Day in recognition and appreciation for the outstanding contributions to the war effort, and countless acts of heroism and bravery performed by members of the United States Navy Armed Guard, throughout both World Wars I and II.

Reported without amendments.

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

**A CONCURRENT RESOLUTION**

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

Reported with amendments.

**SENATE CONCURRENT RESOLUTION NO. 40—**  
BY SENATOR HAINKEL

**A CONCURRENT RESOLUTION**

To create and provide with respect to the Louisiana Oil and Gas Job Retention Task Force to develop and make recommendations with respect to a strategic plan to retain jobs in Louisiana.

Reported with amendments.

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

**A CONCURRENT RESOLUTION**

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

Reported with amendments.

**SENATE CONCURRENT RESOLUTION NO. 113—**  
BY SENATOR CAIN

**A CONCURRENT RESOLUTION**

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

Reported with amendments.

**SENATE CONCURRENT RESOLUTION NO. 62—**  
BY SENATOR HINES

**A CONCURRENT RESOLUTION**

To continue and provide with respect to the Gene Therapy Research Center Task Force established during the 1998 Regular Session pursuant to Senate Concurrent Resolution No. 23.

Reported with amendments.

**SENATE CONCURRENT RESOLUTION NO. 95—**  
BY SENATOR ROBICHAUX

**A CONCURRENT RESOLUTION**

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

Reported with amendments.

**SENATE CONCURRENT RESOLUTION NO. 87—**  
BY SENATOR SIRACUSA

**A CONCURRENT RESOLUTION**

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

Reported with amendments.

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

**Message from the House**

**PASSED SENATE BILLS AND JOINT RESOLUTIONS**

June 2, 1999

To the Honorable President and Members of the Senate:

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

**SENATE BILL NO. 889—**  
BY SENATOR LANDRY

**AN ACT**

To amend and reenact R.S. 48:381.2(C)(4), relative to utilities and facilities; to provide relative to the secretary of the Department of Transportation and Development authority to promulgate rules and regulations concerning the permitting of rights-of-ways for fiber-optic cable and wireless telecommunications providers; to provide for safety regulations and maintenance standards; and to provide for related matters.

Reported with amendments.

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

**House Bills and Joint Resolutions  
on Second Reading**

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

**HOUSE BILL NO. 2154 (Duplicate of Senate Bill No. 654)**—  
BY REPRESENTATIVE DANIEL AND SENATOR DARDENNE AND  
COAUTHORED BY REPRESENTATIVES WELCH, MCMAINS, CRANE, AND  
FONTENOT AND SENATORS GREENE, BRANCH, AND SCHEDLER  
AN ACT

To authorize the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to increase certain tuition and fee amounts, including amounts for the Paul M. Hebert Law Center, the School of Veterinary Medicine, the Executive Master of Business Administration program, the schools of medicine in New Orleans and Shreveport, and the School of Dentistry; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 645, was read by title and referred to the Legislative Bureau.

**Rules Suspended**

Senator Barham asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 1251 from the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 1251**—  
BY REPRESENTATIVE GLOVER  
AN ACT

To amend and reenact R.S. 33:4574.1-A(A)(1)(x) and to enact R.S. 33:4574.1-A(H), relative to the Shreveport-Bossier Convention and Tourist Commission; to authorize an increase in the hotel occupancy tax levied by the commission; to provide for the uses of the proceeds of such increase; and to provide for related matters.

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 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. 7**—  
BY REPRESENTATIVE RIDDLE  
AN ACT

To amend and reenact R.S. 33:2218.2(A) and (F), relative to supplemental pay; to provide for supplemental pay for certain law enforcement officers of the Tunica-Biloxi Tribe of Louisiana; and to provide for related matters.

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

**HOUSE BILL NO. 50**—  
BY REPRESENTATIVE MURRAY  
AN ACT

To enact R.S. 9:396(C), relative to the determination of paternity; to require that the court first order the legally presumed father to submit to paternity testing or otherwise disprove his paternity prior to ordering paternity testing of an alleged father; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 50 by Representative Murray

**AMENDMENT NO. 1**  
On page 1, at the end of line 2, change "require" to "provide"

**AMENDMENT NO. 2**  
On page 1, line 3, change "first" to "may"

**AMENDMENT NO. 3**  
On page 1, line 4, after "paternity" and before "prior" insert "in certain cases,"

**AMENDMENT NO. 4**  
On page 1, line 5, after "father;" insert "to require specific action by the alleged father;"

**AMENDMENT NO. 5**  
On page 1, at the end of 11, delete "must first require" and insert in lieu thereof "may, upon motion of the alleged father and after a contradictory hearing, order"

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

**HOUSE BILL NO. 147**—  
BY REPRESENTATIVE FAUCHEUX  
AN ACT

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

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

**HOUSE BILL NO. 259**—  
BY REPRESENTATIVE PERKINS  
AN ACT

To amend and reenact R.S. 47:9070, relative to sale of lottery tickets to persons under the age of twenty-one; to provide that identification be required; and to provide for related matters.

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

**HOUSE BILL NO. 350**—  
BY REPRESENTATIVE TRAVIS  
AN ACT

To amend and reenact R.S. 9:2721(B) and to enact R.S. 9:2721(C), relative to the recordation of transfers of immovable property; to require that certain taxpayer information be included with the act

of sale; to provide that certain taxpayer information be supplied to the tax assessor; and to provide for related matters.

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

**HOUSE BILL NO. 358—**  
BY REPRESENTATIVE MURRAY  
AN ACT

To enact R.S. 9:572, relative to paternity; to authorize the court by local rules to provide for proof of paternity in uncontested cases; and to provide for related matters.

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

**HOUSE BILL NO. 397—**  
BY REPRESENTATIVE ILES  
AN ACT

To amend and reenact R.S. 15:538(C)(1) and (3)(b), relative to conditions of probation, parole, and suspension of sentence for certain sexual offenders; to provide changes to provisions regarding sexual offender treatment plan and use of medroxyprogesterone acetate or a chemically equivalent treatment; and to provide for related matters.

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

**HOUSE BILL NO. 431—**  
BY REPRESENTATIVE SALTER  
AN ACT

To enact R.S. 13:1896(A)(3), relative to mayor's courts and justice of the peace courts; to provide for appeals from those courts; and to provide for related matters.

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

**HOUSE BILL NO. 540—**  
BY REPRESENTATIVE MARIONNEAUX  
AN ACT

To enact R.S. 15:146(E), relative to the judicial district indigent defender fund; to provide that certain costs shall not be paid by certain defendants; and to provide for related matters.

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

**HOUSE BILL NO. 577—**  
BY REPRESENTATIVE TRAVIS  
AN ACT

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

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 577 by Representative Travis

AMENDMENT NO. 1  
On page 1, line 12, change "one year" to "two years"

AMENDMENT NO. 2

On page 1, line 12, after "date" insert "that" and after "renders" delete "and" and insert "by actual delivery or"

AMENDMENT NO. 3  
On page 1, delete line 13, and insert "mail to the beneficiary, or if the beneficiary lacks legal capacity, the beneficiary's legal representative, to the last known address of the beneficiary and that of the legal representative if any, an accounting for the"

AMENDMENT NO. 4  
On page 1, line 16, change "one year" to "two years"

AMENDMENT NO. 5  
On page 1, line 17, after "date" insert "that"

AMENDMENT NO. 6  
On page 2, line 5, change "one year" to "two years"

AMENDMENT NO. 7  
On page 2, between lines 6 and 7 insert the following:

"B. Any action by a beneficiary against a trustee other than those described on Subsection A of this Section is prescribed by two years beginning from the date that the trustee renders his final account to the beneficiary."

AMENDMENT NO. 8  
On page 2, line 7, change "B." to "C."

AMENDMENT NO. 9  
On page 2, line 8, after "action" insert "for damages"

AMENDMENT NO. 10  
On page 2, line 9, change "one" to "two"

AMENDMENT NO. 11  
On page 2, line 17, change "C." to "D." and after "law," delete the remainder of the line and insert "all actions" and on line 18, delete "damages"

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

**HOUSE BILL NO. 696—**  
BY REPRESENTATIVE FRITH  
AN ACT

To enact R.S. 9:331.1, relative to custody and visitation proceedings; to provide the court with the authority to order a party to submit to drug tests in a custody or visitation proceeding; to provide for the admissibility of drug test results; to provide for allocation of costs of drug tests; and to provide for related matters.

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

**HOUSE BILL NO. 760—**  
BY REPRESENTATIVES MCMAINS AND MCCAIN  
AN ACT

To amend and reenact R.S. 13:1401(A)(2) and to repeal R.S. 13:1415, relative to family courts; to provide the family court for the parish of East Baton Rouge with exclusive jurisdiction over actions for partition of community property or property acquired pursuant to a matrimonial regime, actions seeking a termination or modification of a matrimonial regime, and actions for the enforcement of judicial or contractual settlements related to matrimonial regimes; and to provide for related matters.

June 2, 1999

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

**HOUSE BILL NO. 764—**  
BY REPRESENTATIVES DUPRE, DOWNER, GAUTREAUX, MCCAIN, TRICHE, AND FAUCHEUX  
AN ACT

To enact Chapter 25-D of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:8061 through 8067, relative to the creation of the South Central Louisiana Solid Waste District; to provide for district purposes and territory; to provide for the creation of a board of commissioners to govern the district; to provide for the powers and duties of the board of commissioners and district, including the power of taxation and the power to incur debt and issue bonds; to provide for the officers of the commission and compensation of commissioners; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 764 by Representative Dupre

AMENDMENT NO. 1

On page 5, at the end of line 14, insert the following:

“Any contracts entered into by the board providing for or relating to the management of solid waste in the participating parishes and municipalities may provide for the payment by the other contracting party to the district of a fee dependent on the amount of waste recycled, composted, collected, transported, disposed of, or otherwise controlled pursuant to other waste reduction programs over which the board has authority.”

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

**HOUSE BILL NO. 777—**  
BY REPRESENTATIVES MCMAINS AND ANSARDI  
AN ACT

To amend and reenact Code of Civil Procedure Article 928(A); relative to exceptions; to provide for the time for the filing of the declinatory and dilatory exceptions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 777 by Representative McMains

AMENDMENT NO. 1

On page 1, line 10, after "answer" change "or" to "and"

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

**HOUSE BILL NO. 778—**  
BY REPRESENTATIVES MCMAINS AND ANSARDI  
AN ACT

To repeal Civil Code Articles 3506(4), (6), (7), (9), (10), (11), (13) through (22), (24) through (27), and (29) through (31), relative to the general definitions of "advertisements", "bulk", "certain", "uncertain", "contribution", "discretion", "failure", "fault", "gross fault", "slight fault", "very slight fault", "force", "superior force", "fortuitous event", "inofficious", "judge", "litigious rights", "notification", "notice", "obligee or creditor", "obligor or debtor", "onerous", "posterity", "precarious", "solvency", "sons", "daughters", "such as", "tacit", and "thing adjudged".

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

**HOUSE BILL NO. 780—**  
BY REPRESENTATIVES MCMAINS AND ANSARDI  
AN ACT

To amend and reenact Code of Civil Procedure Articles 6(A)(introductory paragraph), (1), and (3), 10(A)(1), 1313(A)(introductory paragraph), (1), (2), and (4), 1314(A)(introductory paragraph) and (2), 1811(A)(1) and (D), 1911, 1913, 1915(A)(3) and (B)(1), and 1974, and Civil Code Article 3463 and to enact Code of Civil Procedure Art. 1313(C), relative to civil procedure; to provide for the continuous revision of the Code of Civil Procedure, and to provide for voluntary dismissal in the Civil Code; to provide for jurisdiction over the person, jurisdiction over status in adoption proceedings, motions for summary judgment, service by mail, delivery or facsimile, service by the sheriff, motions for judgments notwithstanding the verdict, appeals from final and partial final judgments, notice of judgment, partial final judgments, partial judgments, partial exceptions, and partial summary judgments, delays for applying for new trial, and the effect of voluntary dismissal of an action by the plaintiff; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 780 by Representative McMains

AMENDMENT NO. 1

On page 4, line 13, after "registered" insert "or certified"

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

**HOUSE BILL NO. 842—**  
BY REPRESENTATIVES DURAND AND CLARKSON  
AN ACT

To amend and reenact Children's Code Art. 1570(F), relative to protective orders issued based upon child molestation; to provide that such orders shall extend until the child attains the age of eighteen years; and to provide for related matters.

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

**HOUSE BILL NO. 883—**  
BY REPRESENTATIVES MCMAINS, ANSARDI, AND MCCAIN  
AN ACT

To amend and reenact R.S. 14:286 and Children's Code Articles 1040, 1041(A), 1042, 1113(A) and (D), 1120(C), 1127(A), (B), and (C), 1131(C), (D), and (E), 1132, 1142(A), 1144, 1146, 1174, 1180(A)(4), 1186, 1200, 1201(C) and (E), 1207(B), 1208(A) and

(B)(4), 1211 (introductory paragraph), 1213, 1214, 1223, 1229(B), 1230(A) and (B)(4), 1233, 1235, 1236, 1243, 1244(A), 1245, 1253(A) and (B)(4), 1263, and 1270(C), to enact Children's Code Articles 1127.1, 1131(F), 1169(2.1), 1180(A)(5), 1207(C), 1208(B)(5), 1223.1, 1229(C), 1230(B)(5), 1243.1, 1243.2, and 1253(B)(5), and to repeal Children's Code Articles 1194 and 1244(D), relative to children; to prohibit the sale of minor children; to provide relative to the surrender of parental rights and the adoption of children; to specify and prohibit practices constituting the sale of a child; to provide for reports, placement by the department, and review hearings in certification for adoption proceedings; to provide for minor parents, mental health counseling, requests for and maintenance of medical reports, filing and notice of filing of surrender, records checks, and requirements of approval of the surrender of a child for adoption; to provide a definition of "broker"; to provide for preplacement certification for adoption, venue, and records; to provide for disclosure of records, confidentiality, fees, affidavits, duties of the department, hearings, petitions, final decrees, continuing duties of the department, home study reports, and permanency review, all with respect to agency adoptions; to provide for fee disclosure, permissible expenses, affidavits of fees, duties of the department, hearings, petitions, final decrees at first hearings, continuing duties of the department, home study reports, and review hearings, all with respect to private adoptions; to provide for eligible petitioners, precedence of intrafamily adoption provisions over other adoption provisions; to provide for records checks, parental consent, and hearings, all with respect to intrafamily adoptions; to provide for time limitations and finality in adoptions; to provide for the purpose of voluntary registration in adoptions; to repeal provision for adoption over the objection of an incarcerated parent; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 883 by Representative McMains

##### AMENDMENT NO. 1

On page 4, at the end of line 15, after the period "." insert the following: "In approving a reasonable fee for overhead, the court shall consider and include additional expenses incurred by the department or the agency not specifically allocated to the adoption before the court, including the cost of failed adoptions, where those expenses or fees represent actual costs of the department's or agency's adoption services permitted by the provisions of this Article."

##### AMENDMENT NO. 2

On page 18, at the end of line 8, insert the following:

"In approving a reasonable fee for overhead, the court shall consider and include additional expenses incurred by the department or the agency not specifically allocated to the adoption before the court including the cost of failed adoptions, where those expenses or fees represent actual costs of the department's or agency's adoption services permitted by the provisions of this Article."

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

##### **HOUSE BILL NO. 919—**

BY REPRESENTATIVES WINSTON AND JOHNS  
AN ACT

To enact Children's Code Article 1004(G), relative to termination of parental rights; to authorize foster parents to initiate involuntary termination of parental rights in certain circumstances; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 919 by Representative Winston

##### AMENDMENT NO. 1

On page 1, line 12, after "parents" and before "may" insert "who intend to adopt the child"

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

##### **HOUSE BILL NO. 921—**

BY REPRESENTATIVE WINSTON  
AN ACT

To enact Children's Code Article 1004.1, relative to parental rights; to require the Department of Social Services to pursue involuntary termination of parental rights in certain circumstances; and to provide for related matters.

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

##### **HOUSE BILL NO. 960—**

BY REPRESENTATIVE JACK SMITH  
AN ACT

To amend and reenact R.S. 56:48, relative to venue for offenses committed in the Gulf of Mexico; to provide venue for those offenses committed within and outside state waters; and to provide for related matters.

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

##### **HOUSE BILL NO. 1006—**

BY REPRESENTATIVE ANSARDI  
AN ACT

To enact R.S. 13:2590.1, relative to additional authority and fees for certain justice of the peace courts; to authorize in a certain parish for the appointment of a clerk of court; to authorize the collection of fees in civil matters; to provide for funding for the clerk; to permit a fee for issuing peace bonds; to provide for dispersement of the fee; and to provide for related matters.

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

##### **HOUSE BILL NO. 1041—**

BY REPRESENTATIVE WARNER  
AN ACT

To amend and reenact R.S. 15:587.2(A), relative to criminal background checks; to authorize university and college police to conduct certain checks; and to provide for related matters.

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

##### **HOUSE BILL NO. 1043—**

BY REPRESENTATIVES WARNER AND ODINET  
AN ACT

To amend and reenact R.S. 13:621.34, relative to district judges; to provide for an additional judgeship for the Thirty-Fourth Judicial District Court; to provide for compensation of the additional judge;

to provide for the election and term of office and those of the successors in office; and to provide for related matters.

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

**HOUSE BILL NO. 1075—**

BY REPRESENTATIVE DEWITT

AN ACT

To enact R.S. 33:1421(D), relative to sheriffs; to provide for an increase in compensation for sheriffs; and to provide for related matters.

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

**HOUSE BILL NO. 1124—**

BY REPRESENTATIVE SCHWEGMANN

AN ACT

To enact R.S. 9:3890, relative to a conditional procuracy; to provide for a conditional procuracy that becomes effective upon a certain level of disability; to establish disability requirements relative to a conditional procuracy; and to provide for related matters.

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

**HOUSE BILL NO. 1127—**

BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact R.S. 15:261(A), relative to witness fees in criminal proceedings; to provide for the disposition of witness fees for off-duty municipal law enforcement officers who appear in district court; and to provide for related matters.

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

**HOUSE BILL NO. 1163—**

BY REPRESENTATIVE MURRAY

AN ACT

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

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

**HOUSE BILL NO. 1189—**

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

AN ACT

To amend and reenact R.S. 9:315.32(A)(1) and 315.34(B)(1), relative to child support; to provide relative to suspension of licenses for nonsupport; to require the court to give written and oral reasons in certain cases; to provide for the issuance of an ex parte order of compliance by the Department of Social Services, office of support enforcement; and to provide for related matters.

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

**HOUSE BILL NO. 1192—**

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

AN ACT

To repeal R.S. 46:236.4, relative to interstate enforcement of support by income assignment.

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

**HOUSE BILL NO. 1193—**

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

AN ACT

To amend and reenact R.S. 46:236.11(B)(2), relative to child support payments; to provide for the collection and disbursement of certain child support payments through the state disbursement unit; and to provide for related matters.

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

**HOUSE BILL NO. 1194—**

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

AN ACT

To amend and reenact R.S. 46:236.3(B)(1), (D), and (E)(3), relative to enforcement of support by income assignment; to provide for written notice to payors; to require certain data to be forwarded to the recipient of the support; and to provide for related matters.

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

**HOUSE BILL NO. 1232—**

BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 33:441(C), relative to a mayor's court; to provide the presiding officer with judicial immunity; and to provide for related matters.

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

**HOUSE BILL NO. 1271—**

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 30:2194(B)(3), relative to underground storage tanks and the Motor Fuels Underground Storage Tank Trust Fund; to provide for the definition of "eligible participant"; and to provide for related matters.

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

**HOUSE BILL NO. 1381—**

BY REPRESENTATIVE MONTGOMERY

AN ACT

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

Reported favorably by the Committee on Revenue and Fiscal 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. 1519—**

BY REPRESENTATIVE McMAINS  
AN ACT

To amend and reenact R.S. 9:5681(A) and (D) and to enact R.S. 9:5681(E), relative to the sale of immovable property by or to certain legal entities; to provide for prescription of actions; to create a conclusive presumption of valid title; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 1519 by Representative McMains

AMENDMENT NO. 1

On page 3, line 15, after "period" "established by Paragraph (A)(2) of this Section"

AMENDMENT NO. 2

On page 3, line 16, delete "legal entity or" and insert "property"

AMENDMENT NO. 3

On page 3, delete lines 17 and 18 and insert "as of the date"

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

**HOUSE BILL NO. 1557—**

BY REPRESENTATIVES DOWNER, BRUNEAU, DONELON, AND LANCASTER AND SENATOR BRANCH  
AN ACT

To amend and reenact R.S. 29:726(A), relative to the Louisiana Emergency Assistance and Disaster Act; to provide relative to the office of emergency preparedness; to authorize the establishing and maintaining of office of emergency preparedness operations centers; to provide for the obtaining of property; and to provide for related matters.

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

**HOUSE BILL NO. 1629—**

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

To amend and reenact R.S. 40:1375(F), relative to training facilities under the State Police Law; to authorize public safety services of the Department of Public Safety and Corrections to charge fees for the use of training facilities; to provide for an exception; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Engrossed House No. 1629 by Representative Diez

AMENDMENT NO. 1

On page 2, delete lines 15 and 16

On motion of Senator Ellington the committee amendment was adopted. The amended bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

**HOUSE BILL NO. 1663—**

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

To amend and reenact Code of Criminal Procedure Art. 895.1(C), relative to the monthly supervision fee paid by offenders who are on supervised probation; to increase that fee; and to provide for related matters.

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

**HOUSE BILL NO. 1684—**

BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 30:2194(B)(11), relative to underground storage tanks; to provide for the definition of "third party claim"; and to provide for related matters.

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

**HOUSE BILL NO. 1739—**

BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 30:2363(14) and (15) and 2374(B)(2) and to enact R.S. 30:2363(16) and 2370(E)(8) and (9), relative to the Hazardous Material Information Development, Preparedness, and Response Act; to provide for definitions; to provide reporting exemptions for gasoline and diesel; to provide for fee exemptions for gas stations; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 1739 by Representative Martiny

AMENDMENT NO. 1

On page 3, at the beginning of line 6, delete "under this Chapter"

AMENDMENT NO. 2

On page 3, at the end of line 18, between "committee" and the period "." insert "and the Department of Public Safety and Corrections, office of state police"

AMENDMENT NO. 3

On page 4, at the end of line 3, between "committee" and the period "." insert "and the Department of Public Safety and Corrections, office of state police"

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

**HOUSE BILL NO. 1776—**

BY REPRESENTATIVE DAMICO  
AN ACT

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

Reported with amendments by the Committee on Judiciary B.

June 2, 1999

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 1776 by Representative Damico

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 33:2218.2(A) and to"

AMENDMENT NO. 2

On page 1, line 3, after "sheriffs" insert " and certain police officers who patrol bridges"

AMENDMENT NO. 3

On page 1, line 5 after "servers" insert " and certain police officers who patrol bridges"

AMENDMENT NO. 4

On page 1, line 7, after "R.S. 33:" insert "2218.2(A) is hereby amended and reenacted and"

AMENDMENT NO. 5

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

§2218.2. Rate of compensation; prior service; supplemental monthly compensation; police to receive additional compensation

A.(1) In addition to the compensation now paid by any municipality included in this Subpart or by the Chitimacha Tribe of Louisiana, hereinafter referred to as "tribe" or "tribal", to any police officer, every police officer employed by any municipality or tribe or which employs one or more police officers who devotes his full working time to law enforcement, and for those hired after March 31, 1986, who have completed and passed a council-certified training program as provided in R.S. 40:2405, shall be paid by the state extra compensation in the amount of three hundred dollars per month for each full-time municipal or tribal law enforcement officer who has completed or who hereafter completes one year of service.

R.S. 33:2218.2(A)(2) is all proposed new law.

(2)(a) Every sworn, commissioned law enforcement officer employed on a full-time basis by a bonafide police agency of the state or its political subdivisions who serves the welfare of the public in the capacity of a police officer by providing police services to the general public through effecting arrests, issuing citations, serving warrants, patrolling bridges that are within the boundaries of a municipality with a population in excess of four hundred fifty thousand shall be paid by the state extra compensation in the amount of three hundred dollars per month in addition to the compensation now paid to him by his employer out of self-generated revenue attributable to the agency employing such officers.. To be eligible for the extra compensation, each such law enforcement officer shall have completed one year of service, and any such law enforcement officer hired after March 31, 1986, shall also have completed and passed a council-certified training program, as provided in R.S. 40:2405.

(b) For purposes of qualifications, computations, and other applicable provisions of this Section, references to "municipality" and "municipal" shall include in their meaning the bonafide police agency of the state or its political subdivisions that employ full-time sworn, commissioned law enforcement officers made eligible in this Paragraph.

\* \* \*

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

HOUSE BILL NO. 1815—

BY REPRESENTATIVE MCCALLUM AN ACT

To enact R.S. 13:2103.2, relative to marshal's fees; to permit an increase in fees for certain offices; to require the marshal to remove eligibility of sureties who do not pay the required fees; and to provide for related matters.

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

HOUSE BILL NO. 1832—

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

AN ACT

To amend and reenact R.S. 48:452.1(A), relative to abandonment of expropriation claims; to change the time for abandonment of such claims; and to provide for related matters.

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

HOUSE BILL NO. 1873—

BY REPRESENTATIVES MCMAINS, ANSARDI, AND MCCAIN AN ACT

To amend and reenact Children's Code Arts. 728(1), 732(A), 733(A), (C), and (D), 734(C), 735(A), 736(A), (B), and (D)(4), 737, 738(A) and (D), 739, 740(A)(3) and (4) and (B), 741, 742, 745(B) and (C), 746, 791(B), (C), (D), and (E), and 1509, to enact Children's Code Arts. 728(3.1), 729.1, 733(E), 735(D), 740(A)(5) and (C), 791(F), and 1509.1, and to repeal Children's Code Art. 730(9), all relative to the continuous revision of the Louisiana Children's Code; to amend Title VII of the Children's Code, Families in Need of Services, and to provide for sanctions for contempt in Title XV, Special Proceedings; to provide for definitions, venue and grounds for Families in Need of Services; to provide for the duties of intake officers, instanter orders of custody, taking a child into custody, prehearing placement, release, and continued custody; to provide for advice of rights of the parents, the grounds and place of continued custody of the child, confidentiality of the informal family services plan agreement, the authority to file a Family in Need of Services petition, and prehearing contempt; to provide penalties for contempt in general for children and adults; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 1873 by Representative McMains

AMENDMENT NO. 1

On page 3, line 30, change "party" to "person"

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

HOUSE BILL NO. 1875—

BY REPRESENTATIVE MARTINY AN ACT

To amend and reenact R.S. 30:2195.4(A)(2) and (3), relative to the Motor Fuels Underground Storage Tank Trust Fund; to provide for procedures for disbursement of money from the Fund; to provide a time limit on submittal of claims for reimbursement from the fund; and to provide for related matters.

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

**HOUSE BILL NO. 1923—**  
BY REPRESENTATIVES McMAINS, ANSARDI, AND MCCAIN  
AN ACT

To amend and reenact Children's Code Arts. 116(25), 622, 627, 631, 666(A) and (B), 683(B), (C), (D), and (E), 740, 815(D), and 884(B) and to enact Children's Code Art. 683(F), relative to the continuous revision of the Children's Code; to change the definition of "shelter care facility"; to provide for placement of children pending a continued custody hearing, placement after hearing, appointment of counsel, curators and special advocates, petitions for provisional and permanent custody of the child pending proceedings, adjudication orders and dispositions, all in child in need of care proceedings; to prohibit the placement of juveniles taken into custody for certain delinquent acts in shelter care facilities; to provide relative to the adjudication order in delinquency proceedings; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 1923 by Representative McMains

**AMENDMENT NO. 1**  
On page 3, between lines 11 and 12 insert the following:

"(4) The following, among other relatives, are those who maybe considered and to whom care of the child may be entrusted and are listed in the order of priority:

- (a) Grandparent.
- (b) Aunt or uncle.
- (c) Sibling.
- (d) Cousin."

**AMENDMENT NO. 2**  
On page 10, delete lines 11 through 31

**AMENDMENT NO. 3**  
On page 11, line 1 change "Section 5." to "Section 4."

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

**HOUSE BILL NO. 1927—**  
BY REPRESENTATIVE LANDRIEU  
AN ACT

To repeal R.S. 40:1299.39.1(A)(3)(c) and 1299.47(A)(3)(c), relative to medical malpractice claims; to repeal the requirement that a copy of the complaint and names of the parties and defendants be forwarded to the Louisiana Supreme Court.

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

**HOUSE BILL NO. 1943—**  
BY REPRESENTATIVE BARTON  
AN ACT

To amend and reenact R.S. 13:1899(C)(7), (8), (9), (10), (11), (12)(a), (13), and (14) and to repeal R.S. 13:1899(C)(15), relative to the City Court of Bossier City; to specify a certain amount in court costs to fund the office of marshal; and to provide for related matters.

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

**HOUSE BILL NO. 1975—**  
BY REPRESENTATIVE HUNTER  
AN ACT

To enact R.S. 13:961(F)(1)(j), relative to court reporters in the Fourth Judicial District Court; to authorize a majority of the judges to determine certain fees paid to court reporters; and to provide for related matters.

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

**HOUSE BILL NO. 2020—**  
BY REPRESENTATIVE HUNTER  
AN ACT

To enact R.S. 40:1797, relative to law enforcement officers; to prohibit any law enforcement officer from possessing a firearm in a courtroom if he is a party to the proceeding; and to provide for related matters.

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

**HOUSE BILL NO. 2032 (Substitute for House Bill No. 681 by Representative Toomy)—**  
BY REPRESENTATIVE TOOMY  
AN ACT

To enact R.S. 26:81(F) and 281(J), relative to the Alcoholic Beverage Control Law; to provide relative to the location of licensed premises or businesses; to define "public library"; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 2032 by Representative Toomy

**AMENDMENT NO. 1**  
On page 1, line 13, and on page 2, line 3, change "five" to "three"

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

**HOUSE BILL NO. 2075—**  
BY REPRESENTATIVES BARTON, FAUCHEUX, AND WELCH  
AN ACT

To amend and reenact R.S. 33:1981(B) and (C)(1) and 2201(C)(1), relative to benefits for survivors of certain firemen and law enforcement officers; to include volunteer firemen in the definition of firemen; to increase amounts to be paid as benefits; to provide relative to which firemen's families are entitled to such benefits; and to provide for related matters.

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

**HOUSE BILL NO. 2262 (Substitute for House Bill 1584 by Representative Damico)—**  
BY REPRESENTATIVES DAMICO, DEWITT, DOWNER, McMAINS, DIEZ, AND CRANE, AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

June 2, 1999

To amend and reenact R.S. 30:2050.8, relative to the Department of Environmental Quality; to provide relative to enforcement; to provide relative to cease and desist orders; to provide for requirements for cease and desist orders; to provide for termination of cease and desist orders; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Engrossed House Bill No. 2262 by Representative Damico

AMENDMENT NO. 1

On page 1, line 11, between "causing" and "damage" insert "significant"

AMENDMENT NO. 2

On page 2, line 2, between "causing" and "damage" insert "significant"

AMENDMENT NO. 3

On page 2, line 19, between "causing" and "damage" insert "significant"

AMENDMENT NO. 4

On page 2, line 24, change "Nineteenth" to "Nineteenth"

AMENDMENT NO. 5

On page 3, line 4, between "causing" and "damage" insert "significant"

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

Senator C. Fields in the Chair

Reconsideration

On motion of Senator Theunissen, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, June 1, 1999 was reconsidered.

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.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator W. Fields to Reengrossed House Bill No. 222 by Representative Morrish

AMENDMENT NO. 1

On page 2, line 3, after "dollars" delete the remainder of the line and on line 4, delete "greater,"

AMENDMENT NO. 2

On page 2, line 18, after "dollars" delete the remainder of the line and delete line 19 and insert ", the total amount due being"

AMENDMENT NO. 3

On page 3, delete line 12, and on line 13, delete "whichever is greater"

Motion

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

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Total—25; Dyess, Ellington, Greene, Hainkel, Hines, Hollis, Johnson, Lentini, Malone; Romero, Schedler, Siracusa, Smith, Tarver, Theunissen, Thomas

NAYS

Table with 3 columns of names: Boissiere, Branch, Dean, Total—9; Fields C, Fields W, Heitmeier; Lambert, Landry, Ullo

ABSENT

Table with 3 columns of names: Mr. President, Irons, Total—5; Jones, Jordan; Robichaux

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

Senator W. Fields moved adoption of the amendments.

Senator Theunissen objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Boissiere, Campbell, Cox, Dean, Total—14; Fields C, Fields W, Hines, Irons, Johnson; Jones, Landry, Tarver, Ullo

NAYS

Table with 3 columns of names: Barham, Bean, Branch, Cain, Casanova, Cravins, Dardenne, Dyess, Total—22; Ellington, Greene, Hainkel, Heitmeier, Hollis, Lambert, Lentini, Malone; Romero, Schedler, Siracusa, Smith, Theunissen, Thomas

ABSENT

Mr. President Jordan Robichaux
Total—3

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bean Hainkel Malone
Branch Heitmeier Romero
Campbell Hines Schedler
Casanova Hollis Siracusa
Cravins Johnson Smith
Dardenne Jones Tarver
Dyess Lambert Theunissen
Ellington Landry Thomas
Greene Lentini
Total—26

NAYS

Mr. President Cain Fields C
Bajoie Cox Fields W
Barham Dean Ullo
Total—9

ABSENT

Boissiere Jordan
Irons Robichaux
Total—4

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

Reconsideration

On motion of Senator Bajoie, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, June 1, 1999 was reconsidered.

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.

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

Special Order of the Day

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

HOUSE BILL NO. 492—
BY REPRESENTATIVES DEWITT AND CRANE
A JOINT RESOLUTION

Proposing to amend Article XII, Section 8.1(F) of the Constitution of Louisiana, to authorize the Louisiana Workers' Compensation Corporation to participate in any plan, pool, association, guaranty

fund, or insolvency fund authorized or required pursuant to the Insurance Code upon the extinguishment of the full faith and credit guarantee of the state; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Reengrossed House Bill No. 492 by Representative DeWitt

AMENDMENT NO. 1

On page 2 at the end of line 14, delete "gubernatorial primary" and insert "general"

On motion of Senator Hainkel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Robichaux
Total—1

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

Special Order of the Day

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

HOUSE BILL NO. 493—
BY REPRESENTATIVES DEWITT AND CRANE
AN ACT

To amend and reenact R.S. 23:1395(D), relative to the Louisiana Workers' Compensation Corporation; to condition removal of the restriction on the corporation's participation in any plan, pool, association, or guaranty or insolvency fund upon extinguishment of the full faith and credit guarantee of the state; and to provide for related matters.

June 2, 1999

**Floor Amendments Sent Up**

Senator Hainkel sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hainkel to Reengrossed House Bill No. 492 by Representative DeWitt

AMENDMENT NO. 1

On page 2 at the end of line 14, delete "primary" and insert "general"

On motion of Senator Hainkel, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Hainkel sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hainkel to Reengrossed House Bill No. 493 by Representatives DeWitt and Crane

AMENDMENT NO. 1

On page 1, line 12, between "D." and "Notwithstanding" insert "(1)"

AMENDMENT NO. 2

On page 1, line 17, after "taxes." delete the remainder of the line

AMENDMENT NO. 3

On page 1, after line 17, insert the following:

"(2) However, upon the"

AMENDMENT NO. 4

On page 2, between lines 12 and 13, insert the following:

"(3) Upon the extinguishment of the full faith and credit guarantee as provided in R.S. 23:1404(B) and in addition to the deposit required by R.S. 22:1028, the corporation shall provide one of the following as security to hold the state harmless from all claims arising from any legal obligation of the corporation to which the full faith and credit guarantee of the state is pledged:

(a) Deposit with the commissioner of insurance:  
(i) Safekeeping or trust receipts from banks doing business within this state or from savings and loan associations chartered to do business in this state indicating that the corporation has deposited amount equal to twelve per cent of its outstanding liabilities not covered by the Louisiana Insurance Guaranty Association, calculated using the most recent quarterly financial statements as filed with the Department of Insurance, or

(ii) A bond of the United States, this state, or any political subdivision thereof, of the par value of not less than amount equal to twelve per cent of its outstanding liabilities not covered by the Louisiana Insurance Guaranty Association, calculated using the most recent quarterly financial statements as filed with the Department of Insurance.

(iii) All securities deposited pursuant to this Subparagraph shall be held in trust to hold the state harmless from all claims arising from any legal obligation of the corporation to which the full faith and credit guarantee of the state is pledged.

(b) Deliver to the commissioner of insurance a bond in the amount equal to twelve per cent of its outstanding liabilities not covered by the Louisiana Insurance Guaranty Association, calculated using the most recent quarterly financial statements as filed with the Department of Insurance. The bond shall issue from an authorized

surety company doing business in this state which has a minimum surplus of five hundred million dollars and is subject to approval of the commissioner of insurance. The bond shall be conditioned on the same terms as stated in Subparagraph (a) above and must be renewed annually. No such bond shall be cancelled unless a new bond or deposit has been substituted or satisfactory evidence has been submitted to the commissioner of insurance that no further liability exists for all claims arising from any legal obligation of the corporation to which the full faith and credit guarantee of the state is pledged. The term of these bonds shall be for one year, but the last bond shall always remain in effect until a new bond is filed or either a deposit is made pursuant to Subparagraph (a) or a reinsurance agreement entered into pursuant to Subparagraph (c) as a substitution therefor.

(c) A reinsurance agreement with an insurer authorized to make such reinsurance and authorized to do business in this state against any loss in connection with all claims of any legal obligation of the corporation to which the full faith and credit guarantee of the state is pledged. Pursuant to such agreement, the commissioner shall be authorized to examine the books and records of the reinsurer. During the term of such reinsurance, the reinsurer shall file annually with the commissioner of insurance a true copy of its annual statement with the insurance department of its state of domicile and a copy of its most recent audited financial statement.

(4) Upon request by the corporation and compliance with the pertinent provisions above, the commissioner may permit the corporation to substitute one form of security for another, all as described in Paragraph (3).

(5) Upon proper presentation of claims information, the commissioner of insurance shall release a portion of the initial amount of the deposit or authorize a reduction in the bond or the amount of the reinsurance agreement, as appropriate. When evidence is presented to the commissioner of insurance that no further liability exists from any claim arising from any legal obligation of the corporation to which the full faith and credit guarantee of the state is pledged, the commissioner shall consent to terminate the deposit, bond, or reinsurance agreement."

AMENDMENT NO. 5

On page 2, line 18, change "primary" to "general"

On motion of Senator Hainkel, the amendments were adopted.

**Mr. President in the Chair**

**Floor Amendments Sent Up**

Senator Cox sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Cox to Reengrossed House Bill No. 493 by Representatives DeWitt and Crane

AMENDMENT NO. 1

On page 1, line 2 change "R.S. 23:1395(D)" to "R.S. 23:1392(1), (8)(introductory paragraph), and (11), 1393(A)(1) and (D), 1395(B), (C), and (D), 1397(A) and (C), 1398(A)(4), (5), and (6), 1404(B)(1) and (3), 1405, and 1411(C) and to enact R.S. 23:1404.1 and 1405.1"

AMENDMENT NO. 2

On page 1, line 6, between "state;" and "and" insert "to provide for the extinguishment of the full faith and credit of the state; to provide for the effects thereof;"

AMENDMENT NO. 3

On page 1, line 8, change "R.S. 23:1395(D) is" to "R.S. 23:1392(1), (8)(introductory paragraph), and (11), 1393(A)(1) and (D), 1395(B), (C), and (D), 1397(A) and (C), 1398(A)(4), (5), and (6), 1404(B)(1) and (3), 1405, and 1411(C) are" and between " and "reenacted" and "to" insert "R.S. 23:1404.1 and 1405.1 are hereby enacted"

AMENDMENT NO. 4

On page 1, between lines 9 and 10 insert the following:

§1392. Definitions

As used in this Part, the following terms shall have the meaning ascribed to them in this Section, unless the context clearly indicates otherwise.

(1) "Accepted risk" means an employer, other than one eligible for a preferred risk policy, who in good faith attempts to procure or retain worker's workers' compensation insurance but is unable to do so through ordinary methods in the voluntary market from an admitted insurer with a minimum "A-" A.M. Best rating. The term also includes any legal entities that may be combined for experience rating purposes according to the rules of the Louisiana Insurance Rating Commission.

(8) "Preferred risk" is an employer who is a Louisiana resident, partnership, or corporation domiciled in this state whose worker's workers' compensation insurance policy meets either of the following conditions:

(11) "Worker's Workers' compensation insurance" means insurance to cover job-related injuries, attendant medical and indemnity benefits and employer's liability insurance, and coverage under the United States Longshore and Harbor Worker's Compensation Act.

§1393. Creation of Louisiana Workers' Compensation Corporation

A.(1) The Louisiana Workers' Compensation Corporation is hereby created as a private, nonprofit corporation to operate as a domestic mutual insurer to provide workers' compensation insurance, a residual market, and services related services to workers' compensation insurance for the benefit of Louisiana employers as provided in this Part.

D. The corporation shall provide United States Longshore and Harbor Worker's Compensation Act insurance to employers only if the corporation is also providing Louisiana worker's workers' compensation insurance. The board of directors shall establish underwriting criteria for the acceptance of such funds.

AMENDMENT NO. 5

On page 1, between lines 11 and 12, insert the following:

"B. Except as provided in R.S. 23:1404, the corporation shall not be required to comply with any surplus requirements for a domestic mutual insurer. However, upon extinguishment of the full faith and credit guarantee of the state, as provided in the constitution, and notwithstanding R.S. 23:1404, the corporation shall comply with surplus requirements for a domestic mutual insurer.

C. Except as provided in R.S. 23:1404, the corporation shall not be required to comply with any reserve requirements for a domestic mutual insurer. However, upon extinguishment of the full faith and credit guarantee of the state, as provided in the constitution, and notwithstanding R.S. 23:1404, the corporation shall comply with reserve requirements for a domestic mutual insurer."

AMENDMENT NO. 6

On page 2, between lines 13 and 14, insert the following:

§1397. Incurring of debt for operations and cash flow; pledge of full faith and credit of state

A. The corporation shall not incur capitalization debt, in the aggregate, over five million dollars unless prior approval is obtained from the State Bond Commission. However, upon the extinguishment of the full faith and credit guarantee of the state, as provided in the constitution, the board of directors of the corporation shall have the exclusive authority to approve the capitalization debt of the corporation.

C. Until such time as the corporation obtains the approval of the United States Department of Labor to provide United States Longshore and Harbor Worker's Compensation Act coverage without such security, the full faith and credit of the state of Louisiana shall be pledged for any debt incurred pursuant to this Section subject to the provisions of R.S. 23:1404.

§1398. Board of directors

A. The board shall consist of twelve members as follows:

(4) One agent licensed by the Department of Insurance to sell worker's workers' compensation insurance in Louisiana, who possesses executive level experience in the field of worker's workers' compensation insurance.

(5) One representative of insurers licensed by the Department of Insurance to issue worker's workers' compensation insurance policies in Louisiana, who possesses executive level experience in the field of worker's workers' compensation insurance.

(6) One representative of the state office of risk management who possesses executive level experience in the field of worker's workers' compensation insurance.

§1404. Allocation of surplus; full faith and credit; exemptions; sunset

B.(1)(a) Should the corporation's assets be insufficient to pay claims as they become due, then the full faith and credit of the state of Louisiana shall be pledged for the purposes as provided in R.S. 23:1395 and for the payment of claims. This full faith and credit guarantee shall expire in five years or at such time as the United States Department of Labor approves United States Longshore and Harbor Worker's Compensation Act coverage by the corporation without such security, whichever occurs later.

(b) The corporation shall seek the approval of the United States Department of Labor to provide United States Longshore and Harbor Worker's Compensation coverage upon obtaining an A.M. Best rating of "A-" or better. Beginning no later than five years after the issuance of its first policy, the corporation shall make diligent efforts to obtain an A.M. Best rating of "A-" or better.

(c) The extinguishment of the full faith and credit guarantee shall be self-executing immediately upon the United States Department of Labor's approval. The provisions of this Part affected by extinguishment of the full faith and credit guarantee shall also be immediately self-executing.

(d) Notwithstanding the self-execution of the extinguishment, within ten days of the receipt of the United States Department of Labor's approval, the corporation shall provide formal written notice of this approval to the governor, the speaker of the House of Representatives, the president of the Senate, the commissioner of insurance, the legislative auditor, the treasurer, and the director of the office of risk management.

(3) The full faith and credit guarantee, equal to the minimum surplus requirements for a domestic mutual insurer less any actual surplus of the corporation, shall be included as an asset in the configuration of the financial statements required under the provisions of R.S. 23:1411, until its extinguishment.

§1404.1. State reporting

Upon its extinguishment, the full faith and credit guarantee shall no longer operate as a state liability, contingent or otherwise, for the state's accounting, budgeting, financial, or reporting purposes.

§1405. Corporation investments

A. Notwithstanding any other law to the contrary and as long as the full faith and credit guarantee remains in effect, the corporation is hereby authorized and directed to invest, for the benefit of the policyholders, such monies not needed for cash flow purposes, in any of the following obligations:

(1) Direct United States Treasury obligations, the principal and interest of which are fully guaranteed by the government of the United States.

(2) United States government agency obligations, the principal and interest of which are fully guaranteed by the government of the United States, or United States government obligations, the principal and interest of which are guaranteed by any United States government agency, which may include certificates or other evidences of an ownership interest in such obligations, which may consist of specified portions of interest thereon, such as those securities commonly known as CATS, TIGRS, or STRIPS.

(3) Direct security repurchase agreements and reverse direct security repurchase agreements of any federal book entry only securities enumerated in Paragraphs (1) and (2) above. "Direct security repurchase agreement" means an agreement under which the corporation buys, holds for a specified time, and then sells back those securities and obligations enumerated in Paragraphs (1) and (2) above. "Reverse direct securities repurchase agreement" means an agreement under which the corporation sells and after a specified time buys back any of the securities and obligations enumerated in Paragraphs (1) and (2) above.

(4) Time certificates of deposit of state banks organized under the laws of Louisiana, or national banks having their principal offices in the state of Louisiana, savings accounts or shares of savings and loan associations and savings banks, as defined by R.S. 6:703(15) and (16) and 17(a), or share accounts and share certificate accounts of federally or state chartered credit unions issuing time certificates of deposit. For those funds made available for investment in time certificates of deposit, the rate of interest paid by the banks shall be established by contract between the bank and the corporation.

(5) Mutual or trust fund institutions which are registered with the Securities and Exchange Commission under the Securities Act of 1933 and the Investment Act of 1940, and which have underlying investments consisting solely of and limited to securities of the United States government or its agencies.

(6) Funds invested in accordance with the provisions of this Part shall not exceed at any time the amount insured by the Federal Deposit Insurance Corporation in any one banking institution, the Federal Savings and Loan Insurance Corporation in any one savings and loan association, or National Credit Union Administration, unless the uninsured portion is collateralized by the pledge of securities in the manner provided in R.S. 39:1221.

(7) Investment grade corporate bonds rated Baa or higher by Moody's, or rated BBB or higher by Standard and Poor, preferred stock and common stock whose shares are traded on a nationally recognized exchange, such as, but not limited to, the New York Stock Exchange, NASDAQ, or the American Stock Exchange. Investment in such bonds and stocks is restricted to two percent per issue of admitted assets, and not to exceed twenty percent, in aggregate, of admitted assets.

(8) Bonds or other interest-bearing securities of the United States or an agency thereof, including but not limited to the Federal National Mortgage Association.

B. Upon the extinguishment of the full faith and credit guarantee, the provisions of Subsection A of this Section shall cease to have effect and the investments of the corporation shall be made in conformity with the provisions

of the Louisiana Insurance Code applicable to domestic insurers as provided in R.S. 22:841 et seq.

§1405.1. Conversion to stock corporation; conditions; approval; laws applicable

A. Notwithstanding any law to the contrary, the corporation shall not convert to a domestic stock insurer except in accordance with general law applicable to such conversion and only with the prior approval of the legislature, by concurrent resolution adopted by a majority of the elected members of each house of the legislature.

B. If the corporation converts to a domestic stock insurer, it shall be subject to laws applicable to domestic stock insurers.

\* \* \*

§1411. Rates

\* \* \*

C.(1) By April first after the end of every fiscal year, the manager shall present to the board and the commissioner of insurance an annual report including financial statements as are required for fire and casualty insurance companies for that year. The financial statement shall include an opinion prepared by an independent property and casualty actuary as to the adequacy of premiums and funded reserves during that fiscal year.

(2) By June first after the end of every fiscal year, the manager shall present to the board and the commissioner of insurance an annual audit conducted by the legislative auditor in accordance with statutory accounting practices prescribed or permitted by the Department of Insurance.

(3) Upon the extinguishment of the full faith and credit guarantee, the provisions of Paragraph (2) of this Subsection shall be void and all authority of the legislative auditor over the corporation shall cease, notwithstanding any other provision of law.

(4) If the report determines that the corporation is operating at a deficit according to statutory accounting practices, then no later than the succeeding May first, the board of directors shall submit for the approval of the commissioner of insurance a plan to fund the deficit.

(5) If the plan fails to be submitted or approved, or if, pursuant to R.S. 23:1411(C)(4), the commissioner of insurance determines that the corporation is insolvent, the commissioner of insurance is authorized and directed to immediately implement a plan to achieve the solvency of the corporation.

(4) The commissioner of insurance may elect, not more than annually, except as provided herein, to order an actuarial report of the solvency of the corporation to be paid for by the corporation.

\* \* \*

Section 2. This Act is intended to and shall supersede the provisions of that Act which originated as House Bill No. 482 of this 1999 Regular Session."

AMENDMENT NO. 7

On page 2, line 14, change "Section 2." to "Section 3."

Motion

Senator Jordan moved the previous question on the amendment.

Senator Cox objected.

ROLL CALL

The roll was called with the following result:

YEAS

Cain	Hainkel	Smith
Cravins	Hines	Tarver
Dardenne	Hollis	Theunissen
Dean	Irons	Thomas
Dyess	Lambert	Ullo
Ellington	Lentini	
Fields C	Romero	
Total—19		

NAYS

Barham	Cox	Landry
Bean	Fields W	Robichaux
Boissiere	Greene	Schedler
Branch	Heitmeier	Siracusa
Campbell	Jones	
Casanova	Jordan	
Total—16		

ABSENT

Mr. President	Johnson
Bajoie	Malone
Total—4	

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

Senator Cox moved adoption of the amendments.

Senator Hainkel objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie	Fields W	Jordan
Campbell	Hines	Landry
Cox	Irons	Robichaux
Cravins	Johnson	
Fields C	Jones	
Total—13		

NAYS

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

ABSENT

Total—0

The Chair declared the amendments were rejected.

**Floor Amendments Sent Up**

Senator Campbell sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Campbell to Reengrossed House Bill No. 493 by Representative DeWitt and Crane

AMENDMENT NO. 1

On page 1, between "R.S. 23:1395(D)" and the comma "," insert "and to enact R.S. 23:1407.1"

AMENDMENT NO. 2

On page 1, line 8, between "reenacted" and "to" insert "and R.S. 23:1407.1 is hereby enacted"

AMENDMENT NO. 3

On page 2, between lines 13 and 14, insert the following:

"§1407.1. Issuance or renewal of policies not backed by full faith and credit of state; disclosure

A. After the full faith and credit of the state is extinguished, the corporation and any person who is an officer, employee, agent, or representative of the corporation, in the solicitation and negotiation of the renewal or issuance of any policy by the corporation, shall disclose that the full faith and credit of the state does not guarantee the legal obligations of the corporation under such policy.

B. Each policy issued or renewed by the corporation after the full faith and credit of the state is extinguished shall contain a statement that the full faith and credit of the state does not guarantee the legal obligations of the corporation under the policy. Any such policy which does not contain such provision shall be void."

On motion of Senator Campbell, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Jordan  
Total—1

ABSENT

Total—0

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

**Special Order of the Day**

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

June 2, 1999

HOUSE BILL NO. 497—

BY REPRESENTATIVES DEWITT AND CRANE  
A JOINT RESOLUTION

Proposing to amend Article XII, Section 8.1(A) of the Constitution of Louisiana, to provide for the continuing existence of the Louisiana Workers' Compensation Corporation; to provide for the authority to dissolve the corporation; to provide that the corporation shall not be sold; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Reengrossed House Bill No. 497 by Representative DeWitt

AMENDMENT NO. 1

On page 2, at the end of line 16, delete "primary" and insert "general"

On motion of Senator Hainkel, the amendments were adopted.

Senator Casanova in the Chair

Floor Amendments Sent Up

Senator Campbell sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Campbell to Reengrossed House Bill No. 497 by Representatives DeWitt and Crane

AMENDMENT NO. 1

On page 1, line 6, after "sold" and before the semicolon ";" insert "or converted to a stock basis"

AMENDMENT NO. 2

On page 2, line 8, between "sold" and the comma "," insert "or converted to a domestic stock insurer."

AMENDMENT NO. 3

On page 2, between lines 13 and 14, insert the following:

"(5) The corporation shall be subject to, and comply with, laws regulating domestic mutual insurers."

AMENDMENT NO. 4

On page 3, line 1, between "sold" and "nor" insert "or converted to a stock basis"

On motion of Senator Campbell, the amendments were adopted.

Floor Amendments Sent Up

Senator Campbell sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Campbell to Reengrossed House Bill No. 497 by Representatives DeWitt and Crane

AMENDMENT NO. 1

On page 1, line 19, change "Once created, this" to the following:

"(2) Once the full faith and credit of the state for the payment of the corporation's legal obligations is extinguished, and the corporation provides security, as required by law, to hold the state

harmless from all claims arising from any legal obligation of the corporation to which the full faith and credit of the state is applicable, including all costs associated therewith:  
(a) This"

AMENDMENT NO. 2

On page 2, line 4, change "(2)" to "(b)"

AMENDMENT NO. 3

On page 2, line 8, change "(3)" to "(c)"

AMENDMENT NO. 4

On page 2, line 10, change "(4)" to "(d)"

AMENDMENT NO. 5

In Senate Floor Amendment No. 3 of a set of four amendments proposed by Senator Campbell and adopted by the Senate on June 2, 1999, at the beginning of line 11, change "(5)" to "(e)"

AMENDMENT NO. 2

On page 2, between lines 13 and 14, insert the following:

"(f) Upon failure of the corporation to maintain security as required by herein and as certified by the commissioner of insurance, the provisions of (a), (b), (c), and (d) shall be null."

AMENDMENT NO. 6

On page 2, line 22, between "created" and the comma "," insert "and certain other conditions are met"

On motion of Senator Campbell, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Jordan  
Total—1

ABSENT

Total—0

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

Rules Suspended

Senator Hollis 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. 822—**  
BY SENATORS EWING AND HOLLIS  
AN ACT

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

**Floor Amendments Sent Up**

Senator Hollis sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Ewing to Engrossed Senate Bill No. 822 by Senator Ewing

AMENDMENT NO. 1  
On page 1, at the end of line 10, delete "city" and insert "parish"

AMENDMENT NO. 2  
On page 1, line 11, delete "New"

AMENDMENT NO. 3  
On page 1, line 13, delete "city of New" and insert "parish of"

AMENDMENT NO. 4  
On page 1, at the end of line 14, delete "city" and insert "parish"

AMENDMENT NO. 5  
On page 1, line 15, delete "New"

AMENDMENT NO. 6  
On page 2, between lines 20 and 21 insert the following:

"D. Payments made by the casino operator to the parish of Orleans pursuant to Subsection A of this Section on any basis more frequently than quarterly shall satisfy the requirements in R.S. 27:247 that the parish be compensated on a quarterly basis."

AMENDMENT NO. 7  
On page 2, line 21, change "D." to "E."

On motion of Senator Hollis, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dean	Lentini
Bajoie	Dyess	Malone
Barham	Ellington	Robichaux
Bean	Hainkel	Romero
Boissiere	Heitmeier	Schedler
Branch	Hines	Siracusa

Cain	Hollis	Smith
Campbell	Irons	Tarver
Casanova	Johnson	Theunissen
Cox	Jones	Thomas
Cravins	Lambert	Uilo
Dardenne	Landry	
Total—35		

NAYS

Jordan  
Total—1

ABSENT

Fields C  
Total—3

Fields W  
Greene

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

**SENATE BILL NO. 955—**  
BY SENATOR LENTINI  
AN ACT

To enact R.S. 22:622.2, Part XXVI-C of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:1247.1 through 1247.4, and Part VI of Chapter 5 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:1045 through 1045.4, relative to insurance claims; to require certain information relative to fraud on insurance claim forms; to create the Louisiana Fraud Prevention Act; to provide for prohibited acts and omissions; to provide for penalties for violation; to create the Louisiana Insurance Fraud Prevention Bureau within the Department of Public Safety and Corrections, office of state police; to provide for reporting and investigations of violations of the Louisiana Fraud Prevention Act; to provide for funding of investigations and administration; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lentini sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 955 by Senator Lentini

AMENDMENT NO. 1  
On page 2, line 20, before "The" insert "A." and at the beginning of line 25, insert "B."

AMENDMENT NO. 2  
On page 4, line 9, delete the entire line and insert "Title 23 of the Louisiana Revised Statutes of 1950."

AMENDMENT NO. 3  
On page 6, line 8, following "may" delete "to"

AMENDMENT NO. 4  
On page 8, line 3, following "through" and before "is" change "1045.1" to "1045.4"

AMENDMENT NO. 5  
On page 8, line 15, following "of" and before "office" insert "the"

AMENDMENT NO. 6  
On page 8, line 26, following "that" and before "a" delete "an"

AMENDMENT NO. 7  
On page 9, line 10, following "before" and before "April" delete "the first day of" and after "April" and before "2001" insert "1."

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AMENDMENT NO. 8

On page 9, line 24, following "any" and before "fraud" delete ", to which"

On motion of Senator Lentini, the amendments were adopted.

**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. 955 by Senator Lentini

AMENDMENT NO. 1

On page 1, delete lines 2 through 6 and insert the following:

"To amend and reenact R.S. 22:1241,1243(A)(2), 1245, and R.S. 23:1293(A)(3) and to enact R.S. 22:622.2, 1242(1)(f) and (g), 1243(C) and (D), 1247.1 and Part II of Chapter 6 of Title 40 of the Louisiana Revised Statutes of 1950 to be comprised of R.S. 40:1421 through 1425, relative to insurance fraud; to require certain information"

AMENDMENT NO. 2

On page 1, line 9 after "violation" delete the remainder of the line and delete line 10 and insert the following:

"to create the insurance fraud investigation unit within the Department of Public Safety and"

AMENDMENT NO. 3

On page 1, line 16 after "Section 1." delete the remainder of the line and insert the following:

"R.S. 22:1241, 1243(A)(2) and 1245 are hereby amended and reenacted and R.S. 22:622.2 and 1242(1)(f) and (g) and 1243(C) and (D), 1247.1 and are hereby enacted to read as follows:"

AMENDMENT NO. 4

On page 2, delete lines 1 through 27, delete pages 3 through 13 and in lieu thereof insert the following:

"§622.2. Standard claim form; fraud statement required

**R.S. 22:622.2 is all proposed new law.**

A. All applications for insurance and all claim forms provided and required by an insurer or required by law as a condition of payment of a claim shall contain a statement, permanently affixed to, or included as a part of the application or claim form, that clearly states in at least twelve point type the following:

"For your protection, Louisiana law requires that the following statement appear on this form. It is a crime to knowingly provide false, incomplete or misleading information to an insurance company for the purpose of defrauding the company. Penalties include imprisonment, fines and denial of insurance benefits."

B. The lack of the statement required by Subsection A of this Section does not constitute a defense in any criminal prosecution. The provisions of this Section shall not apply to reinsurance contracts, agreements or claim transactions.

\* \* \*

§1241. Purpose and powers

The purpose of this Part is to create within the Department of Insurance a section of insurance fraud. This section shall be charged with the responsibility, when requested by the commissioner of insurance, to conduct investigations and background criminal checks on all applicants for a license or certificate of authority to transact a business of insurance. In the event the applicant is a corporation, partnership, or other legal entity, the criminal searches shall be limited to those individuals who are directors, officers, employees, consultants, or individuals who own or control at least ten percent of the entity. If the section has reason to believe, whether acting on its own initiative or as a result of complaints, that a person has engaged in, or is engaging in, an act or practice that violates this Part or any other provision of the Insurance Code, it may examine and investigate into the affairs of such person and may administer oaths and affirmations, serve subpoenas ordering the attendance of witnesses, and collect evidence. If during the course of investigation, the Department of Insurance determines that there may be a violation of any criminal law, the investigation shall then be turned over to the Louisiana Department of Justice **or the Department of Public Safety and Corrections, office of state police, insurance fraud investigation unit** and other appropriate law enforcement and/or prosecutorial agency, for further investigation, enforcement, or prosecution.

§1242. Definitions

As used in this Part the following terms shall have the meanings indicated herein:

(1) "Fraudulent insurance act" shall include but not be limited to acts or omissions committed by any person who, knowingly and with intent to defraud:

\* \* \*

**R.S. 22:1242(1)(f) is all proposed new law.**

(f) Acts as a solicitor, such as a runner, capper, or steerer, for compensation to procure clients or patients for another for the purpose of obtaining services or benefits under a contract of insurance or that will be the basis for a claim against an insured individual or his or her insurer.

**R.S. 22:1242(1)(g) is all proposed new law.**

(g) Employs or compensates runners, cappers, or steerers, or other persons to procure clients or patients to perform or obtain services or benefits, or to procure clients or patients to perform or obtain services or benefits under a contract of insurance or that will be the basis for a claim against an insured individual or his or her insurer.

\* \* \*

§1243. Prohibited activities and sanctions

A. Any person who, with the intent to injure, defraud, or deceive any insurance company, or any insured or other party in interest, or any third party claimant:

\* \* \*

(2) Assists, abets, solicits, or conspires with another to prepare or make any written or oral statement that is intended to be presented to any insurance company, insured, or other party in interest or third party claimant in connection with, or in support of or denial, or any claim for payment of other benefit pursuant to an insurance policy, knowing that such statement contains any false, incomplete, or fraudulent information concerning any fact or thing material to such claim; is guilty of a felony and shall be subjected

to a term of imprisonment, with or without hard labor, not to exceed five years, or a fine not to exceed five thousand dollars, or both, on each count. any person who violates any provision of this Section shall be subject to the following penalties:

**R.S. 22:1243(A)(2)(a) is all proposed new law.**

(a) For a first offense, the offender shall be subjected to a term of imprisonment, with or without hard labor, not to exceed five years, or a fine not to exceed five thousand dollars, or both, on each count.

**R.S. 22:1243(A)(2)(b) is all proposed new law.**

(b) For a second offense, the offender shall be subjected to a term of imprisonment, with or without hard labor, not to exceed ten years, or a fine not to exceed ten thousand dollars, or both, on each count.

**R.S. 22:1243(A)(2)(c) is all proposed new law.**

(c) For a third and subsequent offenses, the offender shall be subjected to a term of imprisonment, with or without hard labor, not to exceed twenty years, or a fine not to exceed fifteen thousand dollars, or both, on each count.

\* \* \*

**R.S. 22:1243(C) is all proposed new law.**

C.(1) The Department of Insurance may levy a civil administrative penalty and/or fine for insurance fraud of not more than five thousand dollars for the first violation, ten thousand dollars for the second violation, and fifteen thousand dollars for each subsequent violation. No fine or order of restitution shall be levied pursuant to this Subsection until the person committing the violation has been notified by certified mail or personal service.

(2) Notwithstanding any provision of the law to the contrary, a hearing arising under this Part shall be conducted by the commissioner of insurance or his designee. The civil penalty shall not be imposed until such time that the commissioner of insurance makes a finding that the penalty is warranted in a proper hearing held in the manner provided in Part XXIX of Chapter 1 of this Title.

**R.S. 22:1243(D) is all proposed new law.**

D. The court may, in addition to any other sentence authorized by law, sentence a person convicted of violating this Section to make restitution.

\* \* \*

§1245. Duties of companies and others

Any person, company, or other legal entity including, but not limited to those, engaged in the business of insurance, including agents, brokers, and adjusters, which believes that a fraudulent claim is being made, shall within sixty days of the receipt of such notice, send to the section of insurance fraud, on a form prescribed by the section, the information requested and such additional information relative to the claim and the parties claiming loss or damages because of an occurrence and/or accident as the section may require. The section of insurance fraud shall review such reports and select such claims as, in its judgment, may require further investigation. It shall then cause an independent examination of the facts surrounding such claim to be made to determine the extent, if any, to which fraud, deceit, or intentional misrepresentation of any kind exists in the submission of the claim. The section of insurance fraud shall report any alleged violations

of law which its investigations disclose to the appropriate licensing agency and prosecutive authority having jurisdiction with respect to any such violation the Department of Public Safety and Corrections, office of state police, insurance fraud investigation unit and the Department of Justice insurance fraud support unit. Such units shall work jointly on criminal referrals.

\* \* \*

§1247.1. The Louisiana Insurance Fraud Prevention Fund

**R.S. 22:1247.1 is all proposed new law.**

The Louisiana Insurance Fraud Prevention Fund (hereinafter referred to as the "fund") is established as a nonlapsing, revolving fund into which shall be deposited all revenues from the civil penalties imposed pursuant to this Part. Interest received on monies in the fund shall be credited to the fund. The fund shall be administered by the Department of Insurance and shall be used to help defray the operating costs of the insurance fraud support unit of the Department of Justice and the section of insurance fraud within the Department of Insurance.

Section 2. R.S. 23:1293(A)(3) is hereby amended and reenacted to read as follows:

§1293. Confidentiality of records; exceptions; penalties for violation

A. \* \* \*

(3) Nothing in this Section shall prohibit the communication of facts, documents, or other information which are part of an employee's record if requested by a federal or state prosecuting attorney, by the Department of Public Safety and Corrections, office of state police, insurance fraud investigation unit in the conduct of an insurance fraud investigation or by the attorney general of this state. The office may also share information with any state or federal agency for the purpose of investigating or determining tax fraud or the offset of any governmental benefit or worker's compensation benefits.

\* \* \*

Section 3. Subpart A-I of Part III of Chapter 6 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1421 through 1425, is hereby enacted to read as follows:

SUBPART A-1. INSURANCE FRAUD INVESTIGATION UNIT

**Subpart A-1 is all proposed new law.**

§1421. Definitions

**R.S. 40:1421 is all proposed new law.**

As used in this Chapter, the following words shall have the following meanings:

- (1) "Commissioner" means commissioner of insurance.
- (2) "Fraud unit" or "unit" means the Department of Public Safety, office of state police, insurance fraud investigation unit.
- (3) "Fraud support unit" means the fraud support unit within the Department of Justice.
- (4) "Section of insurance fraud" means the section of insurance fraud within the Department of Insurance.

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§1422. Insurance fraud investigation unit; powers and duties

**R.S. 40:1422 is all proposed new law.**

A. There is hereby created an insurance fraud investigation unit in the Department of Public Safety and Corrections, public safety services, office of state police. The purposes of this unit shall be to:

(1) Initiate independent inquiries and conduct independent investigations into allegations of insurance fraud in any municipality or parish of the state of Louisiana and perform other related law enforcement duties.

(2) Respond to notification or complaints alleging insurance fraud generated by federal, state, and local police, other law enforcement authorities, governmental agencies or units, and any other person.

(3) Review notices and reports of insurance fraud, select the incidents of suspected fraud that, in its judgment, require further detailed investigation, and conduct the investigations.

B. The insurance fraud investigation unit shall have the authority to:

(1) Share records and evidence with federal, state or local law enforcement or regulatory agencies.

(2) Conduct investigations outside of this state. If the information the fraud unit seeks to obtain is located outside this state, the person from whom the information is sought may make the information available to the fraud unit to examine at the place where the information is located. The fraud unit may designate representatives, including officials of the state in which the matter is located, to inspect the information on behalf of the fraud unit, and the fraud unit may respond to similar requests from officials of other states.

(3) Make referrals to any licensing or regulatory authority.

C. The police employees of the unit shall have the same duties and powers as are provided for other police employees of the office in R.S. 40:1379, and such other duties as are assigned by the deputy secretary of public safety services of the Department of Public Safety and Corrections.

§1423. Access to evidence, documentation, and related materials

**R.S. 40:1423 is all proposed new law.**

A. The insurance investigation fraud unit is authorized to have direct access to information compiled by the Federal Bureau of Investigation, as contained in the National Crime Identification Center.

B. The unit is authorized to request access to evidence, documentation and related materials located within this state pertinent to an investigation or examination and in the possession or control of an insurer or an insurance professional. The person so requested shall either make the material available to the unit, or shall make the material available for inspection or examination by a designated representative of the unit.

§1424. Reports

**R.S. 40:1424 is all proposed new law.**

The insurance fraud investigation unit shall submit an annual report to the governor and each house of the legislature no later

than February 15 of each year on the progress made in deterring insurance fraud. Such report shall detail:

(1) All expenditures and receipts of the insurance fraud investigation unit.

(2) The uses to which these funds were put, including payment of salaries and expenses, purchases of equipment and supplies, and other expenditures by type.

(3) The results achieved as a consequence of such expenditures, including the number of notifications or inquiries received, the number of inquiries and investigations undertaken, the number of inquiries to which an investigation was not initiated, the number of arrests, the number of files presented to prosecutors, the number of prosecutions, the number of convictions and the total dollar amount of restitution resulting from the operation of the insurance fraud investigation unit.

§1425. Special assessment; creation of fund

**R.S. 40:1425 is all proposed new law.**

A. Each insurer licensed by the Louisiana Department of Insurance to conduct business in this state is hereby assessed a fee equal to 0.000375 multiplied times the annual premium dollar generated from Louisiana business. The funds generated from this fee assessment are calculated to be equal to the amount necessary to meet the costs of operating the insurance fraud investigation unit, and shall be used exclusively for such purpose.

B. The fee established herein shall be paid to commissioner insurance and shall be deposited immediately upon receipt into the state treasury.

C. After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, an amount equal to that deposited as required by Subsection B of this Section shall be credited to a special fund hereby created in the state treasury to be know as the Office of State Police Insurance Fraud Investigation Fund. The monies in this fund shall be used solely as provided by Subsection A of this Section and only in the amounts appropriated by the legislature. All unexpended and unencumbered monies in this fund at the end of the fiscal year shall remain in such fund.

On motion of Senator Lentini, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Landry sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 955 by Senator Lentini

**AMENDMENT NO. 1**

In Senate Floor Amendments proposed by Senator Lentini and adopted by the Senate on June 2, 1999, on page 4, line 5, after "by" delete "the commissioner" and on line 6, delete "of insurance or his designee" and insert "an administrative law judge"

**AMENDMENT NO. 2**

In Senate Floor Amendments proposed by Senator Lentini and adopted by the Senate on June 2, 1999, on page 4, line 7, after "the" delete "commissioner of insurance" and insert "administrative law judge"

Senator Landry moved adoption of the amendments.

Senator Lentini objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Fields W	Robichaux
Cravins	Hines	Ullo
Dean	Johnson	
Fields C	Lambert	
Total—10		

**NAYS**

Mr. President	Dyess	Romero
Barham	Ellington	Schedler
Bean	Hainkel	Siracusa
Boissiere	Heitmeier	Smith
Branch	Hollis	Tarver
Casanova	Jordan	Theunissen
Cox	Lentini	Thomas
Dardenne	Malone	
Total—23		

**ABSENT**

Cain	Greene	Jones
Campbell	Irons	Landry
Total—6		

The Chair declared the amendments were rejected.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Greene	Romero
Bajoie	Hainkel	Schedler
Barham	Heitmeier	Siracusa
Bean	Hines	Smith
Boissiere	Hollis	Tarver
Branch	Johnson	Theunissen
Casanova	Lambert	Thomas
Dardenne	Lentini	Ullo
Dyess	Malone	
Ellington	Robichaux	
Total—28		

**NAYS**

Cox	Fields C	Landry
Cravins	Fields W	
Dean	Jordan	
Total—7		

**ABSENT**

Cain	Irons
Campbell	Jones
Total—4	

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

**SENATE BILL NO. 968—**  
BY SENATOR ROBICHAUX

AN ACT

To enact R.S. 47:1711, relative to contracts of tax exemption from ad valorem taxes; to require certain reports to the legislature; to provide for terms and conditions of such contracts; to provide for performance review; to authorize termination of such contracts; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Robichaux sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

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

AMENDMENT NO. 1

On page 2, line 11, change "shall" to "may"

On motion of Senator Robichaux, the amendments were adopted.

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

**Rules Suspended**

Senator Bean asked for and obtained a suspension of the rules for the purpose of taking up at this time.

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

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

**Called from the Calendar**

Senator Casanova asked that Senate Bill No. 267 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 267—**  
BY SENATOR CASANOVA

A JOINT RESOLUTION

Proposing to add Article VII, Section 10.3(A)(5) of the Constitution of Louisiana, relative to the disposition of certain monies received by the state; to provide for the deposit of amounts of revenue accruing to the state attributable to the conduct of gaming aboard a riverboat; to provide for exceptions; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

**Called from the Calendar**

Senator Ewing asked that Senate Bill No. 273 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 273—**  
BY SENATOR EWING

A JOINT RESOLUTION

Proposing to amend Article VII, Sections 14(B) and 27(B) of the Constitution of Louisiana; to authorize the use of public funds through the Louisiana Infrastructure Bank; to authorize the use of Transportation Trust Fund monies through the Louisiana

Infrastructure Bank subject to Transportation Trust Fund restrictions; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

**Called from the Calendar**

Senator Jordan asked that Senate Bill No. 577 be called from the Calendar at this time for its final passage.

**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 Jordan, the bill was read by title and withdrawn from the files of the Senate.

**Called from the Calendar**

Senator Johnson asked that Senate Bill No. 837 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 837—**  
BY SENATOR JOHNSON

AN ACT

To enact R.S. 32:431, relative to motor vehicles; to provide relative to driver's licenses; to require certain persons age seventeen years old or younger to demonstrate a minimum grade point average as a requirement for the issuance or renewal of a driver's license; and to provide for related matters.

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

**Called from the Calendar**

Senator Thomas asked that Senate Bill No. 878 be called from the Calendar at this time for its final passage.

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

BY SENATOR THOMAS AND REPRESENTATIVE THOMPSON AND COAUTHORED BY REPRESENTATIVE MURRAY

AN ACT

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

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

**Called from the Calendar**

Senator Greene asked that Senate Bill No. 1030 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 1030—**  
BY SENATOR GREENE (BY REQUEST)  
AN ACT

To amend and reenact R.S. 11:153(B), relative to retirement credit; to authorize the Atchafalaya Basin Levee District to pay the actuarial cost of acquiring certain military service credit in the Louisiana State Employees' Retirement System; to provide for limitations on such purchases; and to provide for related matters.

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

**Called from the Calendar**

Senator Smith asked that Senate Bill No. 1075 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 1075—**  
BY SENATOR SMITH

AN ACT

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

**Floor Amendments Sent Up**

Senator Smith sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Smith to Engrossed Senate Bill No. 1075 by Senator Smith

AMENDMENT NO. 1

On page 1, line 2, change "252(K)" to "295.2(B), (D), and (E), and to enact R.S. 48:295.2(G)"

AMENDMENT NO. 2

On page 1, line 3, change "grounds" to "hearings" and after "bidders" insert "and contractors"

AMENDMENT NO. 3

On page 1, line 4, after "projects;" insert:

"to provide for certain reports to certain legislative committees;"

AMENDMENT NO. 4

On page 1, delete line 6, and insert:

"Section 1. R.S. 48:295.2(B), (D), and (E) are hereby amended and reenacted, and R.S. 295.2(G) is hereby enacted, to read as"

AMENDMENT NO. 5

On page 1, delete lines 8 through 16 and page 2, and insert:

"§295.2. Authority to debar or to suspend  
\* \* \*

B. Authority. After reasonable notice to the person involved and reasonable opportunity for that person to be heard, the debarment committee shall have authority to suspend or debar and may suspend or debar a person for cause from consideration for awarding of a contract or participating in any manner in department projects, provided that doing so is in the best interest of the department. The causes for debarment are set forth in Subsection (C) of this Section. The period of debarment shall not exceed three years from the finality of the debarment. The suspension shall not exceed six months. The authority to debar or suspend shall be exercised only after notice and hearing in accordance with regulations promulgated by the secretary the provisions of Subsection (D) of this Section.

\* \* \*

D. **Hearing and Decision.**

**(1)(a) Initiation of Hearing. A debarment or suspension hearing shall be initiated by issuance of written notice to the contractor by the debarment committee.**

**(b) Notice of Hearing. Written notice to the contractor shall include all of the following:**

**(i) A statement of the time, place, and nature of the hearing.**

**(ii) A statement of the legal authority and jurisdiction for the hearing.**

**(iii) A reference to the particular cause for debarment or suspension as set forth in Subsection (C) of this Section.**

**(iv) A short, plain, and concise statement of the cause for debarment or suspension.**

**(v) A statement that failure to participate in the hearing shall serve to waive any and all further administrative remedies.**

**(c) Hearing.**

**(i) The debarment committee shall afford the contractor an opportunity to respond and present evidence on issues of fact relevant to the proposed suspension or debarment.**

**(ii) The debarment committee may, in its discretion, request written statements of the department's position from the department. A copy of such written statement submitted by the department shall be provided to the contractor.**

**(iii) Informal disposition may be made of any proposed suspension or debarment by stipulation, agreed settlement, consent order, or default.**

**(d) Record.**

**(i) The hearing record shall contain:**

**(aa) A copy of the written notice of hearing.**

**(bb) A return of the service of notice to the contractor of the hearing.**

**(cc) A transcript of the proceedings before the debarment committee.**

**(dd) Any document or exhibit presented for consideration to the debarment committee by the contractor or the department.**

**(ee) Any decision, opinion, or reports rendered by the debarment committee.**

**(e) The debarment committee shall have all proceedings before it recorded electronically at the cost of the department.**

**(f) Findings of fact made by the debarment committee shall be based exclusively on the hearing evidence and on matters in the notice of hearing.**

**(2) The debarment committee shall issue a written decision to debar or suspend. The decision shall provide all of the following:**

**(1)(a) State the reasons for the action taken.**

**(2)(b) Inform the debarred or suspended contractor, subcontractor, consultant, or subconsultant involved of its rights to administrative and judicial review as provided in this Part.**

**E. Copy of decision. A copy of both the debarment or suspension hearing notice and the decision under Subsection D of this Section shall be served by certified mail, return receipt requested, or registered mail, mailed to the contractor at the address on file with the contractor's licensing authority, or a decision may also be otherwise furnished immediately to the debarred or suspended person and any other intervening party.**

\* \* \*

**R.S. 47:295.2(G) is all proposed new law.**

**G.(1) Beginning February 1, 2000 and each February First thereafter, the department shall make written reports to both the Senate and House Committees on Transportation, Highways, and Public Works concerning the following:**

**(a) A report stating whether any contractor who is not the subject of a debarment or suspension hearing has done any of the following and the reasons why the department has not brought a debarment or suspension proceeding against such contractor if the contractor:**

**(i) Has willfully failed to perform in accordance with the terms of one or more contracts.**

**(ii) Has a history of failure to perform, or has a history of unsatisfactory performance, of one or more contracts.**

**(iii) Has used substandard materials or has failed to furnish or install materials in accordance with the contract in a department project, if such defect amounts to intentionally deficient or grossly negligent performance of such contract.**

**(b) A report stating whether any contractor who is not the subject of a debarment or suspension hearing has had his payments for any major item in any contract adjusted to less than seventy-five percent of the contract unit price during the period of the report because of contract specification deviations revealed by the department's acceptance testing. For purposes of this Subparagraph, "major item" means an item included in a contract as awarded with a total cost equal to or greater than ten percent of the original total contract amount.**

**(2) The department shall send a copy of such report to any contractor identified in such reports. The department may accompany the reports provided for in this Subsection with any information that explains or mitigates the facts concerning the contractor contained in such reports.**

Senator Smith moved adoption of the amendments.

Senator Landry objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Cravins	Lentini
Barham	Dardenne	Schedler
Boissiere	Greene	Smith
Branch	Hainkel	Thomas
Cain	Heitmeier	Ullo
Casanova	Johnson	
Total—17		

**NAYS**

Bean	Dyess	Malone
Campbell	Hines	Robichaux
Cox	Lambert	Siracusa
Dean	Landry	Theunissen
Total—12		

**ABSENT**

Bajoie	Hollis	Romero
Ellington	Irons	Tarver
Fields C	Jones	
Fields W	Jordan	
Total—10		

The Chair declared 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. 1075 by Senator Smith

**AMENDMENT NO. 1**

Delete Senate Floor Amendments 1 through 5, proposed by Senator Smith and adopted by the Senate on June 2, 1999.

June 2, 1999

AMENDMENT NO. 2

On page 1, line 2, change "252(K)" to "295.2(B), (D), and (E)"

AMENDMENT NO. 3

On page 1, line 3, change "grounds" to "hearings" and after "bidders" insert "and contractors"

AMENDMENT NO. 4

On page 1, line 4, after "projects;" insert:

"to provide for certain reports to certain legislative committees;"

AMENDMENT NO. 5

On page 1, delete line 6, and insert:

"Section 1. R.S. 48:295.2(B), (D), and (E) are hereby amended and reenacted to read as"

AMENDMENT NO. 6

On page 1, delete lines 8 through 16 and page 2, and insert:

"§295.2. Authority to debar or to suspend

\* \* \*

B. Authority. After reasonable notice to the person involved and reasonable opportunity for that person to be heard, the debarment committee shall have authority to suspend or debar and may suspend or debar a person for cause from consideration for awarding of a contract or participating in any manner in department projects, provided that doing so is in the best interest of the department. The causes for debarment are set forth in Subsection (C) of this Section. The period of debarment shall not exceed three years from the finality of the debarment. The suspension shall not exceed six months. The authority to debar or suspend shall be exercised only after notice and hearing in accordance with regulations promulgated by the secretary the provisions of Subsection (D) of this Section.

\* \* \*

D. Hearing and Decision.

(1)(a) Initiation of Hearing. A debarment or suspension hearing shall be initiated by issuance of written notice to the contractor by the debarment committee.

(b) Notice of Hearing. Written notice to the contractor shall include all of the following:

(i) A statement of the time, place, and nature of the hearing.

(ii) A statement of the legal authority and jurisdiction for the hearing.

(iii) A reference to the particular cause for debarment or suspension as set forth in Subsection (C) of this Section.

(iv) A short, plain, and concise statement of the cause for debarment or suspension.

(v) A statement that failure to participate in the hearing shall serve to waive any and all further administrative remedies.

(c) Hearing.

(i) The debarment committee shall afford the contractor an opportunity to respond and present evidence on issues of fact relevant to the proposed suspension or debarment.

(ii) The debarment committee may, in its discretion, request written statements of the department's position from the department. A copy of such written statement submitted by the department shall be provided to the contractor.

(iii) Informal disposition may be made of any proposed suspension or debarment by stipulation, agreed settlement, consent order, or default.

(d) Record.

(i) The hearing record shall contain:

(aa) A copy of the written notice of hearing.

(bb) A return of the service of notice to the contractor of the hearing.

(cc) A transcript of the proceedings before the debarment committee.

(dd) Any document or exhibit presented for consideration to the debarment committee by the contractor or the department.

(ee) Any decision, opinion, or reports rendered by the debarment committee.

(e) The debarment committee shall have all proceedings before it recorded electronically at the cost of the department.

(f) Findings of fact made by the debarment committee shall be based exclusively on the hearing evidence and on matters in the notice of hearing.

(2) The debarment committee shall issue a written decision to debar or suspend. The decision shall provide all of the following:

(1)(a) State the reasons for the action taken.

(2)(b) Inform the debarred or suspended contractor, subcontractor, consultant, or subconsultant involved of its rights to administrative and judicial review as provided in this Part.

E. Copy of decision. A copy of both the debarment or suspension hearing notice and the decision under Subsection D of this Section shall be served by certified mail, return receipt requested, or registered mail, mailed to the contractor at the address on file with the contractor's licensing authority, or A decision may also be otherwise furnished immediately to the debarred or suspended person and any other intervening party.

\* \* \*

Senator Landry moved adoption of the amendments.

Senator Smith objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie	Heitmeier	Landry
Bean	Hines	Malone
Campbell	Irons	Robichaux
Cox	Jones	Siracusa
Cravins	Jordan	Theunissen
Dean	Lambert	Thomas
Total—18		

NAYS

Barham	Ellington	Lentini
Branch	Greene	Schedler
Cain	Hainkel	Smith
Casanova	Hollis	Ullo
Dardenne	Johnson	
Total—14		

ABSENT

Mr. President	Fields C	Tarver
Boissiere	Fields W	
Dyess	Romero	
Total—7		

The Chair declared 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. 1075 by Senator Smith

AMENDMENT NO. 1

In Senate Floor Amendment No. 2 proposed by Senator Landry and adopted by the Senate on June 2, 1999, on page 1, line 2, change "(E)" to "(E), and to enact R.S. 48:295.2(G)"

AMENDMENT NO. 2

In Senate Floor Amendment No. 3 proposed by Senator Landry and adopted by the Senate on June 2, 1999, on page 1, line 8, after "committees;" insert "to provide for re-qualification;"

AMENDMENT NO. 3

In Senate Floor Amendment No. 4 proposed by Senator Landry and adopted by the Senate on June 2, 1999, on page 1, line 12, after "reenacted" insert "and R.S. 48:295.2(G) is hereby enacted"

AMENDMENT NO. 4

In Senate Floor Amendment No. 5 proposed by Senator Landry and adopted by the Senate on June 2, 1999, at the bottom of page 2, insert the following:

"G. A contractor disqualified as required by the provisions of this Section may apply for re-qualification after three years from the date of disqualification. Rules and regulations for re-qualification of contractors shall be promulgated by the department in accordance with the Administrative Procedure Act."

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. 1075 by Senator Smith

AMENDMENT NO. 1

In Senate Floor Amendment No. 5 proposed by Senator Landry and adopted by the Senate on June 2, 1999, on page 1, line 22, after "projects" insert "pursuant to rules and regulations as promulgated by the department"

On motion of Senator Landry, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Dean

Total—1

ABSENT

Mr. President	Dyess	Tarver
Total—3		

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

**Called from the Calendar**

Senator Hainkel asked that Senate Bill No. 36 be called from the Calendar at this time for its final passage.

**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.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lambert
Bajoie	Fields C	Landry
Barham	Fields W	Lentini
Bean	Greene	Malone
Boissiere	Hainkel	Romero
Branch	Heitmeier	Siracusa
Cain	Hines	Smith
Campbell	Hollis	Theunissen
Casanova	Irons	Thomas
Cox	Johnson	Ullo
Dardenne	Jones	
Dean	Jordan	
Total—34		

**NAYS**

Cravins  
Total—1

ABSENT

Dyess	Schedler
Robichaux	Tarver
Total—4	

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

**Called from the Calendar**

Senator Hainkel asked that Senate Bill No. 877 be called from the Calendar at this time for its final passage.

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

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

June 2, 1999

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

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Thomas and Schedler to Engrossed Senate Bill No. 877 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 4, after "and (K)," and before "1299.43(B)(3)," insert "1299.42(F),"

AMENDMENT NO. 2

On page 1, line 12, after "related benefits;" and before "and" insert "to provide for cancellation of a notice of lis pendens;"

AMENDMENT NO. 3

On page 3, line 12, after "reenacted" and before "to read as follows:" insert "and R.S. 40:1299.42(F) is enacted"

AMENDMENT NO. 4

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

"(F) In the event that a settlement is executed between a defendant health care provider and/or his insurer with a plaintiff and a notice of lis pendens has been filed by the plaintiff against the defendant, the clerk of court, upon being presented with the receipt and release, shall cancel the notice of lis pendens as it applies to the settling defendant. If the defendant cannot present the receipt and release to the clerk of court because of a confidentiality agreement entered into in connection with the settlement, the defendant shall request by registered letter that the plaintiff provide a letter for the defendant to present to the clerk of court authorizing the clerk to cancel the notice of lis pendens as it applies to the settling defendant. If the plaintiff fails within ten days after receipt of the registered letter to provide the settling defendant with the letter authorizing the clerk to cancel the notice of lis pendens, the defendant shall then be authorized to present the receipt and release to the clerk of court, and such action shall not constitute a violation of the confidentiality agreement."

On motion of Senator Schedler, the amendments were adopted.

Mr. President in the Chair

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. 877 by Senator Hainkel

AMENDMENT NO. 1

In Senate Floor Amendment No. 4, proposed by Senator Hainkel and adopted by the Senate on May 25, 1999, on page 1, line 22, after "nonpatient" insert the following:

"as a result of the threatened or willful action of the patient"

AMENDMENT NO. 2

In Senate Floor Amendment No. 7, proposed by Senator Hainkel and adopted by the Senate on May 25, 1999, on page 2, line 3, after "precautions" insert the following:

"as a result of the threatened or willful action of the patient"

AMENDMENT NO. 3

In Senate Floor Amendment No. 8, proposed by Senator Hainkel and adopted by the Senate on May 25, 1999, on page 2, line 9, after "precautions" insert the following:

"as a result of the threatened or willful action of the patient"

AMENDMENT NO. 4

On page 5, between lines 22 and 23, insert the following:

"(e) While a qualified health care provider may refuse to provide health care services to any individual entitled to future medical care and related benefits as set forth in R.S. 40:1299.43, such refusal may not be based solely on the amount of reimbursement established for such future medical care and related benefits in the reimbursement schedules promulgated pursuant to this Paragraph. In the event that a pattern of refusal based solely upon the reimbursement schedules is established, the board shall report the provider to the appropriate licensing agency or state licensure board for reprimand, sanction, or disciplinary action as deemed necessary."

AMENDMENT NO. 5

On page 6, line 15, after "In" insert "approving a settlement or in"

AMENDMENT NO. 6

On page 6, line 16, after "Fund," delete the remainder of the line and delete lines 17 through 23 and insert the following:

"the court shall consider the liability of the health care provider as admitted and established where the panel has rendered a decision in favor of the claimant on any issue, and one hundred thousand dollars has been paid by an insurer or a self-insured health care provider. In all other cases, the court shall consider the payment of one hundred thousand dollars only as establishing that the health care provider deviated from the applicable standard of care."

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Dean, and Lentini. Lists names of senators: Bajoie, Barham, Bean, Boissiere, Branch, Cain, Campbell, Casanova, Dardenne, Ellington, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Landry, Malone, Romero, Schedler, Siracusa, Smith, Theunissen, Thomas, Ullo.

Total—29

	NAYS	
Cox	Fields C	Jones
Cravins	Fields W	Jordan
Total—6	ABSENT	
Dyess	Robichaux	
Lambert	Tarver	
Total—4		

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

**Rules Suspended**

Senator Hines asked for and obtained a suspension of the rules for the purpose of taking up at this time.

**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. 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.

**Floor Amendments Sent Up**

Senator Dardenne sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1047 by Representative Deville

AMENDMENT NO. 1  
 On page 1, delete lines 10 through 15, and insert in lieu thereof:

"A. If one of the parties to a marriage dies or is interdicted and there is a minor child or children of such marriage, a grandparent who is the parent ~~the parents~~ of the deceased or interdicted party without custody of such minor child or children may, upon verified petition, seek have reasonable visitation rights to the minor child or children. ~~of the marriage during their minority, if~~"

AMENDMENT NO. 2  
 On page 2, line 1, after "child" and before the semi-colon;" insert "or children"

AMENDMENT NO. 3  
 On page 2, line 3, after "child" and before the comma "," insert "or children"

AMENDMENT NO. 4  
 On page 2, line 11, after "child" insert "the parents,"

AMENDMENT NO. 5

On page 2, delete lines 15 through 19, and insert in lieu thereof:

"B. When the parents of a minor child or children live or have lived in concubinage, and one of the parents dies, ~~the parents of the deceased party~~ or is interdicted and there is a minor child or children of such parties to concubinage, a grandparent who is the parent of the deceased or interdicted party may have reasonable visitation rights to the minor child or children ~~during their minority~~ if the court in its discretion finds that such visitation rights would be in the best interest of the child or children; ~~however, said visitation rights shall be subordinate to the visitation rights of the parents. In determining the best interest of the minor child or children, the court shall consider the factors as provided in Subsection A."~~

AMENDMENT NO. 6  
 On page 2, lines 22 and 24, after "child" insert "or children"

Senator Dardenne moved adoption of the amendments.  
 Senator Hines objected.

**ROLL CALL**

The roll was called with the following result:

YEAS		
Mr. President	Fields C	Malone
Bajoie	Fields W	Robichaux
Barham	Greene	Schedler
Boissiere	Hainkel	Smith
Branch	Hollis	Theunissen
Dardenne	Johnson	
Dean	Jones	
Total—19		
NAYS		
Bean	Ellington	Lentini
Cain	Heitmeier	Romero
Casanova	Hines	Thomas
Cox	Jordan	Ullo
Cravins	Landry	
Total—14		
ABSENT		
Campbell	Irons	Siracusa
Dyess	Lambert	Tarver
Total—6		

The Chair declared the amendments were adopted.

**Floor Amendments Sent Up**

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

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator W. Fields to Reengrossed House Bill No. 1047 by Representative DeVille

AMENDMENT NO. 1  
 In Senate Committee Amendment No. 1, proposed by Senator Dardenne and adopted by the Senate on June 2, 1999, on page 1, line 3, after "interdicted" insert "or if the parties divorce" and on line 4, after "grandparent" delete "who is the parent" and delete line 5 and insert "of such minor"

AMENDMENT NO. 2  
 In Senate Committee Amendment No. 5, proposed by Senator Dardenne and adopted by the Senate on June 2, 1999, on page 1, line

June 2, 1999

19, after "interdicted" insert "or the concubinage terminates" and on line 20, after "grandparent" delete the remainder of the line and on line 21, delete "party"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dean	Landry
Bajoie	Ellington	Lentini
Barham	Fields W	Malone
Bean	Greene	Romero
Boissiere	Hainkel	Schedler
Branch	Heitmeier	Smith
Cain	Hines	Theunissen
Casanova	Hollis	Thomas
Cox	Irons	Ullo
Cravins	Jones	
Dardenne	Jordan	
Total—31		

**NAYS**

Total—0

**ABSENT**

Campbell	Johnson	Siracusa
Dyess	Lambert	Tarver
Fields C	Robichaux	
Total—8		

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lentini
Bajoie	Fields W	Malone
Barham	Greene	Romero
Bean	Hainkel	Schedler
Boissiere	Heitmeier	Siracusa
Branch	Hines	Smith
Cain	Hollis	Theunissen
Casanova	Irons	Thomas

Cravins	Jones	Ullo
Dardenne	Jordan	
Dean	Landry	
Total—31		

**NAYS**

Total—0

**ABSENT**

Campbell	Fields C	Robichaux
Cox	Johnson	Tarver
Dyess	Lambert	
Total—8		

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dean	Landry
Bajoie	Ellington	Lentini
Barham	Fields W	Malone
Bean	Greene	Romero
Boissiere	Hainkel	Schedler
Branch	Heitmeier	Smith
Cain	Hines	Theunissen
Casanova	Hollis	Thomas
Cox	Irons	Ullo
Cravins	Jones	
Dardenne	Jordan	
Total—31		

**NAYS**

Total—0

**ABSENT**

Campbell	Johnson	Siracusa
Dyess	Lambert	Tarver
Fields C	Robichaux	
Total—8		

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dean	Lambert
Bajoie	Ellington	Landry
Barham	Fields W	Lentini
Bean	Greene	Malone
Boissiere	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Smith
Casanova	Hollis	Theunissen
Cox	Irons	Thomas
Cravins	Jones	Ullo
Dardenne	Jordan	
Total—32		

**NAYS**

Total—0

**ABSENT**

Campbell	Johnson	Tarver
Dyess	Robichaux	
Fields C	Siracusa	
Total—7		

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

**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.

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields W	Landry
Bajoie	Greene	Malone
Barham	Hainkel	Robichaux
Bean	Heitmeier	Romero
Boissiere	Hines	Schedler
Cain	Hollis	Siracusa
Casanova	Irons	Smith
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Dardenne	Jordan	Ullo
Dean	Lambert	
Total—32		

**NAYS**

Branch  
Total—1

**ABSENT**

Campbell	Ellington	Lentini
Dyess	Fields C	Tarver
Total—6		

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

**HOUSE BILL NO. 165—**

BY REPRESENTATIVE WILKERSON  
AN ACT

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

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

**HOUSE BILL NO. 172—**

BY REPRESENTATIVES FLAVIN, HEBERT, JOHNS, BARTON, BOWLER, FRUGE, CLARKSON, MCMAINS, MICHOT, PINAC, POWELL, SCALISE, SHAW, STELLY, WALSWORTH, AND WIGGINS AND SENATORS DARDENNE AND HAINKEL

**AN ACT**

To enact R.S. 17:439, relative to civil liability of school employees; to provide for limitation of liability for school employees for certain statements made or actions taken; to provide exceptions; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Cox sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Cox to Engrossed House Bill No. 172 by Representative Flavin

AMENDMENT NO. 1

Delete Senate Committee Amendment Nos. 1 and 2 proposed by the Senate Committee on Judiciary A and adopted by the Senate on May 26, 1999.

AMENDMENT NO. 2

On page 2, between lines 12 and 13, insert the following:

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"D. The provisions of this Section shall not apply to the negligence of any school employee operating a motor vehicle, to the extent that liability for such negligence is covered by insurance or self-insurance."

AMENDMENT NO. 3

On page 2, line 13, change "D." to "E."

On motion of Senator Cox, 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 House Bill No. 172 by Representative Flavin

AMENDMENT NO. 1

On page 1, line 14, before "guidelines" insert "specific"

On motion of Senator Landry, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed House Bill No. 1699 by Representative Bruneau

AMENDMENT NO. 1

On page 1, lines 3 and 5, change "congress" to "Congress"

AMENDMENT NO. 2

On page 2, lines 6, 12, and 17, change "congress" to "Congress"

AMENDMENT NO. 3

On page 3, lines 3 and 18, change "congress" to "Congress"

On motion of Senator Dardenne, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Dyess Greene
Fields C Tarver
Total—4

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Dyess Hainkel Tarver
Fields C Siracusa
Total—5

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

HOUSE BILL NO. 322—
BY REPRESENTATIVES PINAC, DANIEL, JOHNS, STELLY, TRICHE, AND
WALSWORTH

AN ACT

To amend and reenact R.S. 11:1781, relative to Plan A of the Municipal Employees' Retirement System; to provide with respect to eligibility requirements for normal retirement; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie Fields W Landry
Barham Hainkel Lentini
Bean Heitmeier Robichaux

Boissiere	Hines	Romero
Branch	Hollis	Schedler
Cain	Irons	Siracusa
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Dardenne	Jordan	Ullo
Ellington	Lambert	
Total—29		

NAYS

Campbell	Dean	Malone
Casanova	Greene	Smith
Total—6		

ABSENT

Mr. President	Fields C
Dyess	Tarver
Total—4	

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.

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dean	Lambert
Bajoie	Ellington	Lentini
Barham	Greene	Malone
Bean	Heitmeier	Robichaux
Boissiere	Hines	Romero
Cain	Hollis	Schedler
Campbell	Irons	Siracusa
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Dardenne	Jordan	Ullo
Total—30		

NAYS

Casanova	Hainkel	Smith
Fields W	Landry	
Total—5		

ABSENT

Branch	Fields C
Dyess	Tarver
Total—4	

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dean	Lentini
Bajoie	Ellington	Malone
Barham	Greene	Robichaux
Bean	Hainkel	Romero
Boissiere	Heitmeier	Schedler
Branch	Hines	Siracusa
Cain	Hollis	Smith
Campbell	Johnson	Theunissen
Casanova	Jones	Thomas
Cox	Jordan	Ullo
Dardenne	Lambert	
Total—32		

NAYS

Fields W	Irons	Landry
Total—3		

ABSENT

Cravins	Fields C
Dyess	Tarver
Total—4	

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Bajoie	Fields W	Lentini
Barham	Greene	Malone
Bean	Hainkel	Robichaux

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Boissiere	Heitmeier	Romero
Branch	Hines	Schedler
Cain	Hollis	Siracusa
Campbell	Irons	Smith
Casanova	Johnson	Theunissen
Cravins	Jones	Thomas
Dardenne	Jordan	Ullo
Dean	Lambert	

Total—35

NAYS

Total—0

ABSENT

Cox	Fields C
Dyess	Tarver

Total—4

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total—35

NAYS

Total—0

ABSENT

Cravins	Fields C
Dyess	Tarver

Total—4

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

**HOUSE BILL NO. 566—**  
BY REPRESENTATIVE JOHN SMITH  
AN ACT

To amend and reenact R.S. 13:2485.1 and to enact R.S. 33:448, relative to mayors' courts; to create a mayor's court in New Llano, Vernon Parish; to provide for its jurisdiction; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total—36

NAYS

Total—0

ABSENT

Dyess	Fields C	Tarver
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Total—3

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

**HOUSE BILL NO. 736—**  
BY REPRESENTATIVE TRAVIS  
AN ACT

To enact R.S. 14:329.6(F) and R.S. 29:724(G), relative to declarations of a state of emergency; to provide for access to emergency areas by certain persons; to limit the access in certain circumstances; to provide for notice and procedures; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Dardenne	Jordan	Ullo
Total—36		
	NAYS	
Total—0		
	ABSENT	
Dyess	Fields C	Tarver
Total—3		

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

	YEAS	
Mr. President	Ellington	Landry
Bajoie	Fields W	Lentini
Barham	Greene	Malone
Bean	Hainkel	Robichaux
Boissiere	Heitmeier	Romero
Cain	Hines	Schedler
Campbell	Hollis	Siracusa
Casanova	Irons	Smith
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Dardenne	Jordan	Ullo
Dean	Lambert	
Total—35		
	NAYS	
Total—0		
	ABSENT	
Branch	Fields C	
Dyess	Tarver	
Total—4		

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

	YEAS	
Mr. President	Ellington	Landry
Bajoie	Fields W	Lentini
Barham	Greene	Malone
Bean	Hainkel	Robichaux
Boissiere	Heitmeier	Romero
Branch	Hines	Schedler
Cain	Hollis	Siracusa
Campbell	Irons	Smith
Cox	Johnson	Thomas
Cravins	Jones	Ullo
Dardenne	Jordan	
Dean	Lambert	
Total—34		
	NAYS	
Total—0		
	ABSENT	
Casanova	Fields C	Theunissen
Dyess	Tarver	
Total—5		

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

**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.

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

**ROLL CALL**

The roll was called with the following result:

	YEAS	
Mr. President	Ellington	Malone
Bajoie	Greene	Robichaux
Barham	Hainkel	Romero
Bean	Heitmeier	Schedler
Branch	Hines	Siracusa
Cain	Hollis	Smith
Campbell	Johnson	Theunissen
Casanova	Jones	Thomas
Cravins	Jordan	Ullo
Dardenne	Lambert	
Dean	Lentini	
Total—31		
	NAYS	
Boissiere	Fields W	Landry
Cox	Irons	
Total—5		
	ABSENT	
Dyess	Fields C	Tarver
Total—3		

June 2, 1999

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

HOUSE BILL NO. 836—

BY REPRESENTATIVES DANIEL, CURTIS, JOHNS, SHAW, STELLY, TRICHE, WALSWORTH, ALEXANDER, BAUDOIN, BAYLOR, BRUCE, CARTER, COPELIN, DAMICO, DONELON, FAUCHEUX, FLAVIN, FRITH, HEATON, HEBERT, HILL, ILES, KENNEY, LANCASTER, LEBLANC, LONG, MARIONNEAUX, MCDONALD, MORRELL, MURRAY, NEVERS, ODINET, PIERRE, POWELL, SALTER, SCALISE, SCHWEGMANN, SNEED, THOMPSON, TRAVIS, WADDELL, WARNER, WIGGINS, AND WRIGHT

AN ACT

To amend and reenact R.S. 11:1144(B) and 1145(A), relative to the Louisiana School Employees' Retirement System; to provide with respect to service credit and the benefit accrual rate used for the calculation of benefits; to provide with respect to cost-of-living adjustments and the formula used for determining the amount and payment thereof; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—35

NAYS

Total—0

ABSENT

Dyess Schedler
Fields C Tarver
Total—4

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

HOUSE BILL NO. 870—

BY REPRESENTATIVE STELLY
AN ACT

To amend and reenact R.S. 11:411(7), relative to the Louisiana State Employees' Retirement System; to provide with respect to eligibility for membership; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Dyess Fields C Tarver
Total—3

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

HOUSE BILL NO. 1025—

BY REPRESENTATIVE MORRISH
AN ACT

To amend and reenact R.S. 11:2072, relative to the Registrars of Voters Employees' Retirement System; to provide with respect to benefits and the accrual rate used for the calculation thereof; to provide an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Dyess Fields C Tarver
Total—3

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

**HOUSE BILL NO. 1032—**

BY REPRESENTATIVE SALTER

AN ACT

To enact R.S. 40:1379(D), relative to the office of state police, public safety services, of the Department of Public Safety and Corrections; to provide for personnel who are commissioned police employees of the office; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Dyess	Fields C	Tarver
Total—3		

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

**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.

**Floor Amendments Sent Up**

Senator Lentini sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lentini to Reengrossed House Bill No. 1300 by Representative Donelon

AMENDMENT NO. 1

On page 2, line 9, after "conditions" insert "or greater"

AMENDMENT NO. 2

On page 3, delete line 25 and insert a period "."

**Motion**

Senator Bean moved to return the bill to the Calendar.

Senator Bajoie objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bean	Hainkel	Ullo
Dean	Malone	
Total—5		

NAYS

Bajoie	Ellington	Landry
Barham	Fields W	Lentini
Boissiere	Greene	Robichaux
Branch	Heitmeier	Romero
Cain	Hines	Schedler
Campbell	Hollis	Siracusa
Casanova	Irons	Smith
Cox	Johnson	Theunissen
Cravins	Jordan	Thomas
Dardenne	Lambert	
Total—29		

ABSENT

Mr. President	Fields C	Tarver
Dyess	Jones	
Total—5		

The Chair declared the Senate refused to return the bill to the Calendar.

**Motion**

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

Without objection, the division of the question was ordered.

Senator Lentini moved the adoption of Amendment No. 1.

Senator Dean objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Bajoie	Fields W	Lentini
Barham	Greene	Robichaux
Bean	Heitmeier	Romero
Boissiere	Hines	Schedler
Cain	Hollis	Siracusa
Campbell	Irons	Smith
Casanova	Johnson	Theunissen
Cox	Jones	Thomas
Cravins	Jordan	Ullo
Dardenne	Lambert	
Total—32		

NAYS

Dean	Hainkel	Malone
Total—3		

ABSENT

Branch	Fields C
Dyess	Tarver
Total—4	

June 2, 1999

The Chair declared Amendment No. 1 was adopted.
Senator Lentini moved the adoption of Amendment No. 2.
Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dardenne Jones
Bajoie Ellington Jordan
Bean Fields W Lambert
Boissiere Greene Lentini
Cain Heitmeier Robichaux
Campbell Hines Romero
Casanova Hollis Siracusa
Cox Irons
Cravins Johnson
Total—25

NAYS

Barham Malone Theunissen
Dean Schedler Thomas
Landry Smith Ullo
Total—9

ABSENT

Branch Fields C Tarver
Dyess Hainkel
Total—5

The Chair declared Amendment No. 2 was adopted.

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Reengrossed House Bill No. 1300 by Representative Donelon, et al.

AMENDMENT NO. 1

On page 5, delete lines 8 through 13 in their entirety and on line 14, change "Section 3." to "Section 2."

On motion of Senator Hollis, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fields W Landry
Bajoie Greene Lentini
Barham Heitmeier Robichaux
Bean Hines Schedler
Boissiere Hollis Smith
Cain Irons Theunissen
Campbell Johnson Thomas
Casanova Jones
Dardenne Jordan
Ellington Lambert

Total—28

NAYS

Dean Malone Siracusa
Hainkel Romero
Total—5

ABSENT

Branch Cravins Fields C
Cox Dyess Tarver
Total—6

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

Motion to Make Special Order

Senator Heitmeier asked for and obtained a suspension of the rules for the purpose of making House Bill No. 1469, which is on Third Reading and Final Passage Subject to Call, Special Order of the Day No. 2 on Thursday, June 3, 1999 immediately following the Morning Hour.

Rules Suspended

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

Messages from the Governor

The following messages from the Governor were received and read as follows:

State of Louisiana
OFFICE OF THE GOVERNOR
Baton Rouge

June 2, 1999

To the Honorable President and members of the Senate:

Ladies and Gentlemen:

In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, Mr. Robert D. Merkel has been appointed and previously submitted for your consideration to serve on the Patient's Compensation Fund Oversight Board.

However, I wish to withdraw the name from submission.

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

Privilege Report of the Legislative Bureau

June 2, 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. 84—**  
BY REPRESENTATIVES MURRAY AND WALSWORTH  
AN ACT

To enact R.S. 47:463.57 and 463.58, relative to motor vehicles; to provide relative to license plates; to create prestige license plates for letter carriers and the Boy Scouts of America; to provide for the color and design of such plates; to provide relative to fees for such plates; to provide for promulgation of rules and regulations; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 97—**  
BY REPRESENTATIVE MARIONNEAUX  
AN ACT

To amend and reenact R.S. 33:4574.1-A(A)(1)(v), relative to the Pointe Coupee Parish Tourist Commission; to increase the maximum rate of the hotel occupancy tax which the commission may levy; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 105—**  
BY REPRESENTATIVES MCMAINS AND KENNARD  
AN ACT

To enact R.S. 32:387.11, relative to special permits; to provide for special permits for transporting portable and modular buildings on interstate highways; to provide for certain width restrictions; to provide for certain speed restrictions; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 120—**  
BY REPRESENTATIVE DUPRE  
AN ACT

To amend and reenact R.S. 32:407(A)(2), relative to drivers' licenses; to authorize the issuance of a Class "E" intermediate driver's license to minors under certain circumstances; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 122—**  
BY REPRESENTATIVE MARIONNEAUX  
AN ACT

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

Reported without amendments.

**HOUSE BILL NO. 141—**  
BY REPRESENTATIVE SHAW  
AN ACT

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

Reported with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 141 by Representative Shaw

AMENDMENT NO. 1

In Amendments proposed by the Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 141 by Representative Shaw, adopted by the Senate on June 1, 1999, in Amendment No. 8, on line 25, change "I." to "F."

**HOUSE BILL NO. 235—**  
BY REPRESENTATIVE LONG  
AN ACT

To amend and reenact R.S. 25:791(F), relative to the Natchitoches Historic District Development Commission; to increase the membership of the Natchitoches Historic District Development Commission by adding a representative of the Main Street Association to the commission; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 302—**  
BY REPRESENTATIVE BOWLER  
AN ACT

To enact R.S. 32:410(A)(3)(d), relative to drivers' licenses; to limit the information which may be contained on the magnetic strip on the back of a driver's license; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 333—**  
BY REPRESENTATIVES SHAW AND JENKINS  
AN ACT

To enact R.S. 47:463.58, relative to motor vehicles; to provide relative to license plates; to create the Louisiana public and private high schools prestige plate; to require a minimum number of plates; to provide for the color and design of such plates; to provide relative to donations and fees for such plates; to provide for the use of such donations and fees; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 363—**  
BY REPRESENTATIVE CARTER  
AN ACT

To amend and reenact R.S. 32:387(C)(3)(a)(introductory paragraph) and (b)(introductory paragraph), relative to harvest season permits; to authorize a harvest season permit for vehicles transporting brewer's grain; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 365—**  
BY REPRESENTATIVE DUPRE  
AN ACT

To enact R.S. 56:303.7(C) and (D), relative to wholesale/retail seafood dealers; to provide for the means by which information may be submitted to the Department of Wildlife and Fisheries; to provide for exceptions relative to crawfish and catfish; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 400—**  
BY REPRESENTATIVE QUEZAIRE  
AN ACT

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

Reported without amendments.

June 2, 1999

**HOUSE BILL NO. 407—**

BY REPRESENTATIVE JACK SMITH  
AN ACT

To amend and reenact R.S. 56:302.3(D) and to repeal R.S. 56:302.3(B)(2), relative to hoop nets; to repeal the authorization to use hoop nets with a recreational gear fishing license; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 427—**

BY REPRESENTATIVE ODINET  
AN ACT

To enact R.S. 36:610(B)(7) and R.S. 56:421, relative to the Oyster Task Force; to establish the Oyster Task Force as a statutory entity; to continue its membership; to continue its powers, duties, functions, and responsibilities; to continue its source of funding; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 490—**

BY REPRESENTATIVE JOHN SMITH  
AN ACT

To enact R.S. 49:191(11)(g) and to repeal R.S. 49:191(10)(a), relative to the Department of Natural Resources, including provisions to provide for the re-creation of the Department of Natural Resources 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. 494—**

BY REPRESENTATIVE SALTER  
AN ACT

To authorize and provide for transfer of certain state property in Sabine Parish to the Sabine Parish School Board; to provide property descriptions and certain terms, conditions, and requirements; to express legislative intent; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 510—**

BY REPRESENTATIVE HUNTER  
AN ACT

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

Reported with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 510 by Representative Hunter

AMENDMENT NO. 1

On page 1, line 11, change "shall have the ability to" to "may"; and on line 12, change "which shall" to "to"

AMENDMENT NO. 2

On page 1, line 17, change "have the ability" to "be allowed"; and on line 18, change "Failure of the towing company" to "If the towing company fails"

AMENDMENT NO. 3

On page 2, line 1, change "shall authorize" to a comma ","; and, on the same line, change "to" to "may"

**HOUSE BILL NO. 532—**

BY REPRESENTATIVE TRAVIS  
AN ACT

To enact R.S. 33:423.10, relative to the village of Tickfaw; to authorize the chief of police of the village of Tickfaw to appoint, promote, discipline, and discharge police personnel subject to budgetary limitations; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 553—**

BY REPRESENTATIVES CRANE, DEWITT, AND MURRAY  
AN ACT

To enact R.S. 23:1493(F), relative to unemployment compensation; to provide for the use of monies derived from distribution to the state of excess amounts in the federal unemployment trust fund; to conform state law to federal requirements on the use of such monies; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 554—**

BY REPRESENTATIVES CRANE, DEWITT, AND MURRAY AND SENATOR JONES  
AN ACT

To amend and reenact R.S. 23:161(10), relative to laws regulating the employment of minors; to prohibit minors who are sixteen years of age or younger from driving on public roads as part of their employment; to provide relative to restrictions on driving during employment for other minors; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 572—**

BY REPRESENTATIVE ALARIO  
AN ACT

To amend and reenact R.S. 33:2002(A)(2), relative to extra compensation for firemen; to specify certain training requirements for eligibility; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 607—**

BY REPRESENTATIVE CHAISSON  
AN ACT

To enact R.S. 33:9106.1, relative to the St. Charles Parish Communications District; to provide relative to the emergency telephone service charge levied by the district; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 611—**

BY REPRESENTATIVES CRANE, DEWITT, MURRAY, POWELL, AND WIGGINS  
AN ACT

To amend and reenact R.S. 23:1221(4)(s)(v), relative to workers' compensation; to extend the date of applicability of certain workers' compensation benefit provisions to certain claims; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 615—**

BY REPRESENTATIVES LONG, MCDONALD, BARTON, BAUDOIN, CRANE, CURTIS, DOERGE, FARVE, KENNEY, POWELL, PRATT, SALTER, SHAW, AND WRIGHT  
AN ACT

To amend and reenact R.S. 17:1808(J)(3), relative to exemptions for certain postsecondary, academic degree-granting institutions from Board of Regents' registration and licensure requirements; to remove the provisions exempting from such requirements institutions granted tax exempt status under Section 501(c)(3) of the federal Internal Revenue Code; to provide relative to

compliance with registration requirements by such institutions; to provide relative to completion of the licensure process; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 962—**  
BY REPRESENTATIVE WALSWORTH  
AN ACT

To amend and reenact R.S. 56:1850(A)(7), relative to rules and regulations for the Scenic and Natural Rivers Act; to provide relative to regulation of houseboats located on scenic rivers; to require promulgation of rules; to provide for refund of payments made to the Department of Wildlife and Fisheries relative to regulations of houseboats docked for longer than thirty consecutive days; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 963—**  
BY REPRESENTATIVE DANIEL  
AN ACT

To enact R.S. 47:463(A)(3) and 463.57, relative to license plates; to provide for the design of special prestige license plates; to provide for handling charges on special prestige license plates; to provide for a Jaycees prestige license plate; to provide for eligibility; to provide for the charge; to provide for the disbursement of a donation; to provide for the promulgation of rules; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1171—**  
BY REPRESENTATIVES CRANE, DEWITT, AND MURRAY  
AN ACT

To amend and reenact R.S. 46:236.14(E)(3)(a), relative to the employer reporting program; to require employers to report a new hire's occupation when submitting new hire information to the Department of Social Services; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1218—**  
BY REPRESENTATIVES BAYLOR AND PIERRE  
AN ACT

To amend and reenact R.S. 33:2476(B) and 2536(B)(2)(a), relative to fire and police civil service; to provide relative to persons ineligible to serve on local civil service boards due to their rank; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1219—**  
BY REPRESENTATIVES BAYLOR, DUPRE, AND PIERRE  
AN ACT

To amend and reenact R.S. 33:2536(M), relative to fire and police civil service; to provide relative to the number of persons required for a quorum of and for decisions by certain local civil service boards; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1220—**  
BY REPRESENTATIVES BAYLOR, DUPRE, AND PIERRE  
AN ACT

To amend and reenact and as amended to arrange in proper statutory form and incorporate into the statutes the provisions of Article XIV, Section 15.1(9)(j) of the Constitution of 1921, continued as statute by Article X, Section 18 of the Constitution of 1974, by amending and reenacting R.S. 33:2479(G) and to amend and reenact R.S. 33:2539, relative to fire and police civil service; to remove requirements that the state examiner act as secretary for

civil service boards when requested; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1221—**  
BY REPRESENTATIVES BAYLOR, DUPRE, AND PIERRE  
AN ACT

To amend and reenact R.S. 33:2553(3), relative to fire and police civil service; to provide relative to qualifications for admission to certain competitive employment tests for such service; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1222—**  
BY REPRESENTATIVES BAYLOR, DUPRE, AND PIERRE  
AN ACT

To amend and reenact and as amended to arrange in proper statutory form and incorporate into the statutes the provisions of Article XIV, Section 15.1(24)(a) of the Constitution of 1921, continued as statute by Article X, Section 18 of the Constitution of 1974, by amending and reenacting R.S. 33:2494(A) and to amend and reenact R.S. 33:2554(A), relative to fire and police civil service; to provide relative to the certification of names of persons eligible for appointment; specifically to remove the time limitation on the validity of such certification; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1223—**  
BY REPRESENTATIVES BAYLOR, DUPRE, AND PIERRE  
AN ACT

To amend and reenact R.S. 33:2501(D) and 2561, relative to fire and police civil service; to require recusal of certain members of local civil service boards from voting on appeals of disciplinary actions; to provide relative to appeals of board decisions on questions related to recusal; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1224—**  
BY REPRESENTATIVE DANIEL  
AN ACT

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

Reported without amendments.

**HOUSE BILL NO. 1238—**  
BY REPRESENTATIVE DIEZ  
AN ACT

To amend and reenact R.S. 32:402(A) and (B), 408(A)(1) and (4), and 408.2 and R.S. 47:532.1(A)(7), relative to drivers' licenses, relative to public license tag agents; to authorize the department to enter into contracts with public license tag agents for the issuance of certain drivers' licenses; to provide for minimum qualifications; to provide for the costs of licenses; to provide for the maximum fee which can be charged by a public license tag agent for a driver's license; to provide for penalties for violations; to provide for the promulgation of rules and regulations; to authorize public license tag agents to administer written knowledge and skills tests to applicants for issuance of certain drivers' licenses; to provide for limitation of liability; and to provide for related matters.

Reported without amendments.

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**HOUSE BILL NO. 1311—**

BY REPRESENTATIVE DAMICO  
AN ACT

To enact R.S. 33:1236.25, relative to Jefferson Parish; to authorize the governing authority of the parish to create a special district for the purposes of enhancing the security of residents of the Plantation Estates subdivision; to provide for the creation and governance of the district as provided by the parish home rule charter; to require voter approval of a district tax; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1326—**

BY REPRESENTATIVES DOWNER AND DONELON AND SENATOR BRANCH  
AN ACT

To amend and reenact R.S. 23:1034(C), relative to workers' compensation for public officials; to clarify that where a political subdivision elects to provide workers' compensation coverage for its public officials, workers' compensation shall be the injured official's exclusive remedy; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1327—**

BY REPRESENTATIVE CARTER  
AN ACT

To authorize and provide for the lease of certain state property in East Feliciana Parish to the F.T. Baptist Church from the Department of Health and Hospitals; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1347—**

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(B)(1), relative to commercial motor vehicle drivers; to provide for a definition of out-of-service order; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1348—**

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

To enact R.S. 47:511.2, relative to registration of trucks; to provide for a temporary permit for unregistered trucks in certain situations; to provide for the duration of the permit; to provide for restrictions on the type of vehicle eligible to receive the permit; to provide for penalties for not possessing the permit; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1351—**

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

To amend and reenact R.S. 47:511, relative to motor vehicles; to provide relative to the International Registration Plan; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1428—**

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

To amend and reenact R.S. 32:364, relative to equipment on motor vehicles; to provide for the use of devices to minimize the spray or splash of materials; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1456—**

BY REPRESENTATIVE MICHOT  
AN ACT

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

Reported without amendments.

**HOUSE BILL NO. 1481—**

BY REPRESENTATIVE DOERGE  
AN ACT

To enact R.S. 48:701.2(D), relative to Webster Parish; to limit the applicability of the current statute on reversion of property after revocation of a dedication of any road, street, or alleyway in Webster Parish; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1483—**

BY REPRESENTATIVE DURAND  
AN ACT

To enact R.S. 33:172(E), relative to annexation; to prohibit certain annexations of territory in St. Martin Parish; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1495—**

BY REPRESENTATIVE DURAND  
AN ACT

To amend and reenact R.S. 56:326.5(D) and 326.6(A), relative to bowfin; to provide locations where bowfin and bowfin roe may be taken; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1517—**

BY REPRESENTATIVE 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 for the promotion of adoption; to provide for the color, design, and logo of such plates; to require the words "ADOPTION...NO GREATER LOVE" to appear on the plate; to provide relative to the fees for such plates; to provide for the use of such fees; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1517 by Representative Perkins

AMENDMENT NO. 1

In Amendments proposed by the Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 1517 by Representative Perkins, adopted by the Senate on June 1, 1999, in Amendment No. 4, on line 10, change "G." to "Section 2"

**HOUSE BILL NO. 1555—**

BY REPRESENTATIVE PRATT

AN ACT

To enact R.S. 17:3904(A)(6), relative to the school personnel evaluation program; to provide program requirements relative to the evaluation of school principals; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1579—**

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

AN ACT

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

Reported without amendments.

**HOUSE BILL NO. 1595—**

BY REPRESENTATIVE PRATT

AN ACT

To amend and reenact R.S. 17:7.4, relative to a continuing education program for paraprofessionals; to provide for eligibility; to provide relative to tuition exemptions and stipends; to remove certain procedures and requirements for reimbursement; to provide for repayment of monies under certain circumstances; to provide certain limitations relative to the cost of the program; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1612—**

BY REPRESENTATIVE PRATT

AN ACT

To amend and reenact R.S. 17:392.1(E) and 392.3 and to repeal R.S. 17:392.2, all relative to screening and intervention for children; to provide relative to screenings for certain impediments including dyslexia and related disorders; to specify certain employees who shall do such screenings; to remove provisions relative to the employment of guidance counselors in elementary schools; to remove provisions relative to full implementation; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**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.

Reported without amendments.

**HOUSE BILL NO. 1622—**

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

AN ACT

To amend and reenact R.S. 40:1846.1(E)(1), 1849(A), (B), and (C)(1), and 1850 and to enact R.S. 40:1849(E), relative to the Liquefied Petroleum Gas Commission; to provide for requirements, penalties for violations, and fees; to provide for a reduction in fees; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1623—**

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

AN ACT

To amend and reenact R.S. 3:1356(C) and 1357 and to enact R.S. 3:1356(D), (E), and (F), relative to the Liquefied Petroleum Gas Commission and the Anhydrous Ammonia Law of Louisiana; to provide for penalties for violations; to provide for fees and fee reductions; to provide for reciprocal agreements; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1624—**

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

AN ACT

To enact R.S. 32:232(5), relative to traffic signals; to provide for traffic-control signals; to provide for traffic regulation at an intersection when a traffic-control signal is not functioning; and to provide for related matters.

Reported with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1624 by Representative Diez

**AMENDMENT NO. 1**

In Amendments proposed by the Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 1624 by Representative Diez, adopted by the Senate on June 1, 1999, in Amendment No. 4, on line 13, following "17", insert, "and on page 2, delete lines 1 and 2,"

**HOUSE BILL NO. 1635—**

BY REPRESENTATIVE HEATON

AN ACT

To authorize and provide for the state to transfer certain tracts of land situated in Orleans Parish to the Carrollton Community Economic Development Corporation; to provide terms and conditions; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1654—**

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 47:532.1(A)(7), relative to public license tag agents; to provide for the authority to provide information on the status of registration privileges; to provide for the authority to process certain reinstatements; to provide for fees; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1672—**

BY REPRESENTATIVE HAMMETT

AN ACT

To enact Part XXI of Chapter 13 of Title 38 of the Revised Statutes of 1950, to be comprised of R.S. 38:3087.111 through 3087.127, relative to Black River Lake in Concordia and Catahoula parishes; to create the Black River Lake Recreation and Water Conservation District; to create and provide for a board of commissioners of such district; to provide for the powers and duties of the district and the board; to authorize said board to levy taxes and parcel fees, issue bonds, and incur debt; to authorize said board to promulgate rules and regulations to accomplish the purposes of the district and to provide for the enforcement thereof; to provide for violations and penalties; to provide relative to the powers and duties of the

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Department of Transportation and Development with respect to the district; to provide for the regulation of commercial establishments; to provide for creation and construction of playgrounds and recreational facilities; to provide relative to mineral leases; and to provide for related matters.

Reported without amendments.

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

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

Reported without amendments.

**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.

Reported without amendments.

**HOUSE BILL NO. 1809—**  
BY REPRESENTATIVES DEWITT AND STELLY  
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. 17:1989.1 through 1989.8, and R.S. 36:651(Z), relative to the Governor's Program for Gifted Children; to statutorily recognize the existence of said program as a state chartered school; to provide relative to legislative intent; to provide for the operation, governance, administration, location, and funding for said program; to provide for the referral of students who are candidates for admission for said program; to provide for placement of the program in the Department of Education; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1833—**  
BY REPRESENTATIVES DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To amend and reenact R.S. 40:1742(A)(1) and (B)(1), relative to enforcement provisions on parking spaces reserved for certain disabled persons; to provide for enforcement of such provisions on private property; to provide for citations; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1842—**  
BY REPRESENTATIVES JOHN SMITH, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, AND SCHNEIDER AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To amend and reenact Section 3 of Act 666 of 1997 and to enact R.S. 30:101.9(C)(4) and R.S. 56:700.2(A)(4) and 700.4(C)(4), relative to the Louisiana Underwater Obstruction Removal Fund and the Fishermen's Gear Compensation Fund; to extend the termination

date of the Underwater Obstruction Removal Fund; to provide for dedication of monies from the Fisherman's Gear Compensation Fund to the Underwater Obstruction Removal Fund; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1909—**  
BY REPRESENTATIVES DIEZ, DEWITT, DOWNER, MCMAINS, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To amend and reenact R.S. 48:256.4, relative to Department of Transportation and Development projects; to provide relative to the final acceptance of such projects; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1911—**  
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. 48:274.1(D) and 274.3(E), relative to logo and major shopping area guide signs on interstate highways; to delete the Logo Sign Processing Fund and Major Shopping Area Guide Signs Processing Fund; to provide relative to fees collected by the department for logo and major shopping area guide signs; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1912—**  
BY REPRESENTATIVES DIEZ, DEWITT, DOWNER, MCMAINS, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To amend and reenact R.S. 48:256.3(A)(3), relative to Department of Transportation and Development projects; to provide for the department official who is to receive claims against a contractor or surety; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1914—**  
BY REPRESENTATIVES DIEZ, DEWITT, DOWNER, MCMAINS, CRANE, AND QUEZAIRE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To repeal Part I of Chapter 3 of Title 48 of the Louisiana Revised Statutes of 1950, comprised of R.S. 48:781 through 786 and R.S. 48:801 through 805, relative to privately owned bridges and roads.

Reported without amendments.

**HOUSE BILL NO. 1964—**  
BY REPRESENTATIVE TRICHE  
AN ACT

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

Reported without amendments.

**HOUSE BILL NO. 1980—**  
BY REPRESENTATIVE WILKERSON  
AN ACT

To amend and reenact R.S. 34:851.15(A), relative to waterskiing; to provide for an exception to the requirement of having two persons in a motorboat which is towing a water-skier; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1982—**

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

To amend and reenact R.S. 30:4(B) and to enact R.S. 30:6.1, 86(E)(5), and 91(D), relative to the office of conservation; to provide relative to emergencies declared by the commissioner of conservation; to provide for powers of the commissioner; to provide certain procedures and conditions; to provide for funding in the event of an emergency; to provide for notice; to provide relative to costs; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1998—**

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

To repeal R.S. 38:2212(A)(1)(d)(ii) relative to Public Bid Law; to delete the definition of "contract limit" for certain entities; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 2016—**

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

To amend and reenact R.S. 32:1513(A), relative to hazardous materials transportation and motor carrier safety; to provide relative to penalties for failure to pay fines; to authorize the department to deny renewal of certain vehicle registrations; to authorize the department to deny the renewal or reissuance of certain drivers' licenses; to provide relative to responsible parties; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 2069—**

BY REPRESENTATIVE MICHOT  
AN ACT

To amend and reenact R.S. 56:449(A), (C), (E), and (G), relative to oyster tags; to require certain information be contained on the tag; to provide relative to the ten percent tolerance for loss of tags; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 2070—**

BY REPRESENTATIVE KENNEY  
AN ACT

To amend and reenact R.S. 56:327(A)(1)(a), 411(6) and 412(A)(4), relative to fishing; to provide for exceptions to the prohibitions on the selling or purchasing of certain fish; to provide relative to hybrid bream; to provide for the definition of "domesticated fish"; to provide for the propagation, production, and transportation of hybrid bream; and to provide for related matters.

Reported with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 2070 by Representative Kenney

AMENDMENT NO. 1

On page 3, line 14, following "pass," delete "or minnows raised"

AMENDMENT NO. 2

On page 3, line 18, following "or" and before "produced" insert "or minnows raised"

**HOUSE BILL NO. 2115—**

BY REPRESENTATIVES DONELON AND MURRAY  
AN ACT

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

Reported without amendments.

**HOUSE BILL NO. 2127—**

BY REPRESENTATIVE JOHNS  
AN ACT

To amend and reenact Section 2 of Act No. 614 of the 1972 Regular Session of the Louisiana Legislature, as amended by Act No. 85 of the 1985 Regular Session of the Louisiana Legislature, relative to the Southwest Louisiana Convention and Visitors Bureau; to provide relative to the directors who govern the district; to provide relative to the nomination, qualifications, and appointment of directors; to limit the number of consecutive terms a director may serve; to provide requirements for retaining a directorship and relative to vacancies; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 2242—**

BY REPRESENTATIVE CURTIS  
AN ACT

To enact R.S. 33:2740.46, relative to the city of Alexandria; to create the Alexandria Central Economic Development District in Alexandria; to provide relative to the governance of such district; to provide for the authority of the district, including the preparation of redevelopment plans and the execution of redevelopment programs; to provide relative to funds for the district including funds from taxes, contributions, and the issuance of bonds; and to provide for related matters.

Reported with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 2242 by Representative Curtis

AMENDMENT NO. 1

On page 7, at the beginning of line 11, insert "and Women's"

Respectfully submitted,  
ARTHUR J. LENTINI  
Chairman

**Adoption of Legislative Bureau Report**

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

**Messages from the House**

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

**Message from the House**

**PASSED SENATE BILLS AND JOINT RESOLUTIONS**

June 2, 1999

To the Honorable President and Members of the Senate:

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

**SENATE BILL NO. 234—**  
BY SENATORS BAJOLE AND IRONS  
AN ACT

To enact Part M of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.151 through 1300.154, relative to the treatment of breast cancer; to require physicians and surgeons to discuss and to provide a written summary of treatment alternatives to their patients diagnosed with breast cancer; to provide that failure to so act shall be considered unprofessional conduct; to provide for the content, preparation, revision, and distribution of the summary; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 258—**  
BY SENATORS BARHAM, DARDENNE, EWING, HAINKEL AND SCHEDLER  
AND REPRESENTATIVES ALARIO, DEWITT, DOWNER, AND MCMAINS  
AN ACT

To amend and reenact R.S. 47:1576(A)(1) and (2), relative to the remittance of taxes to the secretary of revenue under protest; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 260—**  
BY SENATORS BARHAM, DARDENNE, EWING, HAINKEL AND SCHEDLER  
AND REPRESENTATIVES ALARIO, DEWITT, DOWNER AND MCMAINS  
AN ACT

To amend and reenact R.S. 47:852 and 853, and to enact R.S. 26:143(C) and 355(C) and (D) and R.S. 47:806(H), relative to tax administration; to authorize providing for an alternative to an invoice record; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 368—**  
BY SENATORS BARHAM AND SCHEDLER  
AN ACT

To amend and reenact R.S. 9:162(B), relative to unclaimed property; to provide that the administrator shall be responsible for taking all reasonable measures to return property to the owner; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 259—**  
BY SENATORS BARHAM, DARDENNE, EWING, HAINKEL AND SCHEDLER  
AND REPRESENTATIVES ALARIO, DEWITT, DOWNER AND MCMAINS  
AN ACT

To enact R.S. 47:1522, relative to authorizing the secretary of the Department of Revenue to enter into contracts for the conduct of alternative dispute resolution procedures to arbitrate certain issues to assist in the collection of any taxes, penalties, or interest due; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 262—**  
BY SENATORS BARHAM, DARDENNE, EWING, HAINKEL AND SCHEDLER  
AND REPRESENTATIVES ALARIO, DEWITT, DOWNER AND MCMAINS  
AN ACT

To amend and reenact R.S. 47:1519(B)(1), relative to requiring the electronic funds transfer of tax payments for certain taxpayers; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 865—**  
BY SENATORS HAINKEL, JONES AND SCHEDLER  
AN ACT

To enact R.S. 23:343, relative to prohibited discrimination in employment; to provide with respect to discrimination based on pregnancy, childbirth, or related medical conditions; to provide remedies; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 261—**  
BY SENATORS BARHAM, DARDENNE, EWING, HAINKEL AND SCHEDLER  
AND REPRESENTATIVES ALARIO, DEWITT, DOWNER AND MCMAINS  
AN ACT

To amend and reenact R.S. 47:101(B)(7), relative to the innocent spouse rule; to provide for liability relief for certain joint filers of income tax; to authorize the secretary of the Department of Revenue to grant relief from liability under certain circumstances; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 264—**  
BY SENATORS BARHAM, DARDENNE, EWING, HAINKEL, AND  
SCHEDLER AND REPRESENTATIVES ALARIO, DEWITT, DOWNER, AND  
MCMAINS  
AN ACT

To enact R.S. 47:1601(D), relative to income tax; to provide for suspension of interest on certain individual income tax liabilities if the secretary fails to notify the taxpayer within a certain period; and to provide for related matters.

Reported without amendments.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 2, 1999

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 331 by Representative Murray, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Murray, McMains, and Bruneau.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 2, 1999

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 482 by Representative DeWitt, and ask the President to appoint on the part of the Senate a committee to

confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Dewitt, Crane, and Michot.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 2, 1999

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1182 by Representative Stelly, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Stelly, Donelon, and Johns.

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

Introduction of Senate Concurrent Resolutions

Senator Dardenne 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. 144— BY SENATOR DARDENNE AND REPRESENTATIVE LEBLANC A CONCURRENT RESOLUTION

To direct the Joint Legislative Committee on the Budget to create a task force to study the practices and standards followed by certain departments of the executive branch of state government, with respect to contracting with nonprofit organizations, in order to better assist such organizations in developing consistent professional standards of excellence applicable to contracts with certain departments and agencies of state government.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Barham, Bean, Boissiere, Cain, Casanova, Cravins, Dardenne, Ellington, Fields W, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Thomas, Ullo

Total—30

NAYS

Total—0

ABSENT

Table with 3 columns: Branch, Dean, Jordan; Campbell, Dyess, Tarver; Cox, Fields C, Theunissen; Total—9

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

SENATE CONCURRENT RESOLUTION NO. 145— BY SENATOR LANDRY AND REPRESENTATIVE DIEZ A CONCURRENT RESOLUTION

To urge and request the Joint Committee on Transportation, Highways, and Public Works to conduct a study of both deep draft and shallow draft ports throughout the state.

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

June 2, 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. 897— BY REPRESENTATIVES FAUCHEUX AND DANIEL AN ACT

To enact R.S. 47:315.4 and 1711, relative to local sales and use tax; to authorize certain tax credits for sales and use taxes paid if there is a waiver of the homestead exemption; to provide certain terms, conditions, procedures, and requirements; and to provide for related matters.

HOUSE BILL NO. 899— BY REPRESENTATIVES HUDSON AND KENNARD AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for the Fiscal Year 1998-1999 to the Department of Public Safety and Corrections-Public Safety Services, office of state police for payment of legal fees incurred by Colonel Kenneth D. Norris and Major R. L. Montgomery in their successful defense of criminal evidence presented against them before the Grand Jury for the Fourteenth Judicial District for the parish of Calcasieu.

HOUSE BILL NO. 1973— BY REPRESENTATIVE DANIEL AN ACT

To amend and reenact R.S. 11:2256(A)(1) and (2) and (C) and to enact R.S. 11:2256(A)(4) and (5), relative to the Firefighters' Retirement System; to provide with respect to benefits and the accrual rate used for the computation thereof; to provide with respect to

reemployment of retirees and contributions; and to provide for related matters.

**HOUSE BILL NO. 1784—**

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact Civil Code Article 2315, relative to damages; to provide for compensable damages; and to provide for related matters.

**HOUSE BILL NO. 953—**

BY REPRESENTATIVE MCMAINS

AN ACT

To enact R.S. 42:874(B)(9), relative to powers and duties of the Board of Trustees of the State Employees Group Benefits Program; to provide for the procurement of internal auditing services; and to provide for related matters.

**HOUSE BILL NO. 955—**

BY REPRESENTATIVES MCMAINS AND JETSON

AN ACT

To amend and reenact R.S. 42:821(A)(1)(c) and 851(A)(1)(c)(i), relative to the contribution rate of the state for the State Employees Group Benefits Program; to provide for a minimum contribution by the state for health and medical coverage and life insurance coverage; and to provide for related matters.

**HOUSE BILL NO. 1049—**

BY REPRESENTATIVE FARVE

AN ACT

To enact R.S. 39:101.1, relative to capital outlay budget development; to create the Future Direction Committee as an advisory committee to the Board of Elementary and Secondary Education; to provide a procedure for public elementary and secondary school systems to request capital outlay funds; and to provide for related matters.

**HOUSE BILL NO. 137—**

BY REPRESENTATIVE FARVE

AN ACT

To amend and reenact R.S. 39:101(B)(1)(a), relative to capital outlay budget development; to require school boards to submit their proposed capital projects through the senator and representative in whose district the project will be located; and to provide for related matters.

**HOUSE BILL NO. 1090—**

BY REPRESENTATIVE MARIONNEAUX

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the final judgments in the suits entitled "Ohmeda, Inc. v. John N. Kennedy, Secretary of the Department of Revenue and Taxation, State of Louisiana", and "Multimedia Radio, Inc. vs. Secretary, Department of Revenue, State of Louisiana"; and to provide for related matters.

**HOUSE BILL NO. 1242—**

BY REPRESENTATIVE HOLDEN

AN ACT

To enact Part IV of Chapter 11 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:2251 through 2262, relative to the creation of an authority to provide certain financial assistance for public schools; to create the Louisiana Education Facilities Authority as a political subdivision of the state; to provide for the use of monies in the fund; and to provide for related matters.

**HOUSE BILL NO. 1390—**

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

AN ACT

To amend and reenact Code of Civil Procedure Articles 2412 and 2413, relative to garnishment; to provide for service of certain garnishment petitions on judgment debtors employed by the

executive branch of state government; to provide for delays for answering; to require that notice of certain motions be made by certified mail; and to provide for related matters.

**HOUSE BILL NO. 1391—**

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

AN ACT

To amend and reenact R.S. 46:446(B), relative to Medicaid reimbursement; to provide for inclusion of certain information in notice to the Department of Health and Hospitals prior to compromise of any claim for damages or compensation involving Medicaid recipients; and to provide for related matters.

**HOUSE BILL NO. 1393—**

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

AN ACT

To amend and reenact Code of Civil Procedure Article 2411(C) and R.S. 13:3913, relative to garnishment; to provide that a garnishment, other than of wages of an employee, is not continuing in nature; and to provide for related matters.

**HOUSE BILL NO. 986—**

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact Code of Civil Procedure Article 3753, relative to judgments; to provide relative to cancellation of notices of pendency; and to provide for related matters.

**HOUSE BILL NO. 1055—**

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 9:5383, relative to immovable property; to provide relative to transfers involving in globo assumption of vendors' privileges and/or mortgages on more than one parcel of immovable property; and to provide for related matters.

**HOUSE BILL NO. 1897—**

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 11:2213(11) and to enact R.S. 11:2214.2, relative to the Municipal Police Employees' Retirement System; to provide with respect to definitions and membership; to provide regarding the admission of certain employees, and the retention of certain other employees whose membership arose as the result of error; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 2088—**

BY REPRESENTATIVE STELLY

AN ACT

To enact R.S. 33:102.1, relative to the regulation of amateur radio antennas; to provide that no parish or municipality may enact or enforce an ordinance or regulation that is in conflict with the ruling of the Federal Communications Commission or other regulations related to amateur radio service adopted under federal law; and to provide for related matters.

**HOUSE BILL NO. 1599—**

BY REPRESENTATIVE WINSTON

AN ACT

To enact R.S. 11:2218(J), relative to the Municipal Police Employees' Retirement System, but only applicable to members whose employing municipality elects coverage; to provide with respect to service credit and benefits; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 529—**  
BY REPRESENTATIVE MCDONALD  
AN ACT

To enact R.S. 11:166, relative to the Municipal Police Employees' Retirement System and the Municipal Employees' Retirement System; to provide with respect to membership; to provide with respect to service credit and the actuarial cost for the transfer thereof; and to provide for related matters.

**HOUSE BILL NO. 2157—**  
BY REPRESENTATIVE COPELIN  
AN ACT

To enact Part V of Chapter 3 of Code Title XXI of Code Book II of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:5041, relative to privileges on movable and immovables; to provide for privileges for persons who provide security services, or maintenance, custodial, or janitorial services, or consumable goods, or printed material for in-store advertising or promotional purposes for certain supermarkets; to provide for the effective date of those privileges; and to provide for related matters.

**HOUSE BILL NO. 2076—**  
BY REPRESENTATIVE PERKINS  
AN ACT

To amend and reenact R.S. 47:302.29(A), 322.9(A), and 332.2(A) and to enact R.S. 47:302.45, 322.39, and 332.45, relative to the state sales tax on hotel occupancy collected in certain political subdivisions within East Baton Rouge Parish; to revise the dedication of a portion of such monies; to create the Baker Economic Development Fund; to provide for deposit of monies into the fund; to provide for uses of monies in the fund; and to provide for related matters.

**HOUSE BILL NO. 2125—**  
BY REPRESENTATIVE JOHNS  
AN ACT

To amend and reenact R.S. 33:4576(B)(3), relative to the West Calcasieu Parish Community Center Authority; to provide relative to the governance of the authority including the terms of members; and to provide for related matters.

**HOUSE BILL NO. 2256—**  
BY REPRESENTATIVE WINSTON  
AN ACT

To enact Part L-IV of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.151, relative to child advocacy centers; to establish the Child Advocacy Center Support Fund; to provide for the deposit of monies into the fund; to provide for uses of monies in the fund; and to provide for related matters.

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

**House Bills and Joint Resolutions**

Senator Lambert 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. 137—**  
BY REPRESENTATIVE FARVE  
AN ACT

To amend and reenact R.S. 39:101(B)(1)(a), relative to capital outlay budget development; to require school boards to submit their proposed capital projects through the senator and representative in whose district the project will be located; 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. 529—**  
BY REPRESENTATIVE MCDONALD  
AN ACT

To enact R.S. 11:166, relative to the Municipal Police Employees' Retirement System and the Municipal Employees' Retirement System; to provide with respect to membership; to provide with respect to service credit and the actuarial cost for the transfer thereof; and to provide for related matters.

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

**HOUSE BILL NO. 897—**  
BY REPRESENTATIVES FAUCHEUX AND DANIEL  
AN ACT

To enact R.S. 47:315.4 and 1711, relative to local sales and use tax; to authorize certain tax credits for sales and use taxes paid if there is a waiver of the homestead exemption; to provide certain terms, conditions, procedures, and requirements; and to provide for related matters.

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

**HOUSE BILL NO. 899—**  
BY REPRESENTATIVES HUDSON AND KENNARD  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for the Fiscal Year 1998-1999 to the Department of Public Safety and Corrections-Public Safety Services, office of state police for payment of legal fees incurred by Colonel Kenneth D. Norris and Major R. L. Montgomery in their successful defense of criminal evidence presented against them before the Grand Jury for the Fourteenth Judicial District for the parish of Calcasieu.

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

**HOUSE BILL NO. 953—**  
BY REPRESENTATIVE MCMAINS  
AN ACT

To enact R.S. 42:874(B)(9), relative to powers and duties of the Board of Trustees of the State Employees Group Benefits Program; to provide for the procurement of internal auditing services; and to provide for related matters.

On motion of Senator Bean, the bill, which was designated a duplicate of Senate Bill No. 341, was read by title and referred to the Committee on Insurance.

**HOUSE BILL NO. 955—**  
BY REPRESENTATIVES MCMAINS AND JETSON  
AN ACT

To amend and reenact R.S. 42:821(A)(1)(c) and 851(A)(1)(c)(i), relative to the contribution rate of the state for the State Employees Group Benefits Program; to provide for a minimum contribution by the state for health and medical coverage and life insurance coverage; and to provide for related matters.

On motion of Senator Bean, the bill, which was designated a duplicate of Senate Bill No. 398, was read by title and referred to the Committee on Insurance.

**HOUSE BILL NO. 986—**  
BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact Code of Civil Procedure Article 3753, relative to judgments; to provide relative to cancellation of notices of pendency; and to provide for related matters.

June 2, 1999

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

**HOUSE BILL NO. 1049—**  
BY REPRESENTATIVE FARVE  
AN ACT

To enact R.S. 39:101.1, relative to capital outlay budget development; to create the Future Direction Committee as an advisory committee to the Board of Elementary and Secondary Education; to provide a procedure for public elementary and secondary school systems to request capital outlay funds; 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. 1055—**  
BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 9:5383, relative to immovable property; to provide relative to transfers involving in globo assumption of vendors' privileges and/or mortgages on more than one parcel of immovable property; 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. 1090—**  
BY REPRESENTATIVE MARIONNEAUX  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the final judgments in the suits entitled "Ohmeda, Inc. v. John N. Kennedy, Secretary of the Department of Revenue and Taxation, State of Louisiana", and "Multimedia Radio, Inc. vs. Secretary, Department of Revenue, State of Louisiana"; 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. 1242—**  
BY REPRESENTATIVE HOLDEN  
AN ACT

To enact Part IV of Chapter 11 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:2251 through 2262, relative to the creation of an authority to provide certain financial assistance for public schools; to create the Louisiana Education Facilities Authority as a political subdivision of the state; to provide for the use of monies in the fund; and to provide for related matters.

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

**HOUSE BILL NO. 1390—**  
BY REPRESENTATIVES MCMAINS, DEWITT, DOWNER, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To amend and reenact Code of Civil Procedure Articles 2412 and 2413, relative to garnishment; to provide for service of certain garnishment petitions on judgment debtors employed by the executive branch of state government; to provide for delays for answering; to require that notice of certain motions be made by certified mail; 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. 1391—**  
BY REPRESENTATIVES MCMAINS, DEWITT, DOWNER, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To amend and reenact R.S. 46:446(B), relative to Medicaid reimbursement; to provide for inclusion of certain information in notice to the Department of Health and Hospitals prior to compromise of any claim for damages or compensation involving Medicaid recipients; and to provide for related matters.

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

**HOUSE BILL NO. 1393—**  
BY REPRESENTATIVES MCMAINS, DEWITT, DOWNER, DIEZ, CRANE, AND MORRELL AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To amend and reenact Code of Civil Procedure Article 2411(C) and R.S. 13:3913, relative to garnishment; to provide that a garnishment, other than of wages of an employee, is not continuing in nature; 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. 1599—**  
BY REPRESENTATIVE WINSTON  
AN ACT

To enact R.S. 11:2218(J), relative to the Municipal Police Employees' Retirement System, but only applicable to members whose employing municipality elects coverage; to provide with respect to service credit and benefits; to provide an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 1784—**  
BY REPRESENTATIVE MCMAINS  
AN ACT

To amend and reenact Civil Code Article 2315, relative to damages; to provide for compensable damages; 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. 1897—**  
BY REPRESENTATIVE MONTGOMERY  
AN ACT

To amend and reenact R.S. 11:2213(11) and to enact R.S. 11:2214.2, relative to the Municipal Police Employees' Retirement System; to provide with respect to definitions and membership; to provide regarding the admission of certain employees, and the retention of certain other employees whose membership arose as the result of error; to provide an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 1973—**  
BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 11:2256(A)(1) and (2) and (C) and to enact R.S. 11:2256(A)(4) and (5), relative to the Firefighters' Retirement System; to provide with respect to benefits and the accrual rate used for the computation thereof; to provide with respect to reemployment of retirees and contributions; and to provide for related matters.

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

**HOUSE BILL NO. 2076—**

BY REPRESENTATIVE PERKINS

## AN ACT

To amend and reenact R.S. 47:302.29(A), 322.9(A), and 332.2(A) and to enact R.S. 47:302.45, 322.39, and 332.45, relative to the state sales tax on hotel occupancy collected in certain political subdivisions within East Baton Rouge Parish; to revise the dedication of a portion of such monies; to create the Baker Economic Development Fund; to provide for deposit of monies into the fund; to provide for uses of monies in the fund; and to provide for related matters.

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

**HOUSE BILL NO. 2088—**

BY REPRESENTATIVE STELLY

## AN ACT

To enact R.S. 33:102.1, relative to the regulation of amateur radio antennas; to provide that no parish or municipality may enact or enforce an ordinance or regulation that is in conflict with the ruling of the Federal Communications Commission or other regulations related to amateur radio service adopted under federal law; and to provide for related matters.

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

**HOUSE BILL NO. 2125—**

BY REPRESENTATIVE JOHNS

## AN ACT

To amend and reenact R.S. 33:4576(B)(3), relative to the West Calcasieu Parish Community Center Authority; to provide relative to the governance of the authority including the terms of members; and to provide for related matters.

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

**HOUSE BILL NO. 2157—**

BY REPRESENTATIVE COPELIN

## AN ACT

To enact Part V of Chapter 3 of Code Title XXI of Code Book II of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:5041, relative to privileges on movable and immovables; to provide for privileges for persons who provide security services, or maintenance, custodial, or janitorial services, or consumable goods, or printed material for in-store advertising or promotional purposes for certain supermarkets; to provide for the effective date of those privileges; 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. 2256—**

BY REPRESENTATIVE WINSTON

## AN ACT

To enact Part L-IV of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.151, relative to child advocacy centers; to establish the Child Advocacy Center Support Fund; to provide for the deposit of monies into the fund; to provide for uses of monies in the fund; and to provide for related matters.

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

**Messages from the House**

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

**Message from the House****ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

June 2, 1999

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 246—**

BY REPRESENTATIVES DOWNER, ANSARDI, BRUNEAU, DONELON, AND LANCASTER AND SENATORS BARHAM, BEAN, BRANCH, AND THEUNISSEN

## A CONCURRENT RESOLUTION

To express the condolences and heartfelt sorrow of the Legislature of Louisiana upon the death of Command Sergeant Major (Retired) Harold Bobby Cook, former State Command Sergeant Major of the Louisiana Army National Guard.

**HOUSE CONCURRENT RESOLUTION NO. 156—**

BY REPRESENTATIVE TRICHE

## A CONCURRENT RESOLUTION

To urge and request the Board of Trustees of the State Employees Group Benefits Program to provide for special enrollments for retirees who retired prior to July 1, 1997, and terminated coverage after retiring because of existing coverage of a spouse, but who subsequently lost such coverage due to a change of family status.

**HOUSE CONCURRENT RESOLUTION NO. 202—**

BY REPRESENTATIVES FONTENOT AND FAUCHEUX

## A CONCURRENT RESOLUTION

To urge and request the Wildlife and Fisheries Commission to study for possible revision the rules applicable to size and creel limits for black bass on the Amite River, Blind River, Tickfaw River, and Lake Maurepas with the intention of applying the same size and creel limits for black bass as those applicable to the Atchafalaya Basin and the Lake Verret-Lake Palourde area.

**HOUSE CONCURRENT RESOLUTION NO. 215—**

BY REPRESENTATIVES SCHNEIDER, BRUCE, KENNARD, WINDHORST, AND PERKINS

## A CONCURRENT RESOLUTION

To condemn and reject an article in the July 1998 Psychological Bulletin published by the American Psychological Association (Vol. 124, No. 1, pp. 22-53) which suggests that sexual relations between adults and children may not always be harmful to children.

**HOUSE CONCURRENT RESOLUTION NO. 220—**

BY REPRESENTATIVES WILLARD AND CLARKSON

## A CONCURRENT RESOLUTION

To recognize the historical significance of Lincoln Beach and the importance of its rehabilitation, to express legislative support for its rehabilitation, and to request that the assistant secretary of the office of cultural development of the Department of Culture, Recreation and Tourism evaluate the site for possible inclusion on the National Register of Historic Places.

**HOUSE CONCURRENT RESOLUTION NO. 221—**

BY REPRESENTATIVE MCCALLUM

## A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study a successor's rights relative to transfers of succession interests in immovable property prior to the judicial opening of the succession,

June 2, 1999

the effect of creating a preemptive period for actions arising out of transfers of succession interests in immovable property which occurred prior to the judicial opening of the succession, and to report its findings and recommendations to the Legislature of Louisiana no later than January 1, 2001.

**HOUSE CONCURRENT RESOLUTION NO. 233—**  
BY REPRESENTATIVE LONG

A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors for the University of Louisiana System, the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, and the Board of Supervisors of Community and Technical Colleges, in consultation with the Board of Regents, to each adopt policies for the institutions under their respective jurisdictions to provide for the transfer and acceptance of all credits earned by students in programs and courses offered through the Southern Regional Electronic Campus and the application of such credits toward meeting specific degree program requirements.

**HOUSE CONCURRENT RESOLUTION NO. 236—**  
BY REPRESENTATIVES WILKERSON AND DOWNER

A CONCURRENT RESOLUTION

To urge and request the office of state parks of the Department of Culture, Recreation and Tourism and other persons and agencies to proceed with efforts to make Camp Ruston a state commemorative area.

**HOUSE CONCURRENT RESOLUTION NO. 250—**  
BY REPRESENTATIVES FAUCHEUX, QUEZAIRE, CHAISSON, AND ANSARDI AND SENATORS LANDRY AND LAMBERT

A CONCURRENT RESOLUTION

To urge and request the Louisiana Highway Safety Commission to study the cause or causes of the Mother's Day bus accident which occurred in New Orleans, Louisiana, and to report its findings and recommendations for prevention of future bus accidents to the House and Senate Transportation, Highways and Public Works Committees prior to January 1, 2000.

**HOUSE CONCURRENT RESOLUTION NO. 253—**  
BY REPRESENTATIVE PERKINS

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to adopt rules and procedures permitting a city or parish school board, under specified circumstances, to add elective courses to its program of studies for high school students without obtaining the approval of the state Department of Education and for BESE to treat successful completion of such courses by students in the same manner as successful completion by students of elective courses that have been approved by the department.

**HOUSE CONCURRENT RESOLUTION NO. 256—**  
BY REPRESENTATIVE WINSTON

A CONCURRENT RESOLUTION

To commend Mandeville Elementary School upon being named a 1998-1999 Blue Ribbon School of Excellence by the United States Department of Education.

**HOUSE CONCURRENT RESOLUTION NO. 222—**  
BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

To memorialize the United States Congress to continue to support and fund the United States-Asia Environmental Partnership, the Environmental Technology Network for Asia, and the Council of State Governments' State Environmental Initiative.

**HOUSE CONCURRENT RESOLUTION NO. 255—**  
BY REPRESENTATIVE WIGGINS

A CONCURRENT RESOLUTION

To urge and request the Department of Culture, Recreation and Tourism and the Department of Transportation and Development to preserve a portion of Military Highway as an historical route.

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

**House Concurrent Resolutions**

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

**HOUSE CONCURRENT RESOLUTION NO. 156—**  
BY REPRESENTATIVE TRICHE

A CONCURRENT RESOLUTION

To urge and request the Board of Trustees of the State Employees Group Benefits Program to provide for special enrollments for retirees who retired prior to July 1, 1997, and terminated coverage after retiring because of existing coverage of a spouse, but who subsequently lost such coverage due to a change of family status.

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

**HOUSE CONCURRENT RESOLUTION NO. 202—**  
BY REPRESENTATIVES FONTENOT AND FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Wildlife and Fisheries Commission to study for possible revision the rules applicable to size and creel limits for black bass on the Amite River, Blind River, Tickfaw River, and Lake Maurepas with the intention of applying the same size and creel limits for black bass as those applicable to the Atchafalaya Basin and the Lake Verret-Lake Palourde area.

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

**HOUSE BILL NO. 215—**  
BY REPRESENTATIVE MONTGOMERY

AN ACT

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

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

**HOUSE CONCURRENT RESOLUTION NO. 220—**  
BY REPRESENTATIVES WILLARD AND CLARKSON

A CONCURRENT RESOLUTION

To recognize the historical significance of Lincoln Beach and the importance of its rehabilitation, to express legislative support for its rehabilitation, and to request that the assistant secretary of the office of cultural development of the Department of Culture, Recreation and Tourism evaluate the site for possible inclusion on the National Register of Historic Places.

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

**HOUSE CONCURRENT RESOLUTION NO. 221—**  
BY REPRESENTATIVE MCCALLUM

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study a successor's rights relative to transfers of succession interests in immovable property prior to the judicial opening of the succession, the effect of creating a preemptive period for actions arising out of transfers of succession interests in immovable property which occurred prior to the judicial opening of the succession, and to report its findings and recommendations to the Legislature of Louisiana no later than January 1, 2001.

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

**HOUSE CONCURRENT RESOLUTION NO. 222—**

BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

To memorialize the United States Congress to continue to support and fund the United States-Asia Environmental Partnership, the Environmental Technology Network for Asia, and the Council of State Governments' State Environmental Initiative.

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

**HOUSE CONCURRENT RESOLUTION NO. 233—**

BY REPRESENTATIVE LONG

A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors for the University of Louisiana System, the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, and the Board of Supervisors of Community and Technical Colleges, in consultation with the Board of Regents, to each adopt policies for the institutions under their respective jurisdictions to provide for the transfer and acceptance of all credits earned by students in programs and courses offered through the Southern Regional Electronic Campus and the application of such credits toward meeting specific degree program requirements.

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

**HOUSE CONCURRENT RESOLUTION NO. 236—**

BY REPRESENTATIVES WILKERSON AND DOWNER

A CONCURRENT RESOLUTION

To urge and request the office of state parks of the Department of Culture, Recreation and Tourism and other persons and agencies to proceed with efforts to make Camp Ruston a state commemorative area.

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

**HOUSE CONCURRENT RESOLUTION NO. 246—**

BY REPRESENTATIVES DOWNER, ANSARDI, BRUNEAU, DONELON, AND LANCASTER AND SENATORS BARHAM, BEAN, BRANCH, AND THEUNISSEN

A CONCURRENT RESOLUTION

To express the condolences and heartfelt sorrow of the Legislature of Louisiana upon the death of Command Sergeant Major (Retired) Harold Bobby Cook, former State Command Sergeant Major of the Louisiana Army National Guard.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Bajoie	Fields W	Lentini
Barham	Greene	Malone
Bean	Hainkel	Robichaux
Boissiere	Heitmeier	Romero
Cain	Hines	Schedler
Campbell	Hollis	Siracusa
Casanova	Irons	Smith
Cravins	Johnson	Theunissen
Dardenne	Jordan	Thomas

Dean  
Total—33

Lambert  
Ullo

NAYS

Total—0

ABSENT

Branch  
Cox  
Total—6

Dyess  
Fields C  
Jones  
Tarver

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

**HOUSE CONCURRENT RESOLUTION NO. 250—**

BY REPRESENTATIVES FAUCHEUX, QUEZAIRE, CHAISSON, AND ANSARDI AND SENATORS LANDRY AND LAMBERT

A CONCURRENT RESOLUTION

To urge and request the Louisiana Highway Safety Commission to study the cause or causes of the Mother's Day bus accident which occurred in New Orleans, Louisiana, and to report its findings and recommendations for prevention of future bus accidents to the House and Senate Transportation, Highways and Public Works Committees prior to January 1, 2000.

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

**HOUSE CONCURRENT RESOLUTION NO. 253—**

BY REPRESENTATIVE PERKINS

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to adopt rules and procedures permitting a city or parish school board, under specified circumstances, to add elective courses to its program of studies for high school students without obtaining the approval of the state Department of Education and for BESE to treat successful completion of such courses by students in the same manner as successful completion by students of elective courses that have been approved by the department.

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

**HOUSE CONCURRENT RESOLUTION NO. 255—**

BY REPRESENTATIVE WIGGINS

A CONCURRENT RESOLUTION

To urge and request the Department of Culture, Recreation and Tourism and the Department of Transportation and Development to preserve a portion of Military Highway as an historical route.

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

**HOUSE CONCURRENT RESOLUTION NO. 256—**

BY REPRESENTATIVE WINSTON

A CONCURRENT RESOLUTION

To commend Mandeville Elementary School upon being named a 1998-1999 Blue Ribbon School of Excellence by the United States Department of Education.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
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Bajoie	Fields W	Malone
Barham	Greene	Robichaux
Bean	Hainkel	Romero
Boissiere	Heitmeier	Schedler
Cain	Hines	Siracusa
Campbell	Irons	Smith
Casanova	Johnson	Theunissen
Cravins	Jones	Thomas
Dardenne	Lambert	Ullo
Dean	Landry	
Total—32		

NAYS

Total—0

ABSENT

Branch	Fields C	Tarver
Cox	Hollis	
Dyess	Jordan	
Total—7		

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

**House Bills and Joint Resolutions on Second Reading Subject to Call**

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

**Called from the Calendar**

Senator Jordan asked that House Bill No. 1020 be called from the Calendar at this time.

**HOUSE BILL NO. 1020—**  
BY REPRESENTATIVE MCCAIN  
AN ACT

To amend and reenact Code of Criminal Procedure Articles 327(A)(4) and (B) and 338, relative to criminal bail bonds; to provide for the form of the bail order; to provide for requirements of the bail undertaking; and to provide for related matters.

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

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON INSURANCE**

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

June 2, 1999

To the President and Members of the Senate:

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

**SENATE BILL NO. 820—**  
BY SENATOR EWING  
AN ACT

To amend and reenact R.S. 24:603.1, relative to health insurance; to require that an impact report be prepared and attached to proposed legislation which provides for certain mandated health insurance

coverage prior to any committee hearing on the legislation; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1125—**  
BY REPRESENTATIVE THERIOT  
AN ACT

To amend and reenact R.S. 22:627(B) and (C), relative to fees for insurance agents; to provide for fees; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1775—**  
BY REPRESENTATIVE DONELON  
AN ACT

To amend and reenact R.S. 22:337 and 1301(A)(2) and to enact R.S. 22:774(C) and 1351.1, relative to insurance; to delete certain provisions relative to nonprofit funeral associations; to provide relative to complaints; to authorize the commissioner to adopt certain rules; to provide for penalties for violation of a directive issued by the commissioner; and to provide for related matters.

Reported with amendments.

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

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

Reported with amendments.

**HOUSE BILL NO. 2263 (Substitute for House Bill No. 892 by Representative Clarkson)—**  
BY REPRESENTATIVE CLARKSON  
AN ACT

To enact R.S. 22:250.20, relative to health insurance; to prohibit the disclosure or transfer of information related to abuse status or abuse-related medical treatment by health insurance issuers and nonfederal governmental plans; to provide for conversion of individual insurance coverage for victims of domestic violence; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 2264 (Substitute for House Bill No. 1437 by Representative Morrish)—**  
BY REPRESENTATIVE MORRISH  
AN ACT

To enact R.S. 22:1474 and R.S. 23:1200.3, relative to insurance documents; to provide for the exclusive use; to provide for exceptions; to provide for agreements; to provide for mediation and arbitration; to provide for commissions; to provide for rules; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
GREGORY TARVER  
Chairman

**REPORT OF COMMITTEE ON HEALTH AND WELFARE**

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

June 2, 1999

To the President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 138—**

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To create the Louisiana Public Mental Health Review Commission to study the feasibility of restructuring the public mental health system to reflect the challenges facing the system in the twenty-first century.

Reported with amendments

**SENATE CONCURRENT RESOLUTION NO. 141—**

BY SENATOR HINES

A CONCURRENT RESOLUTION

To create a task force to study the impact of assisted conception and artificial means of reproduction relative to state law.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 59—**

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

A CONCURRENT RESOLUTION

To authorize and request the Louisiana State Law Institute to review the following statutory provisions and in all locations it deems appropriate change current references to the Department of Health and Human Resources to the correct agency indicated.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 94—**

BY REPRESENTATIVE COPELIN

A CONCURRENT RESOLUTION

To urge and request the House and Senate Health and Welfare Committees to meet and function as a joint committee to study potential reforms of the Medicaid system.

Reported favorably.

**HOUSE BILL NO. 171—**

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

AN ACT

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

Reported favorably.

**HOUSE BILL NO. 192—**

BY REPRESENTATIVE WILKERSON

AN ACT

To enact R.S. 46:153.3(B)(4), relative to medical vendor reimbursements under Medicaid; to authorize the Department of Health and Hospitals to apply for a Medicaid waiver to conduct a pilot project regarding anorexic drugs in the Medicaid program; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 442—**

BY REPRESENTATIVES SCHWEGMANN AND HOLDEN

AN ACT

To amend and reenact R.S. 46:2633(B), (C), and (D) and 2635(A), relative to the Louisiana Traumatic Head Injury and Spinal Cord Injury Trust Fund and its advisory board; to provide for the collection of fees on certain motor vehicle violations and crimes to be deposited in the fund; to provide for expenditures of the fund; to provide for the retention of unspent monies in the fund; to authorize the investment and retention of interest earned by the fund; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 574—**

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 40:2019(C)(8) and to enact R.S. 40:2019(C)(9), relative to the Louisiana State Child Death Review Panel established within the Department of Health and Hospitals; to provide relative to the membership of that panel; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 655—**

BY REPRESENTATIVE POWELL

AN ACT

To amend and reenact R.S. 37:3052(D) and 3073(A) and (B)(1), to enact R.S. 37:3077, and to repeal R.S. 37:3071(B)(1)(d) and (C), relative to the practice of electrology; to change requirements for licensure of electrologists; to change requirements for licensure of instructors of electrology; to establish continuing education requirements; to provide for the use of sterilized disposable equipment; to provide for an effective date; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 925—**

BY REPRESENTATIVES HAMMETT AND CARTER

AN ACT

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

Reported favorably.

**HOUSE BILL NO. 941—**

BY REPRESENTATIVE JOHN SMITH AND SENATOR LANDRY

AN ACT

To amend and reenact R.S. 37:2501(7), 2502, 2503(B), 2505(A), 2507(A) and (B), 2509(A)(4), 2510(A)(introductory paragraph) and (3), (B), and (D), and 2511(A) and (B) and to enact R.S. 37:2504(F), relative to the Board of Examiners for Nursing Facility Administrators; to provide for the levy and collection of fees by the board; to provide for per diem for members of the board; to provide relative to disciplinary proceedings held by the board; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1009—**

BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 37:3443(3)(c), 3446(A), and 3450(A), relative to the practice of vocational rehabilitation; to add activities under the definition of vocational rehabilitation services; to provide

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for fees charged by the licensing board; to prohibit certain activities related to vocational rehabilitation services by unlicensed persons; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1167—**  
BY REPRESENTATIVES JOHN SMITH AND HUDSON  
AN ACT

To amend and reenact R.S. 40:39.1, relative to vital records; to provide for the issuance of birth and death certificates by clerks of court; to provide for rules and regulations; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1175—**  
BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 40:1563.2(A) and (B)(2) and (4) and to repeal R.S. 40:1563.2(B)(1), relative to family child day care homes; to provide for inspections of such homes by the state fire marshal; to provide for fees; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1184—**  
BY REPRESENTATIVES THOMPSON AND HUDSON  
AN ACT

To enact R.S. 40:2197(G), relative to rural health clinics; to provide that a hospital-based rural health clinic operated by a rural hospital shall not be required to secure a separate license from the hospital license; to provide conditions for said exemption; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1191—**  
BY REPRESENTATIVES SCHWEGMANN, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To amend and reenact R.S. 46:107(A), relative to hearings by the Department of Social Services and the Department of Health and Hospitals; to provide for changes relative to requests for hearings regarding agency action concerning child placing agencies or day care centers; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1394—**  
BY REPRESENTATIVES TRICHE, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To amend and reenact R.S. 28:401(C)(8), relative to the Mental Retardation and Developmental Disabilities Services System; to increase the time for review of the evaluation and diagnosis of a recipient of mental retardation and developmental disability services; to provide for review at the request of certain persons; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1399—**  
BY REPRESENTATIVES JETSON, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To amend and reenact R.S. 46:2500(1) and (3), 2501, 2502, 2503(A), (B), and (C), 2504, and 2505(B), relative to addictive disorders; to change the name of the Louisiana Commission on Alcohol and Drug Abuse to the Louisiana Commission on Addictive Disorders; to change the name of the office of prevention and recovery from

alcohol and drug abuse to the office of addictive disorders; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1400—**  
BY REPRESENTATIVES JETSON, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To amend and reenact R.S. 40:1098.2(5), relative to public health and safety; to define "qualified professionals" as used in provisions of law on accessibility to preventive alcoholism and addiction counseling or treatment for minor children; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1401—**  
BY REPRESENTATIVES RIDDLE, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, DURAND, DANIEL, AND WILKERSON AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER  
AN ACT

To amend and reenact R.S. 46:153(G), relative to the Medicaid estate recovery program within the Department of Health and Hospitals; to provide that recovery shall not be sought against an estate of a deceased recipient under certain circumstances; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1443—**  
BY REPRESENTATIVES RIDDLE, DEWITT, DIEZ, AND DOWNER, AND SENATORS BARHAM, DARDENNE, EWING, HAINKEL, SCHEDLER, AND LANDRY  
AN ACT

To amend and reenact R.S. 46:460.5(A)(3), relative to statutory earned income disregards for certain Temporary Assistance for Needy Families Block Grant (TANF) recipients; to provide that months during which recipients receive the statutory earned income disregard shall not apply toward the eligibility limit; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1618—**  
BY REPRESENTATIVE RIDDLE  
AN ACT

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

Reported with amendments.

**HOUSE BILL NO. 1735—**  
BY REPRESENTATIVES JETSON AND MCMAINS  
AN ACT

To amend and reenact Children's Code Arts. 615(B)(4) and (5) and (E) and 616(A)(2) and to enact Children's Code Art. 615(B)(6) and (F), relative to disposition of reports in child abuse investigations; to provide for inconclusive reports; to provide relative to the disposition of inconclusive reports in child abuse investigations; and to provide for related matters.

Reported favorably.

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

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

Reported with amendments.

**HOUSE BILL NO. 1921—**  
BY REPRESENTATIVE PRATT  
AN ACT

To enact R.S. 40:1299.117, relative to obesity; to provide for classification of obesity as a disease according to certain criteria; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1987—**  
BY REPRESENTATIVE RIDDLE  
AN ACT

To enact R.S. 46:237, relative to unpaid child support; to authorize the Department of Social Services, office of family support, to enter into cooperative endeavors with private attorneys for the purpose of collecting unpaid child support; to provide for the release of certain information; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 2162—**  
BY REPRESENTATIVES ILES AND CLARKSON  
AN ACT

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

Reported favorably.

**HOUSE BILL NO. 2181—**  
BY REPRESENTATIVE WILKERSON  
AN ACT

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

Reported with amendments.

Respectfully submitted,  
DONALD E. HINES  
Chairman

**REPORT OF COMMITTEE ON**

**SENATE AND GOVERNMENTAL AFFAIRS**

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

June 2, 1999

To the President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 136—**  
BY SENATOR CAIN

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to pass the Flag Protection Amendment, an amendment to the Constitution of the United States giving Congress the authority to pass laws protecting the United States flag from desecration.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 205—**  
BY REPRESENTATIVE WESTON AND SENATOR DARDENNE  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to amend federal law relating to the compensation of retired military personnel to permit full, concurrent receipt of military longevity pay and service-connected disability compensation pay.

Reported favorably.

**HOUSE BILL NO. 9—**  
BY REPRESENTATIVES DOWNER, HUNTER, LANCASTER, MONTGOMERY, VITTER, WALSWORTH, FONTENOT, SCALISE, WADDELL, WILLARD, ALARIO, ALEXANDER, ANSARDI, BAUDOIN, BOWLER, BRUCE, BRUNEAU, CHAISSON, CLARKSON, CRANE, DAMICO, DANIEL, DEVILLE, DEWITT, DOERGE, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FRITH, GAUTREUX, GLOVER, GUILLARY, HAMMETT, HEATON, HILL, HUDSON, ILES, JENKINS, JOHNS, KENNARD, KENNEY, LANDRIEU, LEBLANC, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MORRISH, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, ROMERO, SALTER, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JOHN SMITH, STELLY, THERIOT, THOMPSON, THORNHILL, TOOMY, TRAVIS, WELCH, WESTON, WIGGINS, WILKERSON, WINDHORST, WINSTON, WOOTON, AND WRIGHT AND SENATOR EWING

AN ACT

To amend and reenact R.S. 47:6011(A)(2), to enact R.S. 24:38(E), (F), and (G), 39, 40, and Part II-A of Chapter 1 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:41 through 49, and to repeal R.S. 36:4(B)(2) and Subparts A, C, D, and E of Part VII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, comprised of R.S. 49:131 through 136, R.S. 49:145 and 146, R.S. 49:148 through 148.3, and R.S. 49:149 through 149.5, respectively, and R.S. 49:149.22, 149.23, and 150.1, relative to public buildings and grounds; to provide for the state capitol complex; to provide for the preservation of the State Capitol, the Capitol Annex, the Pentagon Barracks, the Old Arsenal Museum, and the surrounding grounds; to provide for the powers of the Legislative Budgetary Control Council; to provide for the powers and duties of the division of administration in relation to the state capitol complex; to provide for security services for the state capitol complex; to create the State Capitol Preservation Board; to provide for the powers and duties of the State Capitol Preservation Board; to provide for the necessary employees of the State Capitol Preservation Board; to define the state capitol complex; to provide relative to the master plan for the state capitol complex; to provide for certain offenses and penalties relating to certain actions within the state capitol complex; to provide for certain fees and deposits for certain activities within the state capitol complex; to remove provisions of law relative to the access and use of public buildings and grounds; to remove certain provisions of law relative to plaques and memorials; and to provide for related matters.

Reported with amendments.

June 2, 1999

**HOUSE BILL NO. 35—**  
BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 42:1404(A)(2) and (3) and (C), relative to the election of the employee member of the State Police Commission; to provide for procedures for such election; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 455—**  
BY REPRESENTATIVES LANCASTER, BRUNEAU, COPELIN, FONTENOT, GREEN, HUNTER, SHAW, WADDELL, AND WALSWORTH AND SENATOR DARDENNE

AN ACT

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

Reported favorably.

**HOUSE BILL NO. 456—**  
BY REPRESENTATIVES LANCASTER, BRUNEAU, COPELIN, FONTENOT, GREEN, HUNTER, SHAW, WADDELL, AND WALSWORTH AND SENATOR DARDENNE

AN ACT

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

Reported favorably.

**HOUSE BILL NO. 788—**  
BY REPRESENTATIVE LANCASTER

AN ACT

To enact R.S. 18:1461(C), relative to election offenses; to provide that any candidate who is elected to public office and is finally convicted of an election offense related to his campaign for such public office shall forfeit such office; to provide for the time and manner in which such public office is declared vacant; to provide for the filling of vacancies due to the forfeiture of the public office; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1150—**  
BY REPRESENTATIVE COPELIN

AN ACT

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

Reported favorably.

**HOUSE BILL NO. 1453—**  
BY REPRESENTATIVE MARTINY

AN ACT

To enact R.S. 33:1563(I) and (J), relative to public records; to provide for access to and copies of autopsy reports; to provide for a copy of the autopsy report for the next of kin free of charge; to establish a fee for copies of an autopsy report; to provide for the contents of such reports; to limit the public availability of the autopsy report in certain instances; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 2012—**  
BY REPRESENTATIVES MONTGOMERY, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 40:600.6(A)(4), relative to the Louisiana Housing Finance Agency; to provide with respect to the application of the Administrative Procedure Act to the agency for certain programs; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
JAY DARDENNE  
Chairman

**REPORT OF COMMITTEE ON  
COMMERCE AND CONSUMER PROTECTION**

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

June 2, 1999

To the President and Members of the Senate:

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

**HOUSE CONCURRENT RESOLUTION NO. 165—**  
BY REPRESENTATIVE TRAVIS

A CONCURRENT RESOLUTION

To approve the State of Louisiana Master Plan for Economic Development, as adopted by the Louisiana Economic Development Council.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 173—**  
BY REPRESENTATIVES MURRAY AND QUEZAIRE

A CONCURRENT RESOLUTION

To urge and request the Louisiana Public Service Commission to formulate and begin broadcasting public service announcements to warn consumers against the illegal practices of slamming and cramming.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 176—**  
BY REPRESENTATIVE SALTER

A CONCURRENT RESOLUTION

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

Reported favorably.

**HOUSE BILL NO. 13—**  
BY REPRESENTATIVE GUILLORY

AN ACT

To enact R.S. 51:1723(A)(1)(c) and to repeal R.S. 51:1724, relative to promotional contests; to prohibit the assessment of certain charges; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 49—**

BY REPRESENTATIVE HOLDEN  
AN ACT

To enact R.S. 9:3571.2, relative to credit reporting agency information and reports; to limit the circumstances for use of a consumer's credit report; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 56—**

BY REPRESENTATIVES MORRELL AND MURRAY  
AN ACT

To amend and reenact R.S. 9:3530(E), relative to credit cards; to provide for the termination of the assessment of over-the-credit-limit fees; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 144—**

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

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

Reported favorably.

**HOUSE BILL NO. 303—**

BY REPRESENTATIVE DONELON  
AN ACT

To amend and reenact R.S. 9:3550(D), relative to insurance premium finance agreements; to provide for premium checks; to provide for requirements; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 528—**

BY REPRESENTATIVE KENNARD  
AN ACT

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

Reported favorably.

**HOUSE BILL NO. 670—**

BY REPRESENTATIVES FARVE, MURRAY, HOLDEN, AND JETSON  
AN ACT

To enact R.S. 45:1166.1, relative to telephone services; to provide relative to certain long-distance telephone charges; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 727—**

BY REPRESENTATIVE MURRAY  
AN ACT

To enact R.S. 32:1734, relative to towing; to prohibit certain gate fees; to provide for a cause of action; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 758—**

BY REPRESENTATIVE WILLARD  
AN ACT

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

Reported with amendments.

**HOUSE BILL NO. 884—**

BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 9:3577.7, relative to the Louisiana Small Loan Law; to provide for prohibited acts; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 886—**

BY REPRESENTATIVES MURRAY, HUNTER, AND COPELIN  
AN ACT

To amend and reenact R.S. 26:911(C) and R.S. 47:843(A) and to enact R.S. 26:911(D), relative to the sale of certain tobacco products; to provide for the purposes of regulation and taxation of certain tobacco products, the minimum size of a package of cigarettes, and certain tobacco products which may be sold or distributed; to provide for exceptions; to provide for definitions; and to provide for related matters.

Reported with amendments.

**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.

Reported favorably.

**HOUSE BILL NO. 1265—**

BY REPRESENTATIVE MCMAINS  
AN ACT

To enact Chapter 14 of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:1081 through 1099, relative to residential mortgage brokers and lenders; to provide for a short title; to provide for legislative purpose; to provide for definitions; to provide for prohibitions; to provide for rules and regulations; to provide for requirement of licensure; to provide for exemptions from licensure, annual registration statements and fees; to provide for applications for licensure, issuance of licenses, and application and renewal fees; to provide for changes of name or location, closures, and fees; to provide for restrictions; to provide for recordkeeping and retention, examinations, and investigation of complaints; to provide for suspension and revocation of licensure, exemptions, and disposition of funds; to create and provide for the Residential Mortgage Lending Board and its powers; to provide for board certification, examination, and continuing education; to provide for the scope of the provisions; to provide for residential mortgage loans; to provide for items or charges not considered interest; to provide for residential mortgage loan brokerage contracts; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1266—**

BY REPRESENTATIVES LEBLANC, WINSTON, LONG, BARTON, DOERGE, FARVE, FRITH, MICHOT, MURRAY, PINAC, POWELL, SCHNEIDER, SCHWEGMANN, AND TRAVIS  
AN ACT

To enact R.S. 36:4(U) and Chapter 10-A of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1317

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through 1319, relative to the Louisiana Retirement Development Commission; to provide for membership; to provide for responsibilities and duties of the commission; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1269—**  
BY REPRESENTATIVE MURRAY  
AN ACT

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

Reported with amendments.

**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.

Reported favorably.

**HOUSE BILL NO. 1919—**  
BY REPRESENTATIVES TRAVIS AND MURRAY  
AN ACT

To amend and reenact R.S. 9:3516(22), to enact Chapter 2-A of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3578.1 through 3578.8, and to repeal Part XIX of Chapter 2 of Title 9 of the Revised Statutes of 1950, comprised of R.S. 9:3577.1 through 3577.8, relative to small loans and licensed lenders; to provide for the definition of "licensed lender"; to provide for a short title; to provide for legislative intent; to provide for definitions; to provide for finance charges and fees; to provide for rebate upon payment; to provide for prohibited acts; to provide for the posting of notice which includes a toll free number; to provide for powers of the commissioner and the adoption of rules and regulations; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1931—**  
BY REPRESENTATIVE LANDRIEU  
AN ACT

To repeal R.S. 37:104(3), relative to certified public accountants; to remove the requirement that a copy of a request for review be forwarded to the clerk of the Louisiana Supreme Court.

Reported favorably.

**HOUSE BILL NO. 1957—**  
BY REPRESENTATIVES MORRELL, FRITH, AND MURRAY  
AN ACT

To repeal R.S. 4:179.2, relative to horse racing; to repeal provision requiring horsemen's organizations to be incorporated.

Reported favorably.

**HOUSE BILL NO. 1969—**  
BY REPRESENTATIVES MORRELL, FRITH, AND MURRAY  
AN ACT

To amend and reenact R.S. 4:185(B)(1), relative to racing; to require the Horsemen's Bookkeeper to have on deposit a certain amount of funds; and to provide for related matters.

Reported favorably.

**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.

Reported favorably.

**HOUSE BILL NO. 2144—**  
BY REPRESENTATIVE WALSWORTH  
AN ACT

To enact R.S. 6:966.2, relative to additional default remedies; to provide for a notice of seizure; to provide for contents; to provide for fees; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 2169—**  
BY REPRESENTATIVE CLARKSON  
AN ACT

To amend and reenact R.S. 37:1435(F) and to enact R.S. 37:1435(H), relative to the Louisiana Real Estate Commission; to provide for powers and duties; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 2171—**  
BY REPRESENTATIVE CLARKSON  
AN ACT

To amend and reenact R.S. 37:1437(C)(2), (5), and (6)(a) and 1437.3(E)(1) and (3), relative to real estate licensees; to provide for education requirements for real estate brokers and salespersons; to provide for an exemption to education requirements; to provide relative to education requirements for licensees with inactive status; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 2189—**  
BY REPRESENTATIVES JETSON, MORRELL, MURRAY, AND WESTON  
AN ACT

To amend and reenact R.S. 51:2762(3), (5)(introductory paragraph) and (a), (9), (10), and (11), 2763, 2764(A), (B), and (C), 2766, and 2767(C) and to enact R.S. 51:2762(5)(e), relative to new assistive device warranties; to provide for definitions; to provide for express warranties and duties to repair; to provide for replacements or refunds; to provide for reimbursements for temporary replacement of assistive devices; to provide for actions for recovery of damages; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 2221—**  
BY REPRESENTATIVES MORRELL, FRITH, AND MURRAY  
AN ACT

To amend and reenact R.S. 4:217(D)(2) and to enact R.S. 4:150(E), relative to racing; to provide relative to minors owning horses; to provide relative to purse supplements; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
KEN HOLLIS  
Chairman

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

Senator Tarver asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just reported by Committees.

**SENATE BILL NO. 820—**  
BY SENATOR EWING  
AN ACT

To amend and reenact R.S. 24:603.1, relative to health insurance; to require that an impact report be prepared and attached to proposed legislation which provides for certain mandated health insurance coverage prior to any committee hearing on the legislation; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 820 by Senator Ewing

AMENDMENT NO. 1  
On page 2, line 13, after "obtaining," delete the remainder of the line in its entirety, delete lines 14 and 15 and insert in lieu thereof the following:

"through the health actuary of the Department of Insurance, the information"

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

**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:

June 2, 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 Resolutions have been properly enrolled:

**SENATE RESOLUTION NO. 44—**  
BY SENATORS COX, HINES, SCHEDLER, EWING, BRANCH, C. FIELDS, W. FIELDS DARDENNE, GREENE, LAMBERT, BAJOIE, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CASANOVA, CRAVINS, DEAN, DYESS, ELLINGTON, HAINKEL, HEITMEIER, HOLLIS, IRONS, JOHNSON, JONES, JORDAN, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SIRACUSA, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO  
A RESOLUTION

To commend Engineman 1st Class David Ravlin and Rescue Swimmer, Chad Raulston, together with the remaining crew and captain of the USS Shrike, Lieutenant Commander Dan Derbes, on the quick and decisive life-saving actions taken in pulling a woman from the Mississippi River.

**SENATE RESOLUTION NO. 45—**  
BY SENATORS SCHEDLER AND ROMERO  
A RESOLUTION

To urge and request the state treasurer to provide a briefing to the Senate to explain his plan for the most efficacious use of the tobacco settlement money.

Respectfully submitted,  
JAY DARDENNE  
Chairman

The foregoing Senate Resolutions were signed by the President of the Senate and presented to the Secretary of State by the Secretary.

**Message to the Secretary of State**

**SIGNED  
SENATE CONCURRENT RESOLUTIONS**

June 2, 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 Resolutions:

**SENATE CONCURRENT RESOLUTION NO. 44—**  
BY SENATOR C. FIELDS, AND REPRESENTATIVES BAYLOR, COPELIN, CURTIS, FARVE, GLOVER, GREEN, GUILLORY, HOLDEN, HUDSON, HUNTER, JETSON, MITCHELL, MORRELL, MURRAY, PIERRE, PRATT, QUEZAIRE, WELCH, WESTON AND WILKERSON  
A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Environmental Quality to prohibit Rhodia Incorporated from importing, offloading, and burning napalm at its facility in North Baton Rouge because of its proximity to Southern University and heavily populated communities in North Baton Rouge unless a risk management plan is implemented, certain chemical-specific air monitoring systems and a Community Alert System are installed and an evacuation program for Southern University is established.

**SENATE CONCURRENT RESOLUTION NO. 140—**  
BY SENATOR JONES  
A CONCURRENT RESOLUTION

To express the sincere condolences of the Louisiana Legislature on the death of Donnis Marie McDowell.

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

**Message to the Governor**

**SIGNED SENATE BILLS**

June 2, 1999

June 2, 1999

To the Honorable Governor of the State of Louisiana:

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

SENATE BILL NO. 4— BY SENATOR BAJOIE AND REPRESENTATIVES ANSARDI, MURRAY AND WILKERSON

AN ACT

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

SENATE BILL NO. 63— BY SENATOR BARHAM AND REPRESENTATIVES ANSARDI, BAYLOR, BRUCE, BRUNEAU, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DIMOS, DOWNER, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FRITH, GAUTREAU, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HOLDEN, HUDSON, HUNTER, JETSON, JOHNS, KENNEY, LONG, MARIONNEAU, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MICHOT, MORRISH, MURRAY, NEVERS, ODINET, PIERRE, POWELL, PRATT, QUEZAIRE, ROMERO, SALTER, SHAW, SNEED, STELLY, THERIOT, THOMPSON, THORNHILL, WADDELL, WALSWORTH, WELCH, WIGGINS, WILLARD AND WRIGHT

AN ACT

To amend and reenact R.S. 22:1401(J) of the Louisiana Revised Statutes of 1950, relative to the setting of automobile insurance rates; to provide for more frequent changes in automobile insurance rate; to provide that an insurer may apply for a decrease at any time; and to provide for related matters.

SENATE BILL NO. 188— BY SENATOR W. FIELDS AND REPRESENTATIVE WILKERSON

AN ACT

To enact R.S. 9:3538.1, relative to Louisiana consumer credit law; to provide that consumers shall have the right to cancel a mail and check solicitation sale; provides time period for cancellation; provides for warning language; provides for notice of cancellation; and to provide for related matters.

SENATE BILL NO. 190— BY SENATORS W. FIELDS, BAJOIE, C. FIELDS AND JOHNSON AND REPRESENTATIVE WILLARD

AN ACT

To enact R.S. 29:730.1, relative to the Louisiana Emergency Assistance and Disaster Act; to authorize a parish president, a parish governing authority, or a parish emergency/disaster agency to enter other parishes upon the request of the president, governing authority, or emergency/disaster agency of such parish to provide assistance during emergencies and disasters; and to provide for related matters.

SENATE BILL NO. 512— BY SENATORS CRAVINS AND LANDRY AND REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 37:1103(3) and 1107(D), relative to the Louisiana Mental Health Counselor Licensing Act; to revise the definition of "mental health counseling services"; to provide requirements for the renewal of a license by a licensed professional counselor; and to provide for related matters.

SENATE BILL NO. 578— BY SENATOR LANDRY

AN ACT

To enact R.S. 32:863.2(A)(6), relative to automobile insurance; to require notification of the cancellation of insurance under certain circumstances; and to provide for related matters.

SENATE BILL NO. 606— BY SENATOR GREENE AND REPRESENTATIVE MARIONNEAU

AN ACT

To enact R.S. 33:1236.25, relative to police juries; to authorize the governing authority of Pointe Coupee Parish to regulate construction of buildings and other structures over False River; to

authorize the regulation of the filling in of portions of False River adjacent to private and public property by the governing authority of Pointe Coupee Parish; and to provide for related matters.

SENATE BILL NO. 641— BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 22:1382(B)(3), relative to the Louisiana Insurance Guaranty Association; to provide for the right of intervention in receivership proceedings of insolvent insurance companies; and to provide for related matters.

SENATE BILL NO. 937— BY SENATOR BARHAM

AN ACT

To enact R.S. 56:637.1, relative to wild box turtles; to prohibit the commercial harvest of wild box turtles; to regulate the taking of wild box turtles for noncommercial purposes; to provide for penalties; and to provide for related matters.

SENATE BILL NO. 1006— BY SENATOR BARHAM

AN ACT

To authorize and provide for the transfer of certain state property, located in Morehouse Parish, from the state land office to the Morehouse Parish Police Jury; and to provide for related matters.

SENATE BILL NO. 12— BY SENATOR SMITH

AN ACT

To authorize and empower the secretary of the Department of Culture, Recreation and Tourism, for the office of state parks, to exchange title to certain described parcels of land in Winn Parish with Dr. L. R. Collier; and to provide for related matters.

SENATE BILL NO. 223— BY SENATORS CAMPBELL, BARHAM, BEAN, BOISSIERE, CAIN, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, HAINKEL, HINES, HOLLIS, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SIRACUSA, SMITH, THEUNISSEN, THOMAS AND ULLO AND REPRESENTATIVES CLARKSON, FRITH AND J.R. SMITH

AN ACT

To enact R.S. 56:116(D), relative to hunting; to create a "youth hunting" season for deer; and to provide for related matters.

SENATE BILL NO. 269— BY SENATOR DYESS AND REPRESENTATIVE WIGGINS

AN ACT

To amend and reenact R.S. 33:130.542(A)(3), relative to development districts; to provide relative to the Esler Industrial Development District; to increase the length of the commissioners' term of office; and to provide for related matters.

SENATE BILL NO. 349— BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 56:259(C), relative to open seasons and the taking of animals; to allow for the use of dogs while hunting nutria; and to provide for related matters.

SENATE BILL NO. 558— BY SENATOR THEUNISSEN

AN ACT

To repeal R.S. 56:251(A)(2)(b), relative to the possession limits for nonresident alligator hunters; and to provide for related matters.

SENATE BILL NO. 623— BY SENATOR COX

AN ACT

To amend and reenact R.S. 23:965(B)(1), relative to jury duty; to require any person called for a central jury pool to be granted a leave of absence by his employer; and to provide for related matters.

**SENATE BILL NO. 697—**  
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 23:1310.1(B), relative to workers' compensation; to provide with respect to requirements for ad hoc officers who preside over workers' compensation adjudicatory hearings; and to provide for related matters.

**SENATE BILL NO. 753—**  
BY SENATOR HEITMEIER AND REPRESENTATIVE WALSWORTH

AN ACT

To amend and reenact R.S. 11:2175(E)(6), relative to the Sheriffs Pension and Relief Fund; to provide for reemployment; to provide with respect to recomputation of retirement benefits; to provide for an effective date; and to provide for related matters.

**SENATE BILL NO. 1022—**  
BY SENATOR CAIN AND REPRESENTATIVE JOHN R. SMITH

AN ACT

To enact R.S. 33:4580, relative to special districts; to create the Vernon Parish Arena District; to provide for a board of commissioners as the governing authority of the board; to provide for the membership and terms of the board; to provide for duties and powers; and to provide for related matters.

**SENATE BILL NO. 1070—**  
BY SENATOR CAIN

AN ACT

To enact R.S. 33:4577(H), relative to the Beauregard Parish Covered Arena Authority; to provide for certain personnel of arena facility; to authorize board members to serve in certain positions; and to provide for related matters.

and they are hereby presented for executive approval.

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

**Message from the House**

**SIGNED HOUSE BILLS AND  
JOINT RESOLUTIONS**

June 2, 1999

To the Honorable President and Members of the Senate:

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

**HOUSE BILL NO. 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.

**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.

**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.

**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.

**HOUSE BILL NO. 342—**  
BY REPRESENTATIVE WINDHORST AND SENATORS LANDRY AND LENTINI

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.

**HOUSE BILL NO. 485—**  
BY REPRESENTATIVE FAUCHEUX AND SENATOR LAMBERT

AN ACT

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

**HOUSE BILL NO. 506—**  
BY REPRESENTATIVES WINDHORST, FRITH, AND SCHNEIDER AND SENATOR LENTINI

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.

**HOUSE BILL NO. 759—**  
BY REPRESENTATIVE WINDHORST AND SENATOR LENTINI

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.

**HOUSE BILL NO. 882—**  
BY REPRESENTATIVES ANSARDI AND MCMAINS AND SENATOR LANDRY

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.

**HOUSE BILL NO. 961—**  
BY REPRESENTATIVE JACK SMITH

AN ACT

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

June 2, 1999

**HOUSE BILL NO. 1258—**

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

AN ACT

To amend and reenact R.S. 30:128(B)(1), relative to penalties imposed for the untimely submission to the State Mineral Board for approval of transfers and assignments of mineral leases or mineral rights owned by the state; and to provide for related matters.

**HOUSE BILL NO. 1268—**

BY REPRESENTATIVES DURAND, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, DANIEL, FLAVIN, FRITH, HEBERT, AND HILL AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To authorize the state to exchange and convey title to certain state property in St. Martin Parish for certain properties owned by Atchafalaya Land Corporation; to provide terms and conditions; and to provide for related matters.

**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.

**HOUSE BILL NO. 1525—**

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

AN ACT

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

**HOUSE BILL NO. 1528—**

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

AN ACT

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

**HOUSE BILL NO. 1563—**

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

AN ACT

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

**HOUSE BILL NO. 1565—**

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

AN ACT

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

**HOUSE BILL NO. 1593—**

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

AN ACT

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

**HOUSE BILL NO. 1753—**

BY REPRESENTATIVE MCDONALD

AN ACT

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

**HOUSE BILL NO. 1822—**

BY REPRESENTATIVES TOOMY, BRUCE, AND MURRAY

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.

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

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

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

**Adjournment**

Senator Bean moved that the Senate adjourn until Thursday, June 3, 1999 at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Thursday, June 3, 1999.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk