

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

THIRTY-EIGHTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, June 3, 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 Greene, 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 Greene, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

Messages from the House

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

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

June 3, 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. 789—
BY SENATOR THOMAS

AN ACT

To enact R.S. 40:1234(H) and (I), relative to duties of emergency medical personnel; to provide for emergency medical service protocol in parishes without organized or functional medical societies; to require the Department of Health and Hospitals to promulgate rules relative to statewide emergency medical service protocols; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 448—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 42:1157(B), relative to ethics; to require the Board of Ethics staff to send a notice of delinquency of required filings where staff knows or has reason to know a filing is due; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 316—
BY SENATOR COX

AN ACT

To amend and reenact R.S. 11:1321 and 1322(B), relative to survivor benefits; to provide for the resumption of survivor benefits after the dissolution of a remarriage; to provide for limitations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 365—
BY SENATOR LENTINI

AN ACT

To enact R.S. 40:1484.11(5), relative to inspections of amusement attractions or rides; to exempt certain inflatable amusement rides and attractions from the Amusement Rides Safety Law; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 452—
BY SENATOR DARDENNE

AN ACT

To enact R.S. 42:1116(C), relative to ethics; to prohibit public servants having regulatory responsibilities from participating in certain transactions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 300—
BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 22:637.1, relative to insurance premiums; to provide for payment of interest on premium refunds due to overpayment by an insured; to remove certain exceptions to payments of interest on premium refunds; and to provide for related matters.

Reported with amendments.

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SENATE BILL NO. 373—

BY SENATORS IRONS, CAIN, CAMPBELL, HINES, SMITH, THEUNISSEN, ULLO, HOLLIS AND JOHNSON AND REPRESENTATIVES BRUNEAU, SCALISE AND WILLARD

AN ACT

To enact Part IX of Chapter 20 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:3391.1 through 3391.13, relative to a Formosan Termite Initiative project; to provide for a short title; to provide for purposes and legislative intent; to provide for the powers and duties of the commissioner; to provide for cooperative agreements and funding; to provide for quarantines; to provide for suppression zones and control programs; to provide for entry into premises and inspections; to provide for investigations; to provide for regulated articles and stop orders; to provide for enforcement and civil penalties; to create the Formosan Termite Initiative Fund; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 936—

BY SENATOR THOMAS

AN ACT

To amend and reenact R.S. 37:1518(A)(4), 1526(A)(2) and (B), 1549(A), 1551, 1552(3) and (4), 1553(4)(b), the introductory paragraph of 1554(A) and 1554(A)(2) through (6), 1556, 1557(C), and 1558 and to enact R.S. 37:1552(5), 1553(4)(c) and (d) and (6), 1554(A)(7) through (14), relative to the Louisiana Veterinary Practice Act; to provide for the issuance of subpoenas under certain circumstances; to provide for disciplinary actions of licensees; to provide for costs of proceedings; to provide for fees; to provide for legislative intent; to provide for rules; to provide for duties for a lead certified animal euthanasia technician; to provide for disciplinary actions of certified animal euthanasia technician; to provide for applicant license requirements; to provide for penalties for violations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1048 (SUBSTITUTE FOR SENATE BILL 928 BY SENATOR JOHNSON)—

BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 36:109(R), the heading of Chapter 20 of Title 51 of the Louisiana Revised Statutes of 1950, and R.S. 51:1751, 1752(1), (2), (3), (4) and (5), 1753(A), (B)(2), (3), and (4), 1754(A), 1755(A) and (D), 1756(1), (2), (5), and (6), 1757, 1758, 1760(A) and (B), 1761, 1764, 1765(A) and (C)(2), and to enact R.S. 51:1755(F), relative to economic development; to provide for the Louisiana Small and Emerging Business Act; to provide for applications; to provide for certification; to provide for duties, to provide for reports; to provide for complaints; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 832—

BY SENATOR ROMERO

AN ACT

To amend and reenact Code of Civil Procedure Article 1732, relative to civil jury trials; to repeal the prohibition against jury trials in suits on admiralty or general maritime claims in state court; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 362—

BY SENATOR LANDRY AND IRONS

AN ACT

To amend and reenact R.S. 32:295.1(F), relative to the required use of safety belts; to delete the provision prohibiting vehicles and

occupants from being detained for failure to wear a safety belt; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 245—

BY SENATOR HINES

A JOINT RESOLUTION

Proposing to amend Article III, Section 2 (A) of the Constitution of Louisiana, to authorize the consideration of certain matters during regular sessions in even-numbered years which are not within the subject matter limitations for such sessions; to provide for the submission of the proposed amendment to the electors; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

SENATE BILL NO. 263—

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

AN ACT

To enact R.S. 49:191(12) and to repeal R.S. 49:191(10)(d), relative to the Department of Revenue, including provisions to provide for the re-creation of the Department of Revenue 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 with amendments.

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 146—

BY SENATOR SMITH

A CONCURRENT RESOLUTION

To commend the Louisiana forestry industry, loggers and landowners for their commitment to Louisiana's forests.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Landry
Bajoie	Ellington	Lentini
Barham	Fields C	Robichaux
Bean	Fields W	Romero
Branch	Greene	Schedler
Cain	Heitmeier	Siracusa
Campbell	Hines	Smith
Cox	Hollis	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jordan	Thomas
Dean	Lambert	Ullo
Total—33		

NAYS

Total—0

ABSENT

Boissiere	Hainkel	Jones
Casanova	Irons	Malone
Total—6		

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

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
NATURAL RESOURCES**

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

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To the President and Members of the Senate:

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

HOUSE BILL NO. 243—
BY REPRESENTATIVES DEWITT, FRITH, AND PINAC
AN ACT

To enact R.S. 56:104(A)(7), relative to wildlife and fisheries; to provide relative to the obtaining of hunting licenses to authorize a person born in Louisiana and possessing a valid Louisiana birth certificate to purchase a basic trip hunting license at a reduced cost; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 647—
BY REPRESENTATIVES JOHN SMITH AND DEWITT
A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(A) and (B) of the Constitution of Louisiana, to authorize the investment in stocks of certain trust funds dedicated for use by the Department of Wildlife and Fisheries; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 998—
BY REPRESENTATIVES JOHN SMITH AND TRICHE
AN ACT

To enact R.S. 49:191(11)(g) and to repeal R.S. 49:191(10)(j), relative to the Department of Wildlife and Fisheries, including provisions to provide for the re-creation of the Department of Wildlife and Fisheries 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 with amendments.

HOUSE BILL NO. 1570—
BY REPRESENTATIVE DOWNER
AN ACT

To authorize and provide for the joint occupancy, management, and use of certain state property; to provide for joint occupancy, management, and use of certain property by the Department of Public Safety and Corrections and the Military Department; to provide for use of the property by the Military Department, office

of emergency preparedness, as an office of emergency preparedness operations center; to provide for the use of the property by the Department of Public Safety and Corrections, office of state police, for the purpose of emergency preparation and response; to require a Memorandum of Understanding to be entered into by the departments regarding joint occupancy, management, and use of the property; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2194—
BY REPRESENTATIVES SCHNEIDER AND CLARKSON AND SENATOR SCHEDLER

AN ACT

To enact R.S. 56:1431, relative to Bayou Liberty in St. Tammany Parish; to provide for the clearing of a portion of such bayou; to prohibit and provide relative to expropriation of property along a portion of Bayou Liberty; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
CRAIG F. ROMERO
Chairman

**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. 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.

Floor Amendments Sent Up

Senator Jordan sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Jordan to Engrossed House Bill No. 1020 by Representative McCain (Duplicate of Senate Bill No. 562 by Senator Jordan)

AMENDMENT NO. 1
On page 1, line 3, delete "and 338"

AMENDMENT NO. 2
On page 1, line 3, after "to provide for" delete the remainder of the line and on line 4, delete "bail order;" and insert in lieu thereof the following:

"a single amount of bail for each charge;"

AMENDMENT NO. 3
On page 1, lines 7 and 8, delete "and 338"

AMENDMENT NO. 4
On page 1, line 14, change "may" to "shall"

AMENDMENT NO. 5
On page 1, line 15, change "releasing" to "release"

AMENDMENT NO. 6
On page 2, delete lines 7 through 15 in their entirety.

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On motion of Senator Jordan, the amendments were 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 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. 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, GAUTREAU, 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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 9 by Representative Downer

AMENDMENT NO. 1

On page 3, line 13, change "July" to "June"

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

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

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

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

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

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

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

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 192 by Representative Wilkerson

AMENDMENT NO. 1

On page 1, line 15, change "Association" to "Administration"

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

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

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

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

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

HOUSE BILL NO. 528—
BY REPRESENTATIVE KENNARD
AN ACT

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

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

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 574 by Representative Lancaster

AMENDMENT NO. 1

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

"(8) ~~A licensed forensic pathologist serving as a coroner in the state appointed by the president of the Louisiana Coroner's Association; subject to Senate confirmation.~~

(9) A forensic pathologist certified by the American Board of Pathology and licensed to practice medicine in the state appointed by the chairman of the Louisiana State Child Death Review Panel."

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

HOUSE BILL NO. 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

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requirements; to provide for the use of sterilized disposable equipment; to provide for an effective date; and to provide for related matters.

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

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

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

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Engrossed House Bill No. 758 by Representative Willard

AMENDMENT NO. 1
On page 2, line 6, after "services," insert "The provisions of this Subparagraph shall not apply to dealer added options or accessories which are permanently affixed to the vehicle."

AMENDMENT NO. 2
On page 2, line 17, after "services," insert "The provisions of this Subparagraph shall not apply to dealer added options or accessories which are permanently affixed to the vehicle."

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

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

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

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Reengrossed House Bill No. 886 by Representative Murray

AMENDMENT NO. 1
On page 1, line 2, delete "and to enact R.S." and on line 3, delete "26:911(D)"

AMENDMENT NO. 2
On page 1, line 6, after "distributed;" delete the remainder of the line, and on line 7, delete "to provide for definitions;"

AMENDMENT NO. 3
On page 1, at the end of line 9, delete "and R.S." and on line 10, delete "26:911(D) is hereby enacted"

AMENDMENT NO. 4
On page 2, delete lines 9 through 12

AMENDMENT NO. 5
On page 2, line 16, delete "(1)"

AMENDMENT NO. 6
On page 3, delete lines 8 through 11

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

HOUSE BILL NO. 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 by the Committee on Health and Welfare. The bill was read by title and recommitted to the Committee on Finance.

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

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

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 1009 by Representative Durand

AMENDMENT NO. 1
On page 1, line 2, after "3446(A)" insert "3448,"

AMENDMENT NO. 2
On page 2, between lines 23 and 24, insert the following:

- "§3448. License without examination
A. For a period of one year from December 31, 1988, the board shall waive both written and oral examination and shall issue a license as a licensed professional vocational rehabilitation counselor to each applicant who files an application upon a form and in such manner as the board prescribes, accompanied by such fees required by R.S. 37:3446, and who furnished satisfactory evidence to the board that he:
- (1) Is at least twenty-one years old.
 - (2) Is of good moral character.
 - (3) Is not in violation of any of the provisions of this Chapter and the rules and regulations adopted hereunder.
 - (4) Has received one of the following:

(a) A master's degree in rehabilitation counseling or related field and two years experience in a vocational rehabilitation setting.

(b) A bachelor's degree in rehabilitation counseling or related field and five years experience in a vocational rehabilitation setting.

(c) Certified rehabilitation counselor or certified insurance rehabilitation specialist and ten years of vocational rehabilitation experience.

B.(1) Notwithstanding the provisions of this Chapter to the contrary, specifically R.S. 37:3447, the board shall waive both written and oral examination and shall issue a license as a licensed professional vocational rehabilitation counselor to each applicant who files an application upon a form and in such manner as the board prescribes, accompanied by such fees required by R.S. 37:3446, and who furnished satisfactory evidence to the board that he:

- (a) Is at least twenty-one years old.
 - (b) Is of good moral character.
 - (c) Is not in violation of any of the provisions of this Chapter and the rules and regulations adopted hereunder.
 - (d) Has received a master's degree in rehabilitation counseling or related field.
 - (2) Renewals of licenses issued pursuant to the provisions of this Subsection shall not be issued without submission of the proper fees and sufficient proof that the licensee has completed the required continuing education hours.
- * * *

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

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

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

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

SENATE COMMITTEE AMENDMENTS

June 3, 1999

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 1167 by Representatives Smith and Hudson

AMENDMENT NO. 1

On page 1, line 13, after the period "." delete the remainder of the line and delete lines 14 through 16 in their entirety and insert the following:

"Such rules shall apply only to issuance of those birth and death records that can be issued electronically from Vital Records Registry birth and death databases and shall include the following:

(1) Automated access, retrieval, and production of short form birth certificates, long form birth certificates, and death certificates by the clerks of district courts using the data network available to the secretary of state.

(2) Record searches and certifications to be accomplished by the offices of the clerks of court.

(3) Sale of certified copies of birth and death certificates produced and certified by the offices of the clerks of court."

AMENDMENT NO. 2

On page 2, line 10, between "40:40" and the period "." insert the following:

"and to the secretary of state such amount, not to exceed four dollars per certificate, as established by the secretary of state for costs necessary to implement this Section. Clerks shall retain two dollars for each transaction to cover the cost of providing the service and shall transfer the remainder of the money to the Department of Health and Hospitals, office of public health on the first day of each month for deposit in a special account entitled Vital Records Conversion Fund. The fund shall be dedicated to the conversion of old birth and death records to an electronic format suitable for electronic issuance. Funds held in the special account shall be dispersed for no other purpose than the conversion of birth and death records, and then only in accordance with law. The funds shall carry from year to year until such time as the statutory authority for the fund is revoked"

AMENDMENT NO. 3

On page 2, line 11, after "courts" insert "and the secretary of state"

AMENDMENT NO. 4

On page 2, at the end of line 15, insert the following: "Any birth certificate or death certificate produced and certified by the clerk of a district court shall be accepted as the original record."

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

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

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

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

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Engrossed House Bill No. 1265 by Representative McMains

AMENDMENT NO. 1

On page 1, line 3, change "1099" to "1098"

AMENDMENT NO. 2

On page 1, line 15, after "for" delete "board"

AMENDMENT NO. 3

On page 2, line 5, change "1099" to "1098"

AMENDMENT NO. 4

On page 3, at the end of line 14, delete "any" and at the beginning of line 15, delete "person" and insert "persons"

AMENDMENT NO. 5

On page 4, line 15, after "property" insert ", including a mobile home which will be immobilized pursuant to R.S. 9:1149,"

AMENDMENT NO. 6

On page 6, line 2, delete "company" and insert "companies"

AMENDMENT NO. 7

June 3, 1999

On page 6, at the end of line 5, after "persons" insert ", including those acting as originators"

AMENDMENT NO. 8

On page 7, at the end of line 4, after "year" insert ", including those acting as originators"

AMENDMENT NO. 9

On page 7, between lines 4 and 5, insert the following:

"(11) Any insurance company and any resident or non-resident insurance agent or agency licensed under Title 22 of the Louisiana Revised Statutes whose primary business is not that of a mortgage lender, broker, or originator."

AMENDMENT NO. 10

On page 7, delete lines 5 through 22, and insert the following:

"C.(1) The following employers and their employees shall be exempt from the provisions of Part II of this Chapter; however, the employers shall file a registration statement as required in R.S. 6:1087(E):

(a) Any person licensed, supervised, or audited by the Federal National Mortgage Association, the Federal Home Loan Mortgage Corporation, or the Government National Mortgage Association as an approved seller, servicer, mortgagee, or issuer, and any subsidiary or affiliate of such person subject to licensing, supervision, or auditing by the United States Department of Housing and Urban Development as an approved seller, servicer, mortgagee, or issuer, or who has satisfied Veterans Administration requirements to qualify for automatic authority.

(b) Any insurance company.

(2) The following persons shall be exempt from the licensing provisions of this Chapter; however, such persons shall file a registration statement as required in R.S. 6:1087(E):

(a) Any person subject to licensing, supervision, or auditing by the United States Department of Housing and Urban Development as an approved seller, servicer, mortgagee, or issuer, or who has satisfied Veterans Administration requirements to qualify for automatic authority.

(b) Any person authorized to engage in business as a licensed lender under the laws of any state or territory of the United States, or the District of Columbia.

(c) Any private investor who makes or invests in residential mortgage loans in this state through persons who are licensed or registered according to the provisions of this Chapter, or who are exempt from the provisions of this Part."

AMENDMENT NO. 11

On page 8, at the end of line 5, delete "annual" and insert "initial"

AMENDMENT NO. 12

On page 8, line 11, at the beginning of the line, after "office," insert "and" and after "state" insert ", if any,"

AMENDMENT NO. 13

On page 8, line 12, after "activities" delete ", and if the registrant" and insert a period "." and delete lines 13 and 14.

AMENDMENT NO. 14

On page 8, at the end of line 22, delete the comma "," and insert a period "." and delete lines 23 and 24.

AMENDMENT NO. 15

On page 9, between lines 10 and 11, insert the following:

"(g) The commissioner may accept documentation submitted by the registrant for filing with the federal Securities and Exchange Commission or with the appropriate regulatory agency in the registrant's home state in lieu of the initial registration statement required herein."

AMENDMENT NO. 16

On page 9, line 18, delete "material"

AMENDMENT NO. 17

On page 9, line 20, delete "which occur" and insert "occurring" and after "effect" insert "which would cause the registrant to lose the exemption claimed"

AMENDMENT NO. 18

On page 10, line 10, after "state" insert ", if any,"

AMENDMENT NO. 19

On page 10, line 25, after "shareholder," insert "and"

AMENDMENT NO. 20

On page 10, at the end of line 26, delete the comma "," and insert a period "."

AMENDMENT NO. 21

On page 11, delete lines 1 and 2.

AMENDMENT NO. 22

On page 11, line 13, after "state" insert ", if any,"

AMENDMENT NO. 23

On page 12, line 24, after "office" delete "in the state"

AMENDMENT NO. 24

On page 14, at the end of line 11, after "license if" insert "either"

AMENDMENT NO. 25

On page 14, at the end of line 22, delete "Each application for" and delete lines 23 through 25.

AMENDMENT NO. 26

On page 15, delete lines 8 through 13 and insert the following:

"(2) A residential mortgage lender shall notify the commissioner of a change in the location or name of the business, or the addition of offices, in writing prior to the change. A notice of change of location or name, or addition of offices, shall be accompanied by a filing fee of one hundred dollars."

AMENDMENT NO. 27

On page 17, line 19, after "Chapter," insert the following:

"Required records may be maintained in any electronic format consistent with the residential mortgage lender's ordinary business practices unless the licensee receives specific written instructions from the commissioner to the contrary."

AMENDMENT NO. 28

On page 18, line 19, after "6:1087(C)(1)," delete "(2), or (3)," and insert "(2)(a), or (2)(b)."

AMENDMENT NO. 29

On page 22, line 17, after "D." delete "(1)"

AMENDMENT NO. 30

On page 22, line 19, after "treasury" insert "into the Louisiana Consumer Credit Education Fund created pursuant to R.S. 9:3555 and may be used as provided for in R.S. 9:3555."

AMENDMENT NO. 31

On page 22, delete lines 20 through 26.

AMENDMENT NO. 32

On page 23, delete lines 1 through 13.

AMENDMENT NO. 33

On page 23, line 22, delete "nine" and insert "five" and delete "eight" and insert "four"

AMENDMENT NO. 34

On page 23, line 23, delete "governor" and insert "commissioner"

AMENDMENT NO. 35

On page 23, line 25, delete "governor" and insert "commissioner" and delete "two" and insert "one"

AMENDMENT NO. 36

On page 24, line 1, after "mortgage" delete "brokers and at least two mortgage lenders" and insert "broker and at least one mortgage lender"

AMENDMENT NO. 37

On page 24, line 7, after "licensed" insert "or registered"

AMENDMENT NO. 38

On page 24, line 10, after "(3)" delete the remainder of the line, and on line 11, delete "confirmation."

AMENDMENT NO. 39

On page 24, line 22, delete "Five" and insert "Three"

AMENDMENT NO. 40

On page 25, line 3, delete "board." and insert "commissioner. The commissioner shall provide staff support to the board."

AMENDMENT NO. 41

On page 25, delete lines 5 through 15, and insert the following:

"(1) Advise the commissioner in connection with the commissioner's adoption of standards and policies under which credit shall be given for participation in a program of continuing professional education such as the commissioner, in consultation with the board, may consider necessary and appropriate to maintain the highest standards of the residential mortgage lending business in the state.

"(2) Engage in such other advisory activities as the commissioner, in his sole discretion, shall deem useful."

AMENDMENT NO. 42

On page 25, line 18, delete "board" and insert "commissioner"

AMENDMENT NO. 43

On page 25, line 22, delete "board" and insert "commissioner"

AMENDMENT NO. 44

On page 25, line 23, delete "Board certification" and insert "Professional education required for licensure"

AMENDMENT NO. 45

On page 25, delete lines 24 and 25.

AMENDMENT NO. 46

On page 26, delete lines 1 and 2, and insert the following:

"A. Beginning July 1, 2000, the commissioner shall require all applicants for licensure to have completed ten hours of professional education prior to the date on which the application is submitted. The commissioner, in consultation with the board, shall establish guidelines, by rule, governing the required professional education."

AMENDMENT NO. 47

On page 26, line 3, change "2000" to "2001" and after "applicant" insert "for licensure"

AMENDMENT NO. 48

On page 26, line 4, delete "board" and insert "commissioner"

AMENDMENT NO. 49

On page 26, line 5, delete "board" and insert "commissioner"

AMENDMENT NO. 50

On page 26, line 12, delete "board" and insert "commissioner"

AMENDMENT NO. 51

On page 26, line 13, delete "board" and insert "commissioner"

AMENDMENT NO. 52

On page 26, line 15, delete "board or its" and insert "commissioner or his"

AMENDMENT NO. 53

On page 26, line 17, delete "January 1, 2001" and insert "July 1, 2001"

AMENDMENT NO. 54

On page 26, line 18, delete "board certification" and insert "their mortgage broker, mortgage lender, or originator license"

AMENDMENT NO. 55

On page 26, line 20, delete "certification" and insert "license"

AMENDMENT NO. 56

On page 26, line 21, delete "board" and insert "commissioner"

AMENDMENT NO. 57

On page 26, line 22, delete "board" and insert "commissioner"

AMENDMENT NO. 58

On page 26, line 25, after "such" delete the remainder of the line and on page 27, delete lines 1 and 2, and insert the following:

"license. Proof of the applicant's completion of these continuing professional requirements shall be submitted as part of the applicant's license renewal application."

AMENDMENT NO. 59

On page 27, line 3, delete "board" and insert "commissioner"

AMENDMENT NO. 60

On page 27, line 6, delete "board" and insert "the commissioner's"

AMENDMENT NO. 61

On page 27, line 7, delete "board" and insert "commissioner"

AMENDMENT NO. 62

On page 27, line 10, after "by the" delete "board" and insert "commissioner" and after "satisfy" delete "board" and insert "the commissioner's"

AMENDMENT NO. 63

On page 27, delete lines 14 through 20, and insert the following:

"shall demonstrate that he has completed the educational requirements established under the provisions of this Chapter or is entitled to certification by reciprocity. When the commissioner, in consultation with the board, determines that a nonresident's state has requirements equivalent to or higher than the educational requirements provided for in this Chapter for insuring the qualifications of those engaging in the residential mortgage lending business, the commissioner may issue licenses to such nonresident applicants who have completed the professional education requirements applicable to Louisiana licensees, or who have"

AMENDMENT NO. 64

On page 27, line 22, after "jurisdiction," delete the remainder of the line, and delete lines 23 through 25.

AMENDMENT NO. 65

On page 28, delete lines 1 and 2, and on line 3, delete "applicants for certification," and insert the following:

"(2) The nonresident's application for educational certification by reciprocity shall be submitted as part of the nonresident's application for licensure."

AMENDMENT NO. 66

On page 28, line 5, delete "board" and insert "commissioner"

AMENDMENT NO. 67

On page 28, line 7, delete "board" and insert "commissioner"

AMENDMENT NO. 68

On page 28, line 9, delete "board" and after "determination" insert "by the commissioner"

AMENDMENT NO. 69

On page 28, line 11, delete "board" and insert "commissioner"

AMENDMENT NO. 70

On page 28, line 16, delete "certification" and insert "license"

AMENDMENT NO. 71

On page 28, line 20, delete "certification" and insert "educational"

AMENDMENT NO. 72

On page 28, delete lines 22 through 26, and on page 29, delete lines 1 and 2.

AMENDMENT NO. 73

On page 29, line 4, change "1096" to "1095"

AMENDMENT NO. 74

On page 30, line 8, change "1097" to "1096"

AMENDMENT NO. 75

On page 30, delete lines 19 through 21 and insert the following:

"fees and interest up to a maximum annual percentage rate, as defined by federal Regulation Z (12CFR§226.4), in an amount which is the greater of either twenty-one percent or fifteen percentage points above the Federal Reserve Board of Governors approved "Discount Rate" published semi-annually in the Wall Street Journal on the first business day in January and July in the year the loan was originated, consummated, or renewed."

AMENDMENT NO. 76

On page 32, line 5, change "1098" to "1097"

AMENDMENT NO. 77

On page 32, line 8, after "expenses" delete the remainder of the line, and on line 9, delete "not included in the calculation of interest" and insert "not defined as finance charges under federal Regulation Z"

AMENDMENT NO. 78

On page 32, line 10, after "specified" delete "shall not be considered interest" and insert "may be assessed"

AMENDMENT NO. 79

On page 32, line 14, after "Charges," delete the remainder of the line and insert "in the amount of five percent of the unpaid amount but not exceeding twenty-five dollars."

AMENDMENT NO. 80

On page 33, at the end of line 18, delete "provided" and insert "specified"

AMENDMENT NO. 81

On page 33, line 20 after "provided" delete the remainder of the line and delete line 21, and insert "in a writing signed by the consumer."

AMENDMENT NO. 82

On page 33, line 22, change "1099" to "1098"

On motion of Senator Hollis 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. 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 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 by the Committee on Commerce and Consumer Protection. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Reengrossed House Bill No. 1269 by Representative Murray

AMENDMENT NO. 1

On page 1, line 3, after "1253(A)" insert "(2) and "

AMENDMENT NO. 2

On page 1, line 6, after "32:1252" insert "(1.1), "

AMENDMENT NO. 3

On page 1, line 8, after "(6)(r)," delete "and (8)" and insert "(8), (9), and (10)"

AMENDMENT NO. 4

On page 2, line 4, after "1253(A)" insert "(2) and "

AMENDMENT NO. 5

On page 2, line 8, after "32:1252" insert "(1.1), "

AMENDMENT NO. 6

On page 2, line 9, after "(6)(r)," delete "and (8)" and insert "(8), (9), and (10)"

AMENDMENT NO. 7

On page 2, line 17, after "emergency" insert "and non-emergency"

AMENDMENT NO. 8

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

"(1.1) "Broker" means a person who, for a fee or commission, arranges or offers to arrange a transaction involving the sale, for purposes other than resale, of a new motor vehicle, and who is not:

(a) A motor vehicle dealer, or bona fide employee of a motor vehicle dealer, when acting on behalf of a motor vehicle dealer.

(b) A manufacturer, distributor, convertor, or bona fide employee of a manufacturer, distributor or convertor, when acting on behalf of a manufacturer, distributor or convertor.

(c) At any point in the transaction, the bona fide owner of the motor vehicle involved in the transaction."

AMENDMENT NO. 9

On page 7, line 18, delete "fourteen" and insert "fifteen"

AMENDMENT NO. 10

On page 7, between lines 20 and 21, insert the following:

"(2) Each of the commissioners appointed under the provisions of Paragraph (1) of this Subsection shall have been actively engaged in the brokering, manufacture, distribution, sale, lease, rental, or financing of motor vehicles in this state under a license issued by the Louisiana Motor Vehicle Commission for not less than five consecutive years prior to such appointment and be a holder of such a license at all times while a member of the commission. Being engaged in more than one such pursuit shall not disqualify a person otherwise qualified from serving on the commission. Of these members, one member shall be primarily engaged in the business of lease or rental, one member shall be primarily engaged in the business of brokering, and one member shall be primarily engaged in the business of sales finance."

AMENDMENT NO. 11

On page 7, line 24, after "deciding" insert "matters concerning brokers"

AMENDMENT NO. 12

On page 8, line 3, after "by a" insert "consumer, motor vehicle dealer, or manufacturer against a broker."

AMENDMENT NO. 13

On page 8, at the end of line 8, after "Should a" insert "consumer, broker."

AMENDMENT NO. 14

On page 9, line 23, after "representative," insert "broker."

AMENDMENT NO. 15

On page 10, line 24, after "distributor," insert "broker."

AMENDMENT NO. 16

On page 11, line 4, after "dealer," delete "or" and after "center" insert ", or broker"

AMENDMENT NO. 17

On page 12, line 22, after "franchisor," insert "broker."

AMENDMENT NO. 18

On page 15, between lines 4 and 5, insert the following:

"(8) For a broker:

(a) To hold himself out to any person as a "broker," "purchasing company," "sales agent," or similar title, engaged in the business of broker, or otherwise engage in the solicitation or procurement of prospective purchasers for motor vehicles not titled in the name of and registered to the broker, unless the broker holds a valid broker license and is in compliance with the terms of this Chapter.

(b) To sell, or offer to sell, or display a new motor vehicle.

(c) To be paid a fee by a dealer.

(d) To sign a motor vehicle manufacturer's statement of origin to a vehicle, accept an assignment of a manufacturer's statement of origin to a vehicle, or otherwise assume any element of title to a new motor vehicle.

(e) To act in the capacity of or engage in the business of broker without a valid license issued as provided by this Chapter and a valid appointment from a lessor to act on behalf of the lessor in soliciting prospective lease clients or customers as provided by this Chapter.

(f) To fail to execute a written brokering agreement and provide a completed copy to both of the following:

(i) Any consumer entering into the brokering agreement. The completed copy shall be provided prior to the consumer's signing of an agreement for the purchase of the vehicle described in the brokering agreement, or, prior to accepting one hundred dollars or more from that consumer, whichever comes first.

(ii) The selling dealer. The completed copy shall be provided to the selling dealer's entering into a purchase agreement with the consumer at the time of delivery.

(g) To accept a purchase deposit from any consumer that exceeds two point five percent of the selling price of the vehicle described in the brokering agreement.

(h) To fail to refund any purchase money, including purchase deposits, upon demand by a consumer at any time prior to the consumer's signing of a vehicle purchase agreement with a selling dealer of the vehicle described in the brokering agreement.

(i) To fail to cancel a brokering agreement and refund, upon demand, any money paid by a consumer, including and brokerage fee, under any of the following circumstances:

(i) When the final price of the brokered vehicle exceeds the purchase price listed in the brokering agreement.

(ii) When the vehicle delivered is not as described in the brokering agreement.

(iii) When the brokering agreement expires prior to the customer being presented with a purchase agreement from a selling dealer arranged through the brokering dealer that contains

a purchase price at or below the price listed in the brokering agreement.

(j) To act as a seller and provide brokering services, both in the same transaction.

(k) To fail to disclose to the consumer the dollar amount of any fee that the consumer is obligated to pay to the broker. This arrangement shall be confirmed in a brokering agreement.

(l) To fail to maintain, for a minimum of three years, a copy of the executed brokering agreement and other notices and documents related to each brokered transaction.

(m) To fail to advise the consumer, prior to accepting any money, that a full refund will be given if the motor vehicle ordered through the broker is not obtained for the consumer.

(9) A person acting as a broker in a transaction involving the sale, for purposes other than resale, of a used motor vehicle, must be licensed under the provisions of Chapter 4-B of Title 32 of the Louisiana Revised Statutes, but must comply with the provisions of R.S. 32:1254(N)(8) and the rules promulgated hereunder."

AMENDMENT NO. 19

On page 15, line 5, delete "(8)" and insert "(10)"

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

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

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

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 1400 by Representative Jetson

AMENDMENT NO. 1

On page 2, line 4, change "licensed physician" to "physician licensed to practice medicine by the Louisiana State Board of Medical Examiners"

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

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 1401 by Representative Riddle

AMENDMENT NO. 1

On page 2, line 20, between "of" and "a" insert "the deceased recipient's interest in"

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

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

HOUSE BILL NO. 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.

June 3, 1999

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 1453 by Representative Martiny

AMENDMENT NO. 1

On page 2, line 1, after "shall be" delete the rest of the line and insert in lieu thereof "the same as that charged by the registrar of vital records for the state for a death certificate." and delete line 2 in its entirety

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

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 1618 by Representative Riddle

AMENDMENT NO. 1

On page 1, line 8, after "checks;" insert "to provide an effective date;"

AMENDMENT NO. 2

On page 4, after line 9, insert the following:

"Section 3. This Act shall become effective on January 1, 2000."

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

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

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 1774 by Representative Durand

AMENDMENT NO. 1

On page 8, between lines 4 and 5, insert the following:

"(25) The executive director of the Louisiana Maternal and Child Health Coalition, or his designee."

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

HOUSE BILL NO. 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 by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 1775 by Representative Donelon

AMENDMENT NO. 1

On page 1, line 2 delete "R.S. 22:337 and 1301(A)(2)" and insert "R.S. 13:718(I)(2), R.S. 22:337, 1065.1(A) and (C), 1114(K)(2)(f) and (M)(2), 1301(A)(2), and 1404.3"

AMENDMENT NO. 2

On page 1, line 3 delete "22:774(C) and 1351.1" and insert "22:5(16), 774(C), 1113(A)(2)(a)(xx) and 1192.1"

AMENDMENT NO. 3

On page 1, line 7 after "commissioner;" insert "to provide for contract services for continuing education of agents and others; to provide for changes in the time frame for payment and collection of premium fees on bail bonds; to provide for home service life insurance; to provide for licensing, marketing, and requirements for such insurance;"

AMENDMENT NO. 4

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

"Section 1. R.S. 13:718(I)(2) is hereby amended and reenacted to read as follows:

§718. Commissioners; qualifications; salary and benefits; restrictions on employment; office space; supplies; equipment; employees

* * *

I. The sources of funding for the commissioners and their offices and employees shall include, but shall not be limited to the following sources:

* * *

(2) Notwithstanding the provisions of R.S. 22:1065.1 and 1404.3, and in addition to the fee imposed by that Section, those Sections, there is hereby imposed a fee on premium for all commercial surety underwriters who write criminal bail bonds in the Twenty-fourth Judicial District Court. The fee shall be equal to fifty dollars for each ten thousand dollars worth of liability underwritten by the surety. Each commercial surety underwriting criminal bail bonds in the Twenty-fourth Judicial District Court shall submit a report each quarter to the commissioner of insurance. The report shall contain the amount of criminal bail bond liability written in the Twenty-fourth Judicial District Court and shall contain a calculation of the premium fee due. The premium fee due shall accompany the report. The report shall be due within fifteen thirty days of the close of the quarter for which the report is filed. The premium fee shall be collected and deposited into a special account established by the commissioner of insurance for maintaining and transmitting the premium fee for criminal bail bonds written in the Twenty-fourth Judicial District Court. Each calendar quarter, the commissioner of insurance shall remit payment to the judicial administrator for the Twenty-fourth Judicial District Court. The commissioner shall issue payment not later than thirty sixty days after receipt of the premium fee by his office. the close of the quarter for which the premium fee is due.

* * *

AMENDMENT NO. 5

On page 1, delete lines 9 through 11 and insert the following:

"Section 2. R.S. 22:337, 1065.1(A) and (C), 1114(K)(2)(f) and (M)(2), 1301(A)(2), and 1404.3 are hereby amended and reenacted and R.S. 22:5(16), 774(C), 1113(A)(2)(a)(xx) and 1192.1 are hereby enacted to read as follows:

§5. General definitions

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

* * *

(16) "Directive" means a written communication issued by or on behalf of the commissioner of insurance to a person whose activities are governed by the insurance code which directs the person to act in conformity with regulation or law.

* * *

AMENDMENT NO. 6

On page 3, between lines 6 and 7, insert the following:

"§1065.1. Criminal bail bond annual license fee

A. There shall be a fee on premium for all commercial surety underwriters who write criminal bail bonds in the state of Louisiana. That fee shall be equal to two hundred dollars for each ten thousand dollars worth of liability underwritten by the commercial surety. This Except as authorized under the provisions of R.S. 13:718(I)(2), this shall be the exclusive fee or tax on any

criminal bail bond premium. In furtherance of the payment of this premium fee all commercial surety underwriters underwriting criminal bail bonds in the state of Louisiana shall submit a report each quarter to the commissioner of insurance. The report shall contain, for each parish in which the bond was posted, the amount of criminal bail bonds liability written, and a calculation of the premium fee due. The report shall be due within thirty days from the close of the quarter for which the report is filed.

* * *

C. The premium fee shall be collected and deposited into a special account established by the commissioner of insurance for maintaining and distributing premium fee on criminal bail bonds written in the state of Louisiana. Each calendar quarter the commissioner of insurance shall remit payment to the district attorney for each and every parish, except in the parish of Orleans, where premium fee has been collected. For premium fees collected in the parish of Orleans, the commissioner of insurance shall remit payment to the judicial administrator for the Orleans Parish criminal district court. The commissioner shall issue payment not later than thirty sixty days after receipt of the premium fee by his office. the close of the quarter for which the premium fee is due.

* * *

§1113. Requirements; general license; penalties; validity of contracts

A. * * *

(2) No insurance agent, insurance broker, surplus lines insurance broker, or insurance solicitor shall make an application for, procure, negotiate for, or place for others, any policies for any lines of insurance as to which he is not then qualified and duly licensed.

(a) An insurance agent may receive qualification for a license in one or more of the following lines:

* * *

(xx) Home service life.

* * *

§1114. Requirements; additional

* * *

K. * * *

(2) The following shall be exempt from the requirement for a written examination:

* * *

(f) Any applicant for a license to represent an industrial life, health, and accident, service, or nonprofit, or home service insurer or an insurer which currently sells a combination of ordinary and industrial life, health, and accident insurance which has more than fifty percent of its premium income from industrial premium income. For the purpose of this Subsection only, industrial premium income is defined as premiums payable on a monthly or more frequent basis, written by debit agents operating under a debit agency system.

* * *

M. * * *

(2)(a) ~~A temporary license shall be issued by the commissioner of insurance to an applicant who represents a combination insurer. A "combination insurer", for purposes of this Subsection only, is defined as an insurer which currently sells a combination of ordinary and industrial insurance which has in excess of fifty percent of its premiums income from industrial life insurance. The temporary license shall only be issued to an applicant where the appointing insurer shall certify to the commissioner that the applicant, when appointed, will be primarily engaged in the sale of policies and the collection of premiums payable on a monthly or more frequent basis marketed under a debit agency system. The temporary license shall remain in effect for ninety days from the issuance of the license. Within that period, the temporary licensee shall successfully complete a written examination for the class or classes of business in which the agent is engaged. The authority to act as a home service life insurance agent shall be granted to an applicant by the commissioner for a time period to commence with the date of certified mailing of the license application by the insurer and shall terminate upon the issuance or denial of a permanent license. The sponsoring insurer must certify that the applicant will be primarily engaged in the selling and servicing of guaranteed life insurance products on the basis set forth in the "Home Service Marketing Distribution System" as defined in Subparagraph (c) of this Paragraph. The insurer must have a reasonable expectation that the applicant meets the requirements for licensure set forth in Subsection L of this Section. For the purpose of limiting the authority contained herein, a guaranteed life product means a policy in which the premiums, face amount of coverage, and nonforfeiture values, if any, are guaranteed at issue by its provisions.~~

(b) ~~The holder of a permanent license to represent a combination or industrial insurer shall be required to take the written examination in the event he is employed by an ordinary company. A home service life insurance agent shall be required to obtain a life insurance license if his duties exceed those defined in Subparagraph (a) of this Paragraph.~~

(c) ~~"Home service marketing distribution system" is a system of marketing insurance products in which fifty percent or more of the premium income is derived from policies of insurance which are sold, serviced, or collected by agents visiting in the home or business of the insured, owner, or premium payor and in which policies are issued on a monthly or more frequent premium payment basis or by single premium payment and in which the agent is charged and debited with the responsibility for collection of the premium payments.~~

* * *
* * *

§1192.1 Contract services

The commissioner may contract, in accordance with the provisions of R.S. 39:1551, et seq., with one or more private continuing education services to conduct the administration of continuing education required by this Part. The commissioner may require that the provider of the individual continuing education courses pay the cost of the reporting directly to the continuing education service contracted by the commissioner. The continuing education service contracted by the commissioner shall be responsible for reporting the credits and attendance of the continuing education programs required by this Part. For purposes of this Section, "provider of the continuing education course" shall mean that person in whose name the course is taught, whether the person is a private continuing education service contracted by the department or another provider contracted by the private continuing education service which may be authorized by the commissioner.

* * *

AMENDMENT NO. 7

On page 3, delete lines 16 through 25 and insert the following:

"§1404.3. Premium on criminal bail bond

The premium rate set for commercial surety underwriters writing criminal bail bonds in the various courts throughout the state of Louisiana shall not be subject to the Louisiana Insurance Rating Commission's rates, but shall be set and adjusted by the legislature. The rate for all commercial surety underwriters writing criminal bail bonds in the state of Louisiana shall be twelve percent of the face amount of the bond, or sixty dollars, whichever is greater. Any additional fee authorized by R.S. 13:718(I)(2) shall not be included in this premium rate. All other provisions of the code relating to enforcement of the rate shall be effective and enforced in accordance with all parts of this Section."

AMENDMENT NO. 8

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

On motion of Senator Tarver, 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. 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 by the Committee on Commerce and Consumer Protection. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Engrossed House Bill No. 1919 by Representative Travis

AMENDMENT NO. 1

On page 1, line 6, after "relative to" insert "deferred presentment transactions,"

AMENDMENT NO. 2

On page 2, line 9, after "LOUISIANA" insert "DEFERRED PRESENTMENT AND"

AMENDMENT NO. 3

On page 2, line 11, after "Louisiana" insert "Deferred Presentment and"

AMENDMENT NO. 4

On page 2, line 14, after "regulate" delete "small loans and so-" and at the beginning of line 15, delete "called 'payday loans'." and insert "deferred presentment transactions and small loans."

AMENDMENT NO. 5

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

"(2) "Deferred presentment transaction" means a transaction made pursuant to a written agreement whereby a licensee:

(a) accepts a check from the issuer dated as of the date it was written;

(b) agrees to hold the check for a period of time not to exceed thirty days prior to negotiation or presentment; and

(c) pays to the issuer of the check the amount of the check less the fee permitted in R.S. 9:3578.4(A). The amount paid to the issuer of the check may not exceed three hundred fifty dollars.

(3) "Licensee" means a person licensed pursuant to this Chapter that offers deferred presentment transactions or small loans, or both.

(4) "Partial payment" means a payment of fifty dollars or more on a small deferred presentment transaction or loan.

(5) "Prepayment" means payment in full of the deferred presentment transaction or small loan amount prior to the end of the term of that transaction or loan."

AMENDMENT NO. 6

On page 2, at the beginning of line 24, delete "(2)" and insert "(6)"

AMENDMENT NO. 7

On page 3, delete lines 1 and 2.

AMENDMENT NO. 8

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

"A. In conjunction with a deferred presentment transaction or small loan, a licensee may charge a fee not to exceed 16.75% of the face amount of the check issued provided however that such fee does not exceed forty-five dollars, regardless of the name or type of charge."

AMENDMENT NO. 9

On page 3, at the end of line 8, delete "lender" and insert "licensee"

AMENDMENT NO. 10

On page 3, line 13, delete "small loan lender" and insert "licensee"

AMENDMENT NO. 11

On page 3, at the end of line 14, delete "lender by the lender's" and insert "licensee by the licensee's"

AMENDMENT NO. 12

On page 3, at the end of line 16, delete "small loan lender" and insert "licensee"

AMENDMENT NO. 13

On page 3, at the end of line 19, after "on a" insert "deferred presentment transaction or"

AMENDMENT NO. 14

On page 3, line 22, after "upon" delete "payment" and insert "pre-payment"

AMENDMENT NO. 15

On page 3, line 23, delete "pre-computed small loan," and insert "deferred presentment transaction or small loan, during the first five days of the term of such transaction or loan only,"

AMENDMENT NO. 16

On page 3, line 24, delete "small loan lender" and insert "licensee"

AMENDMENT NO. 17

On page 3, at the end of line 25, after "method" insert ", less twenty dollars of the original fee, which shall be considered earned and shall not be subject to refund. Should the consumer make pre-payment after the first five days of the term of the transaction or loan, the licensee shall not be required to make any refund"

AMENDMENT NO. 18

On page 4, line 2, delete "small loan lender" and insert "licensee"

AMENDMENT NO. 19

On page 4, line 7, after "with a" insert "deferred presentment transaction or"

AMENDMENT NO. 20

On page 4, line 9, change "five dollars" to "fifty dollars"

AMENDMENT NO. 21

On page 4, delete lines 10 through 12, and insert the following:

"(4) Divide a deferred presentment transaction or small loan into multiple agreements for the purpose of obtaining a higher fee or charge."

AMENDMENT NO. 22

On page 4, line 14, delete "small loan" and insert "deferred presentment transaction"

AMENDMENT NO. 23

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

"(7) Renew, roll-over or otherwise consolidate a deferred presentment transaction or small loan with the proceeds of another deferred presentment transaction or small loan. Once a deferred presentment transaction or small loan has been completed, a consumer may enter into a new transaction or loan with the licensee. A deferred presentment transaction or small loan shall be considered completed when the amount advanced to the consumer and all fees in conjunction with the amount advanced have been paid in full by the consumer."

AMENDMENT NO. 24

On page 4, line 20, delete "shall" and insert "may"

AMENDMENT NO. 25

On page 4, line 21, after "posted" insert ", along with the fees as allowed under this Section."

AMENDMENT NO. 26

On page 4, line 22, after "by the" delete "small loan lender" and insert "licensee"

AMENDMENT NO. 27

On page 5, line 2, delete "small loan lenders" and insert "licensees"

AMENDMENT NO. 28

On page 5, at the end of line 9, delete "upon the signature by the" and delete lines 10 through 14, and insert "January 1, 2000."

June 3, 1999

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

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 1921 by Representative Pratt

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 40:1299.117," insert "and Chapter 46 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2611 through 2613,"

AMENDMENT NO. 2

On page 1, line 3, after "criteria;" insert "to create the Louisiana Council on Obesity Prevention and Management; to provide for powers, duties, and functions of the council; to provide for membership of the council;"

AMENDMENT NO. 3

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

"Section 2. Chapter 46 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:2611 through 2613, is hereby enacted to read as follows:

CHAPTER 46. LOUISIANA COUNCIL ON OBESITY

§2611. Louisiana Council on Obesity Prevention and Management; creation; funding

The legislature hereby creates the Louisiana Council on Obesity Prevention and Management, hereinafter referred to as the "council" within the Department of Health and Hospitals, to be in existence for the period from August 1, 1999 to March 31, 2001. The legislature shall make appropriations as needed to finance the

operations of the council. In addition, the council may accept and expend grants and private donations from any source, including federal, state, public, and private entities, to assist it to carry out its functions.

§2612. Powers, functions, and duties

The powers, functions, and duties of the council shall include but not be limited to the following:

(1) The collection and analysis of data regarding the extent to which children and adults in Louisiana suffer from obesity, and the programs and services currently available to meet the needs of overweight children and adults, and the funds dedicated by the state to maintain such programs and services.

(2) The collection and analysis of data to demonstrate the economic impact on the state of treating obesity-related diseases and the estimated cost savings of implementing a comprehensive statewide obesity prevention and management model.

(3) The establishment and maintenance of a resource databank containing information about obesity and related subjects accessible to educational and research institutions, as well as members of the general public.

(4) Consideration of the feasibility of awarding tax incentives for work sites which promote activities to reduce obesity in the work force.

(5) The establishment of recommendations to enhance funding for effective prevention and management programs and services, including Medicaid, private health insurance programs, and other state and federal funds.

(6) The establishment of recommendations designed to assure that children of school age who may have early indicators of obesity have access to affordable, effective prevention and management services.

(7) The establishment of recommendations for changes to statewide elementary and secondary education curricula to implement comprehensive, coordinated obesity awareness and education programs.

(8) Recommendations to enhance clinical education curricula in medical, nursing, and other schools of higher education to implement comprehensive, coordinated obesity awareness and education courses.

(9) Recommendations to increase education and awareness among primary care physicians and other health professionals regarding the recognition of obesity as a disease, and effective prevention and management.

(10) Consideration of a state prevention campaign to increase public awareness of the need for early prevention and management of obesity, possibly including:

(a) A broad-based public education campaign outlining health risks associated with failure to receive treatment for obesity.

(b) A health professional training campaign.

(c) A targeted public education campaign directed toward high risk populations.

(11) Coordination with the U.S. Center for Disease Control, the National Center for Chronic Disease Prevention, the U.S. Department of Agriculture, the U.S. Department of Health and Human Services, and the U.S. Department of Education to share resources and information in order to ensure a comprehensive approach to the disease of obesity and obesity-related conditions.

(12) Coordination with the state Departments of Education, Labor, Health and Hospitals, and Social Services to share resources and information in order to ensure a comprehensive approach to the disease of obesity and obesity-related conditions.

(13) Identification of and recommendations to reduce cultural, environmental, and socioeconomic barriers to prevention and management of obesity in Louisiana.

§2613. Members; meetings; final report

A. The council shall convene for its first meeting no later than October 1, 1999. At the first meeting the executive director, chairman, and vice chairman of the council shall be appointed by the secretary of the Department of Health and Hospitals with the consultation and approval of the council. The council shall have a staff of two persons to assist in administering the business of the

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council. The council may adopt such rules of procedure as are necessary to facilitate orderly conduct of its business.

B. The council shall be composed of the following members:

(1) The secretary of the Department of Health and Hospitals, or his designee.

(2) The secretary of the Department of Social Services, or his designee.

(3) The state superintendent of education, or his designee.

(4) The secretary of the Department of Labor, or his designee.

(5) The assistant secretary of the office of mental health in the Department of Health and Hospitals, or his designee.

(6) The assistant secretary of the office of public health in the Department of Health and Hospitals, or his designee.

(7) A representative of the office of the governor, to be appointed by the governor.

(8) A member of the House of Representatives appointed by the speaker of the House of Representatives.

(9) A member of the Senate appointed by the president of the Senate.

(10) Two representatives of the public-at-large to be selected from a list submitted by the council members to the secretary of the Department of Health and Hospitals.

(11) The president of the Louisiana State Medical Society, or his designee.

(12) The president of the Louisiana Medical Association, or his designee.

(13) The president of the Louisiana State Nurses Association, or his designee.

(14) The president of the Louisiana Pharmacists Association, or his designee.

(15) The president of the Louisiana Chapter of the American Academy of Pediatrics, or his designee.

(16) The chancellor of the Louisiana State University Medical Center, or his designee.

(17) The chancellor of Tulane Medical School, or his designee.

(18) The president of Southern University Agricultural and Mechanical College, or his designee.

(19) The president of Northeast Louisiana University, or his designee.

(20) The director of the Pennington Biomedical Research Center, or his designee.

(21) The director of the Ochsner Medical Foundation, or his designee.

(22) The president of the Louisiana Managed Healthcare Association, or his designee.

(23) The president of the Louisiana Public Health Association, or his designee.

(24) The president of the Louisiana Health Insurance Association, or his designee.

(25) A representative appointed from the Louisiana state office of the American Association of Retired Persons.

(26) A representative of the Louisiana Dietetic Association.

(27) A representative of the Louisiana Restaurant Association.

(28) The chancellor of the Louisiana State University Agricultural Center, or his designee.

C. All members shall serve without compensation, except that the executive director of the council and the two staff members shall receive a salary to be determined by the secretary of the Department of Health and Hospitals, with the consultation and approval of the council, and all council members shall receive reimbursement for travel related to council business, all to be paid out of funds appropriated to the council for such purpose.

D. The council shall meet at least quarterly. Meetings shall also be held on call of the chairman or at the request of at least three members of the council.

E. The council shall submit a report, including proposed legislation if necessary, to the governor and to the House and

Senate Health and Welfare Committees, prior to the convening of the 2001 legislative session. Such report shall include a comprehensive state plan for implementation of services and programs in the state of Louisiana to increase prevention and management of the disease of obesity in adults and children and an estimate of the cost of implementation of such a plan.

F. All departments, boards, agencies, officers, and institutions of the state and all subdivisions thereof shall cooperate with the council in carrying out its purposes pursuant to this Chapter."

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

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

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

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

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 1987 by Representative Riddle

AMENDMENT NO. 1

On page 2, at the end of line 2, insert "to release information authorized by this Section"

AMENDMENT NO. 2

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On page 2, line 20, after "Section" delete the remainder of the line and at the beginning of line 21, delete "order" and insert "and to the extent allowed by state and federal laws and regulations"

AMENDMENT NO. 3

On page 2, line 21, delete "by cooperative agreement"

AMENDMENT NO. 4

On page 3, line 7, change "intrastate" to "interstate"

AMENDMENT NO. 5

On page 3, after line 11, insert the following:

"G. Any district attorney under contract to the Department of Social Services to provide child support services shall not be authorized to release information to a private attorney under the provisions of this Section.

H. Nothing in this Section shall limit the Department of Social Service's contractual authority."

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

HOUSE BILL NO. 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 by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 2010 by Representative Jack D. Smith

AMENDMENT NO. 1

On page 1, line 2 after "R.S. 42:821(A)(2)(a)(viii)" insert "and (ix)" and after "851(A)(2)(a)(viii)" insert "and (ix)"

AMENDMENT NO. 2

On page 1, line 9 after "R.S. 42:821(A)(2)(a)(viii)" insert "and (ix)" and after "851(A)(2)(a)(viii)" insert "and (ix)"

AMENDMENT NO. 3

On page 2, between lines 6 and 7 insert the following:

"(ix) Any active or retired employee of the North Louisiana Criminalistics Laboratory Commission as provided by R.S. 40:2265. Nothing herein shall be construed to extend eligibility under this Part to any current or past member of the commission as provided by R.S. 40:2263."

AMENDMENT NO. 4

On page 2, between lines 19 and 20 insert the following:

"(ix) Any active or retired employee of the North Louisiana Criminalistics Laboratory Commission as provided by R.S. 40:2265. Nothing herein shall be construed to extend eligibility under this Part to any current or past member of the commission as provided by R.S. 40:2263."

On motion of Senator Tarver, 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. 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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 2012 by Representative Montgomery

AMENDMENT NO. 1

On page 2, lines 14 and 15 delete "House Committee on Appropriations" and insert in lieu thereof "Joint Legislative Committee on the Budget"

AMENDMENT NO. 2

On page 2, line 18, change "House Committee on Appropriations" to "Joint Legislative Committee on the Budget"

AMENDMENT NO. 3

On page 2, delete line 19, and insert in lieu thereof "review."

AMENDMENT NO. 4

On page 2, line 22, after "the" delete the remainder of the line and delete line 23 in its entirety and insert in lieu thereof "Joint Legislative Committee on the Budget for review."

AMENDMENT NO. 5

On page 2, line 26, after "the" delete the remainder of the line and on page 3, delete lines 1 and 2 in their entirety and insert in lieu thereof "Joint Legislative Committee on the Budget for review."

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

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

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

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

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

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

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 2181 by Representative Wilkerson

AMENDMENT NO. 1

On page 4, between lines 8 and 9, insert the following:

"(16) The president of the Louisiana State Medical Society or his designee."

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

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Reengrossed House Bill No. 2189 by Representative Jetson

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete "R.S. 51:2762(3)" and insert "R.S. 51:1941(3) and (6), 2762(3)"

AMENDMENT NO. 2

On page 1, line 4, after "enact" delete "R.S. 2762(5)(e), relative to new assistive device warranties;" and insert "R.S. 51:1948(D) and 2762(5)(e), relative to warranties;"

AMENDMENT NO. 3

On page 1, line 5, after "definitions;" insert "to provide for certain exceptions;"

AMENDMENT NO. 4

On page 1, line 11, after "Section 1." delete "R.S. 51:2762(3)" and insert "R.S. 51:1941(3) and (6), 2762(3)"

AMENDMENT NO. 5

On page 1, line 13, after "reenacted and" delete "R.S. 51:2762(5)(e) is" and insert "R.S. 51:1948(D) and 2762(5)(e) are"

AMENDMENT NO. 6

On page 1, between lines 14 and 15, insert the following:

"§1941. Definitions

The following definitions apply when used in this Chapter:

* * *

(3) "Dealer" means a person authorized by the manufacturer and actively engaged in the business of buying, selling, or exchanging new automobiles, new personal watercraft, or new all-terrain vehicles at retail and who has an established place of business.

* * *

(6) "Motor vehicle" means a passenger motor vehicle or a passenger and commercial motor vehicle as defined in R.S. 32:1252(1), sold in this state on or after September 1, 1984. "Motor vehicle" shall include a personal watercraft as defined in

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R.S. 34:855.2 and an all-terrain vehicle as defined in R.S. 32:771(1), sold in this state or still under warranty on or after August 15, 1999, which is used exclusively for personal and not commercial purposes. For the purposes of this Chapter the following motor vehicles are excluded:

* * *

§1948. Manufacturer's duty to provide reimbursement for temporary replacement vehicle; penalties

* * *

"D. This Section shall not apply to personal watercraft or all-terrain vehicles tendered to a manufacturer for repair.

* * *

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

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Engrossed House Bill No. 2221 by Representative Morrell

AMENDMENT NO. 1 On page 1, line 2, after "(D)(2)" delete "and to enact R.S. 4:150(E)"

AMENDMENT NO. 2 On page 1, line 3, after "to racing;" delete "to provide relative to minors owning horses;"

AMENDMENT NO. 3 On page 1, line 6, after "reenacted" delete "and R.S." and on line 7, delete "4:150(E) is hereby enacted"

AMENDMENT NO. 4 On page 1, delete lines 8 through 13

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

HOUSE BILL NO. 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 by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Engrossed House Bill No. 2263 by Representative Clarkson

AMENDMENT NO. 1 On page 2, line 7 after "subject of abuse," delete the remainder of the line, delete line 8 and insert the following:

"the fact that a person's medical condition is abuse-related if the issuer knows or has reason to know it is abuse-

AMENDMENT NO. 2 On page 3, line 14 after "have the" insert "same" and on line 15 after "policy" insert the following:

"as in the policy from which coverage is being converted"

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 2264 by Representative Morrish

AMENDMENT NO. 1 On page 2, line 24 after "premiums" insert the following:

"or other monies due and owing for which the agent is in default."

AMENDMENT NO. 2 On page 3, delete lines 23 through 26 and on page 4 delete lines 1 and 2 and insert in lieu thereof:

"Such claim shall be resolved in accordance with the dispute resolution terms in the applicable contract or agreement. In the absence of any dispute resolution term, the parties shall attempt to resolve their dispute through meditation. If the claim is not resolved through mediation, the claim may be resolved through binding arbitration if the parties agree. In the absence of an agreement to resolve the claim through binding arbitration, the agent or broker may maintain an action of lost commissions. Except as provided in this Section, nothing in this Section shall be interpreted as impairing any rights in law or contract currently enjoyed by any party."

AMENDMENT NO. 3 On page 6, delete lines 9 through 14 and insert the following:

"Such claim shall be resolved in accordance with the dispute resolution terms in the applicable contract or agreement. In the absence of any dispute resolution term, the parties shall attempt to resolve their dispute through meditation. If the claim is not resolved through mediation, the claim may be resolved through binding arbitration if the parties agree. In the absence of an agreement to resolve the claim through binding arbitration, the

agent or broker may maintain an action of lost commissions. Except as provided in this Section, nothing in this Section shall be interpreted as impairing any rights in law or contract currently enjoyed by any party."

On motion of Senator Tarver, 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.

Special Order of the Day

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

SENATE BILL NO. 964—
BY SENATORS DEAN AND GREENE
AN ACT

To enact Chapter 43 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:4011 through 4016, relative to the Louisiana Opportunity Scholarship Program; to provide purposes; to establish the program; to provide for the granting of scholarships; to provide for alternative public school enrollment; to provide for eligibility requirements for students and nonpublic schools; to provide relative to the amount of and payment procedures for the opportunity scholarships; to provide certain limitations; to provide for the powers and duties of the Louisiana Student Financial Assistance Commission and the Louisiana Office of Student Financial Assistance; and to provide for related matters.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator W. Fields to Engrossed Senate Bill No. 964 by Senator Dean

AMENDMENT NO. 1

On page 5, between lines 21 and 22, insert the following:

" (5) Annually report to the State Board of Elementary and Secondary Education, in a manner prescribed by the board, the following:

(a) The type of nationally normed referenced tests, if any, administered to the students in all grades provided in the school.

(b) The grades and times when such testing occurs.

(c) The results achieved by grade in the school in the manner prescribed by the board which shall consider any reporting restrictions imposed by the companies producing the test and which shall provide for the protection of the identity of any individual student."

AMENDMENT NO. 2

On page 5, line 22, change "(5)" to "(6)"

Senator W. Fields moved adoption of the amendments.

Senator Greene objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Dean	Landry
Bean	Ellington	Robichaux

Cain	Fields W	Romero
Campbell	Hines	Tarver
Cox	Hollis	Theunissen
Cravins	Jones	Thomas
Total—18		

NAYS

Mr. President	Greene	Malone
Branch	Hainkel	Siracusa
Casanova	Heitmeier	Smith
Dardenne	Lambert	Ullo
Total—12		

ABSENT

Barham	Fields C	Jordan
Boissiere	Irons	Lentini
Dyess	Johnson	Schedler
Total—9		

The Chair declared the amendments were adopted.

Motion

Senator Hines moved to table the bill.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Ellington	Robichaux
Bean	Fields W	Romero
Boissiere	Heitmeier	Smith
Cain	Hines	Tarver
Campbell	Hollis	Theunissen
Cox	Irons	Thomas
Cravins	Jones	
Dyess	Lambert	
Total—22		

NAYS

Barham	Greene	Malone
Branch	Hainkel	Schedler
Casanova	Johnson	Siracusa
Dardenne	Landry	Ullo
Dean	Lentini	
Total—14		

ABSENT

Mr. President	Fields C	Jordan
Total—3		

The Chair declared the bill was tabled.

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. 1469—
BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 6:101(B)(4), relative to the commissioner of the office of financial institutions; to provide for qualifications; and to provide for related matters.

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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

Bajoie	Heitmeier	Lentini
Bean	Hines	Malone
Branch	Hollis	Robichaux
Cravins	Irons	Romero
Dyess	Johnson	Siracusa
Ellington	Jones	Theunissen
Fields C	Jordan	Thomas
Fields W	Lambert	
Greene	Landry	
Total—25		

NAYS

Mr. President	Casanova	Hainkel
Barham	Cox	Schedler
Boissiere	Dardenne	Smith
Campbell	Dean	Ullo
Total—12		

ABSENT

Cain	Tarver
Total—2	

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.

Rules Suspended

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

**Senate and Concurrent Resolutions
on Second Reading
Reported by Committees**

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

SENATE RESOLUTION NO. 33—

BY SENATOR EWING

A RESOLUTION

To repeal Senate Rule No. 5.7 of the Rules of Order of the Senate, relative to disclosure of certain financial information by members.

Reported favorably by the Committee on Senate and Governmental Affairs.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Branch	Hainkel	Romero
Cain	Heitmeier	Siracusa
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones	Ullo
Total—36		

NAYS

Jordan
Total—1

ABSENT

Greene	Schedler
Total—2	

The Chair declared the Senate had adopted the Senate Resolution.

SENATE CONCURRENT RESOLUTION NO. 121—

BY SENATOR JOHNSON

A CONCURRENT RESOLUTION

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

Reported favorably by the Committee on Senate and Governmental Affairs.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lentini
Bajoie	Ellington	Malone
Barham	Fields C	Romero
Bean	Fields W	Schedler
Boissiere	Greene	Smith
Branch	Hainkel	Tarver
Cain	Heitmeier	Theunissen
Casanova	Hollis	Thomas
Cravins	Johnson	Ullo
Dardenne	Jones	
Dean	Lambert	
Total—31		

NAYS

Hines	Jordan	Siracusa
Irons	Landry	
Total—5		

ABSENT

Campbell	Cox	Robichaux
Total—3		

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

SENATE CONCURRENT RESOLUTION NO. 119—

BY SENATOR C. FIELDS

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a left-turn signal at the intersection of

Scenic Highway and Mills Avenue in Scotlandville in East Baton Rouge Parish.

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—39

NAYS

Total—0

ABSENT

Total—0

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

SENATE CONCURRENT RESOLUTION NO. 132—

BY SENATORS ULLO AND DARDENNE

A CONCURRENT RESOLUTION

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

Reported favorably by the Committee on Judiciary A.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—35

NAYS

Total—0

ABSENT

Cox
Hainkel
Total—4

Hines
Jordan

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

SENATE CONCURRENT RESOLUTION NO. 106—

BY SENATOR CAIN

A CONCURRENT RESOLUTION

To repeal Joint Rule No. 5 of the Joint Rules of the Senate and House of Representatives, relative to the designation of a legislative instrument as a duplicate of an instrument introduced in the other house; to repeal provisions relative to duplicate bills.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Concurrent Resolution No. 106 by Senator Cain

AMENDMENT NO. 1

On page 1, line 7, after "Representatives" insert "effective the second Monday in January, 2000"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—39

NAYS

Total—0

ABSENT

Total—0

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

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SENATE CONCURRENT RESOLUTION NO. 115—

BY SENATOR JOHNSON

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to utilize a portion of monies which may be appropriated to the department from monies the state receives from the tobacco settlement to research and study the high rate of lung cancer among black men residing in south Louisiana.

Reported favorably by the Committee on Health and Welfare.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dyess Lambert
Bajoie Ellington Landry
Barham Fields C 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 Jordan

Total—38

NAYS

Total—0

ABSENT

Lentini
Total—1

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

SENATE CONCURRENT RESOLUTION NO. 133—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study the effect of existing diabetes management/education programs in the state.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Concurrent Resolution No. 133 by Senator Hines

AMENDMENT NO. 1

On page 2, line 13, after "their" insert "glycosalated"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dyess Lambert
Bajoie Ellington Landry
Barham Fields C 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 Jordan

Total—38

NAYS

Total—0

ABSENT

Lentini
Total—1

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

Senator Ellington in the Chair

SENATE CONCURRENT RESOLUTION NO. 58—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To direct the Senate Committee on Education and the House Committee on Education to function as a joint committee to make a complete study of the Tuition Opportunity Program for Students and to create an advisory panel to aid and assist the committee in its study.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Concurrent Resolution No. 58 by Senator Jones

AMENDMENT NO. 1

On page 2, between lines 19 and 20, insert the following:

"(11) The president of the Louisiana Association of Independent Colleges and Universities or his designee."

AMENDMENT NO. 2

On page 2, line 20, change "(11)" to "(12)"

AMENDMENT NO. 3

On page 2, line 21 change "(12)" to "(13)"

AMENDMENT NO. 4

On page 2, line 23, change "(13)" to "(14)" and change "committees meeting jointly" to "joint committee"

AMENDMENT NO. 5

On page 2, line 27, change "Education Committee" to "Committee on Education"

AMENDMENT NO. 6

On page 3, line 5, before "committee" insert "joint"

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

Floor Amendments Sent Up

Senator Greene sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Greene to Original Senate Concurrent Resolution No. 58 by Senator Jones

AMENDMENT NO. 1

On page 2, line 10, change "Two members" to "One member"

On motion of Senator Greene, the amendments were adopted.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed Senate Concurrent Resolution No. 58 by Senator Jones

AMENDMENT NO. 1

On page 2, between lines 23 and 24 insert:

"(14) Five members of the Senate Finance Committee to be appointed by the chairman of the committee."

AMENDMENT NO. 2

On page 3, line 4, after "opportunities" insert "and all aspects of the Tuition Opportunity Program for Students including tuition"

On motion of Senator Hainkel, the amendments were adopted.

The resolution was read by title. Senator Jones moved to adopt the amended 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, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Tarver, Theunissen, Thomas, Ullo

NAYS

Total—0

ABSENT

Total—0

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

SENATE CONCURRENT RESOLUTION NO. 112—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To urge and request the governor of the state of Louisiana to launch an initiative on violence in schools.

Reported favorably by the Committee on Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—39

NAYS

Total—0

ABSENT

Total—0

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

SENATE CONCURRENT RESOLUTION NO. 117—

BY SENATOR IRONS

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to establish a task force to study the feasibility of providing as a requirement for high school graduation a course of study in life management and marriage and relationship skills or the inclusion of such instruction in the health education curriculum, and to make a report to the Senate and House committees on education prior to the 2000 Regular Session.

Reported favorably by the Committee on Education.

The resolution was read by title. Senator Irons 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, Branch, Cain, Campbell, Dyess, Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Siracusa

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Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Ullo
Dean	Jordan	
Total—38		

NAYS

Total—0

ABSENT

Thomas
Total—1

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

SENATE CONCURRENT RESOLUTION NO. 124—
BY SENATOR SMITH

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to provide funding for the construction of the Big Creek Recreation Access Project.

Reported favorably by the Committee on Natural Resources.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Thomas
Total—1

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

SENATE CONCURRENT RESOLUTION NO. 125—
BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections and the Louisiana Highway Safety Commission to study the feasibility of implementing a driver violation point system.

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Total—0

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

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

A CONCURRENT RESOLUTION

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

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

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

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

NAYS

Total—0

ABSENT

Total—0

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Total—0

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

SENATE 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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Concurrent Resolution No. 138 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 12, change "twenty-three" to "twenty-four"

AMENDMENT NO. 2

On page 3, line 7, after "Psychiatric" insert "Medical"

AMENDMENT NO. 3

On page 4, between lines 1 and 2, insert the following:

"(24) The president of the Louisiana State Medical Society, or his designee."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Total—0

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

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Dardenne Jones Thomas
 Dean Jordan Ullo
 Total—39

NAYS

Total—0

ABSENT

Total—0

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

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

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

SENATE BILL NO. 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.

Floor Amendments Sent Up

Senator Ewing sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ewing to Engrossed Senate Bill No. 820 by Senator Ewing

AMENDMENT NO. 1

On page 2, line 6 delete "said note" and insert "the report"

On motion of Senator Ewing, the amendments were adopted.

The bill was read by title. Senator Ewing 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	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

NAYS

Total—0

ABSENT

Total—0

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

Rules Suspended

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

**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. 1301—

BY REPRESENTATIVE BOWLER

AN ACT

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

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

Total—37

NAYS

Total—0

ABSENT

Fields C

Fields W

Total—2

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. 1313—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 13:966.1(B), relative to the court reporters for the Twentieth Judicial District; to provide for an increase in salary; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—39

NAYS

Total—0

ABSENT

Total—0

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

HOUSE BILL NO. 1323—

BY REPRESENTATIVE TRAVIS

AN ACT

To enact Subpart K of Part XI of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1107 through 1107.5, relative to regional juvenile justice facilities; to establish and provide for the purposes and functions of a juvenile justice district for the parishes of East Feliciana and West Feliciana; to provide for a board of commissioners of the district and for the composition, administration, powers, and duties of the board, including the power to incur debt, issue bonds, and levy taxes; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—38

NAYS

Total—0

ABSENT

Boissiere
Total—1

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

HOUSE BILL NO. 1328—

BY REPRESENTATIVE TRAVIS

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—38

NAYS

Total—0

ABSENT

Hainkel
Total—1

The Chair declared the 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.

HOUSE BILL NO. 1338—

BY REPRESENTATIVE TRAVIS

AN ACT

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

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Engrossed House Bill No. 1338 by Representative Travis

AMENDMENT NO. 1

On page 2, line 12, after "Subsection" delete the remainder of the line, and delete lines 13 through 16 and insert "a natural person may transfer

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his license to a juridical person in which he owns at least seventy-five percent interest. A juridical person may transfer a license to another juridical person provided that seventy-five percent or more of the ownership in the transferee is the same as that of the transferor."

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

NAYS

Total—0

ABSENT

Boissiere	Hainkel	Jordan
Total—3		

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.

Mr. President in the Chair

HOUSE BILL NO. 1344—

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

AN ACT

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

Floor Amendments Sent Up

Senator Malone sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Engrossed House Bill No. 1344 by Representative Fontenot

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:806(B)(1)" insert "and to enact R.S. 47:633(7)(c)(v)"

AMENDMENT NO. 2

On page 1, line 3, after "fuels" insert "and oil from incapable wells;"

AMENDMENT NO. 3

On page 1, line 4, after "dealer;" insert "to provide for a reduction in the rate of taxation of incapable wells during certain time periods;"

AMENDMENT NO. 4

On page 1, line 7, after "reenacted" insert "and R.S. 47:633(7)(c)(v) is hereby enacted"

AMENDMENT NO. 5

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

"§633. Rates of tax

The taxes on natural resources severed from the soil or water levied by R.S. 47:631 shall be predicated on the quantity or value of the products or resources severed and shall be paid at the following rates:

	*	*	*
(7)	*	*	*
(c)	*	*	*

R.S. 47:633(7)(c)(v) is all proposed new law.

(v) The severance tax rate on crude oil produced from a well determined by the secretary to be an incapable well as provided for in Subparagraph (7)(b) shall be reduced to a severance tax rate of zero in any month in which the average value set forth in such Subparagraph is less than fifteen dollars per barrel.

* * *

AMENDMENT NO. 6

On page 2, after line 3, insert the following:

"Section 2. This Act shall become effective on July 1, 1999; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 1999, or on the day following such approval by the legislature, whichever is later."

Senator Malone moved adoption of the amendments.

Senator Hainkel objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bean	Lambert	Siracusa
Cain	Lentini	Smith
Hines	Malone	Theunissen
Jordan	Romero	
Total—11		

NAYS

Mr. President	Fields C	Jones
Bajoie	Fields W	Landry
Barham	Greene	Robichaux
Casanova	Hainkel	Tarver
Cravins	Heitmeier	Thomas
Dardenne	Hollis	Ullo
Dean	Irons	
Ellington	Johnson	
Total—22		

ABSENT

Boissiere	Campbell	Dyess
Branch	Cox	Schedler
Total—6		

The Chair declared the amendments were rejected.

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

HOUSE BILL NO. 1355—

BY REPRESENTATIVE DONELON
AN ACT

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

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

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

NAYS

Total—0

ABSENT

Mr. President	Cox
Branch	Jordan
Total—4	

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. 1361—

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

To enact R.S. 33:4861.13(D), relative to statement of receipts for charitable gaming organizations; to provide that any disbursements of charitable gaming net proceeds by the charitable organization be approved by the board of directors or financial members in charge; 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 Engrossed House Bill No. 1361 by Representative Windhorst

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 33:4861.13(D)," to "R.S. 4:716(D),"

AMENDMENT NO. 2

On page 1, line 8, change "R.S. 33:4861.13(D)," to "R.S. 4:716(D),"

AMENDMENT NO. 3

On page 1, line 9, change "\$4861.13" to "\$716."

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

NAYS

Total—0

ABSENT

Dyess	Jordan
Total—2	

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. 1363—

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

To amend and reenact R.S. 40:1485.5(A)(1), 1485.8(A), (B), and (C), 1485.9(B) and (C), and to enact R.S. 33:4861.2(8) and (9), relative to the regulation of charitable gaming; to include and define noncommercial lessor and casino night contractor within licensing provisions; to make changes to incorporate the definitions; 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. 1363 by Representative Windhorst

AMENDMENT NO. 1

June 3, 1999

On page 1, line 2, after "reenact" delete the remainder of the line and delete line 3 in its entirety and insert "4:718(A)(1), 719(A), (B), and (C), 720(B) and (C), and to enact R.S. 4:703(8) and (9), relative to"

AMENDMENT NO. 2

On page 1, line 9, after "Section 1." delete the remainder of the line and at the beginning of line 10, delete "1485.9(B) and (C)" and insert "4:718(A)(1), (719)(A), (B), and (C), 720(B) and (C)"

AMENDMENT NO. 3

On page 1, line 11, change "\$1485.5." to "\$718."

AMENDMENT NO. 4

On page 2, line 5, change "\$1485.8." to "\$719."

AMENDMENT NO. 5

On page 3, line 1, change "\$1485.9." to "\$720."

AMENDMENT NO. 6

On page 3, line 19, after "Section 2." change "R.S. 33:4861.2(8)" to "R.S. 4:703(8)"

AMENDMENT NO. 7

On page 3, line 21, change "\$4861.2." to "\$703."

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

NAYS

Casanova	Dyess	Smith
Total—3		

ABSENT

Jordan
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.

HOUSE BILL NO. 1365—

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

AN ACT

To amend and reenact R.S. 36:401(B)(1) and 451(B) and (C) and R.S. 49:968(B)(10), to enact R.S. 36:454(C), 458(G), 459(G), and 921(D), R.S. 49:653 and 654 and Chapter 11 of Title 4 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 4:701

through 739, and to repeal R.S. 33:4861.1 through 4861.28 and R.S. 40:1485.1 through 1485.11, all relative to the conducting and regulation of charitable gaming; to provide for duration and form of a license; to provide relative to hearings; to abolish the division of charitable gaming control, office of state police, Department of Public Safety and Corrections, and transfer its powers, duties, functions, and responsibilities, programs and operations to the office of charitable gaming, Department of Revenue; to provide for reference to the office of charitable gaming; to provide for the powers and duties of the office of charitable gaming; to provide with respect to the rulemaking authority and procedure of the office of charitable gaming; to provide with respect to legislative oversight of administrative rules; to provide for procedures relative to transfer of certain agencies; to provide for certain definitions; to provide with respect to the conducting and regulation of charitable gaming; to provide technical changes to statutes affected by this transfer; to provide with respect to electronic dabber devices; to provide for restrictions on prizes; to increase maximum compensation of employees conducting charitable gaming sessions; to provide that only members of the charitable organization may act in a managerial capacity; to provide relative to violations; to provide for restrictions on combination of interests; to provide that no person under the age of eighteen shall assist in the conducting of electronic or video bingo; 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. 1365 by Representative Windhorst

AMENDMENT NO. 1

On page 52, line 5, change "by the office" to "and"

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. 1365 by Representative Windhorst

AMENDMENT NO. 1

On page 36, at the end of line 6, insert:

"Notwithstanding any provision of this Chapter to the contrary, any consent agreement entered into by the division of charitable gaming, office of state police, Department of Public Safety and Corrections and a manufacturer of electronic bingo dabber card devices prior to May 1, 1999 which approves and authorizes the use of electronic bingo dabber card devices as a charitable gaming supply, subject to certain conditions and requirements shall remain valid until January 1, 2000 provided that all conditions and requirements in such agreement are complied with until such date."

AMENDMENT NO. 2

On page 65, between lines 16 and 17, insert the following:

"F. Notwithstanding any provision of this Chapter to the contrary, any licensed manufacturer of electronic dabber card devices which is authorized by order of or by consent agreement executed prior to May 1, 1999 with the division of charitable

gaming, office of state police, Department of Public Safety and Corrections to maintain physical possession of the devices, deliver the devices directly to the premises of a commercial lessor, and to hire, train, and have employees present at all charitable gaming session where its devices are used to assist in use and operation of the device may continue the activities and practices required by such order or consent agreement until January 1, 2000."

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. 1365 by Representative Windhorst

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 22 proposed by the Senate Committee on Judiciary B and adopted by the Senate on May 26, 1999.

AMENDMENT NO. 2

On page 66, after line 2, insert the following:

"Section 7. All transfers of the powers, duties, functions, and responsibilities, programs and operations office of state police, Department of Public Safety and Corrections, to the office of charitable gaming, Department of Revenue shall be completed not later than January 1, 2000."

On motion of Senator Hainkel, the amendments were adopted.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Reengrossed House Bill No. 1365 by Representative Windhorst

AMENDMENT NO. 1

On page 19, between lines 19 and 20 insert the following:

"(4) Any bona fide conservation organization, which is recognized by the Internal Revenue Service as 501(3)(C) corporation, dedicated principally to the conservation of a specific species, genus, or family of game animal, including but not limited to the conservation of ducks, waterfowl generally, quail, and turkeys which is otherwise permitted by law to conduct charitable gaming shall be exempted from the licensing and reporting procedures enumerated in R.S. 4:708 through 717 of this Chapter solely for conducting raffles as a means of fund-raising in a municipality or parish whose governing authority has decided to permit raffles, bingo, and keno within its limits as provided in R.S. 4:706."

On motion of Senator Barham, 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	Ellington	Landry
Bajoie	Fields W	Lentini
Barham	Hainkel	Robichaux
Bean	Heitmeier	Romero
Branch	Hines	Schedler
Cain	Hollis	Siracusa
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Lambert	Ullo
Total—30		

NAYS

Boissiere	Dyess	Jordan
Campbell	Fields C	Malone
Casanova	Greene	Smith
Total—9		

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.

HOUSE BILL NO. 1366—

BY REPRESENTATIVE ANSARDI

AN ACT

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

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

NAYS

Total—0

ABSENT

Bajoie	Hainkel	Jordan
Total—3		

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.

June 3, 1999

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

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

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

HOUSE BILL NO. 1372—
BY REPRESENTATIVE LEBLANC
AN ACT

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

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

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Casanova Jordan
Total—2

The Chair declared the 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. 1395—
BY REPRESENTATIVES LONG, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, CLARKSON, DURAND, GLOVER, SCHWEGMANN, AND WIGGINS AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

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

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. 1395 by Representative Long

AMENDMENT NO. 1

On page 2, line 23, after "illegal" delete "or improper"

On motion of Senator Landry, 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 Dyess Landry
Bajoie Ellington Lentini
Barham Fields C Malone
Branch Fields W Robichaux
Cain Greene Romero
Campbell Hainkel Schedler
Casanova Heitmeier Siracusa
Cox Hines Smith
Cravins Hollis Tarver
Dardenne Irons Theunissen
Dean Johnson Thomas
Total—38 Jones Ullio
Lambert

NAYS

Total—0

ABSENT

Jordan
Total—1

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. 1396—
 BY REPRESENTATIVES ALEXANDER, DEWITT, DOWNER, MCMAINS,
 DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL,
 BARHAM, AND SCHEDLER

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Jordan	Lambert
Total—2	

The Chair declared the 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. 1427—
 BY REPRESENTATIVES DIEZ, DEWITT, DOWNER, MCMAINS, AND
 CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND
 SCHEDLER

AN ACT

To amend and reenact R.S. 32:398(F) and (G), relative to accident reports; to require law enforcement agencies to provide copies of video tapes, audio tapes, extraordinary-sized documents, or documents stored on electronic media; to authorize a reasonable fee for copies; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lentini
Bajoie	Ellington	Malone
Barham	Fields C	Robichaux
Bean	Fields W	Romero

Boissiere	Greene	Schedler
Branch	Hainkel	Siracusa
Cain	Heitmeier	Smith
Campbell	Hines	Tarver
Casanova	Hollis	Theunissen
Cox	Irons	Thomas
Cravins	Johnson	Ullo
Dardenne	Lambert	
Dean	Landry	
Total—37		

NAYS

Total—0

ABSENT

Jones	Jordan
Total—2	

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. 1438—
 BY REPRESENTATIVES FRUGE, BARTON, FLAVIN, FRITH, PINAC,
 POWELL, SCHNEIDER, AND TRAVIS

AN ACT

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

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

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

NAYS

Total—0

ABSENT

Jones	Jordan
Total—2	

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.

June 3, 1999

HOUSE BILL NO. 1445—
BY REPRESENTATIVES WINDHORST AND SCHNEIDER
AN ACT

To amend and reenact R.S. 15:572.2 and 574.2(A)(3) and to enact R.S. 15:829.1, relative to donations and sales by prisoners and prison enterprises to certain persons; to provide that the chairmen and the other members of the boards of pardon and parole and administrative employees of corrections services within the Department of Public Safety and Corrections shall not receive or purchase anything of value from any inmate or from prison enterprises; 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 Dyess Lentini
Bajoie Ellington Malone
Barham Fields C Robichaux
Bean Fields W Romero
Boissiere Greene Schedler
Branch Hainkel Siracusa
Cain Heitmeier Smith
Campbell Hines Tarver
Casanova Hollis Theunissen
Cox Johnson Thomas
Cravins Jones Ullio
Dardenne Lambert
Dean Landry
Total—37

NAYS

Irons
Total—1

ABSENT

Jordan
Total—1

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. 1448—
BY REPRESENTATIVE TRAVIS
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Jordan
Total—1

The Chair declared the 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.

HOUSE BILL NO. 1451—
BY REPRESENTATIVES MARTINY AND ANSARDI
AN ACT

To amend and reenact R.S. 33:441.1, relative to the mayor's court in Kenner; to authorize the institution of criminal prosecutions by affidavit or information; to authorize the prosecuting attorney to file an information; 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 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 Ullio
Dean Lambert
Total—38

NAYS

Total—0

ABSENT

Jordan
Total—1

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. 1463—
BY REPRESENTATIVE WILKERSON
AN ACT

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

Floor Amendments Sent Up

Senator Bean sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bean to Engrossed House Bill No. 1463 by Representative Wilkerson

AMENDMENT NO. 1

On page 1, line 2, between "(8)" and the comma "," insert "and (10)"

AMENDMENT NO. 2

On page 1, line 10, change "is" to "and (10) are"

AMENDMENT NO. 3

On page 1, line 17, change "widow" to "spouse"

AMENDMENT NO. 4

On page 2, line 1, change "widow" to "surviving spouse" and on line 2 change "her" to "the surviving spouse's"

AMENDMENT NO. 5

On page 2, line 7, change "widow" to "spouse"

AMENDMENT NO. 6

On page 2, line 11, change "widow" to "surviving spouse"

AMENDMENT NO. 7

On page 2, line 12, change "she" to "the spouse", on line 13, change "his" to "the member's" and change "him" to "the member"

AMENDMENT NO. 8

On page 3, between lines 7 and 8, insert the following:

" * * *
(10) In the event of the death of a member of the Fire Department as aforesaid in Paragraph (8) hereof leaving no wife surviving spouse, but leaving dependent children under the age of eighteen years, or dependent parents, each of said dependents shall be entitled to and shall be paid a sum equal to seventeen and one-half per cent of a beginner fireman's salary, provided that the total benefits payable to dependents under this subsection Paragraph shall not exceed a sum equal to fifty per cent of a beginner fireman's salary; provided further that these benefits shall be payable until such dependent child reaches the age of eighteen years or marries, whichever occurs first."

On motion of Senator Bean, the amendments were adopted.

The bill was read by title. Senator Heitmeier 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

Total—0

ABSENT

Jordan
Total—1

The Chair declared the amended 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. 1464—
BY REPRESENTATIVE WILKERSON
AN ACT

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

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 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

Total—0

ABSENT

Jordan
Total—1

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.

Senator Barham in the Chair

June 3, 1999

HOUSE BILL NO. 1472—
BY REPRESENTATIVE PRATT

AN ACT

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

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator W. Fields to Engrossed House Bill No. 1472 by Representative Pratt

AMENDMENT NO. 1

On page 1, line 2, between "To" and "repeal" insert "amend and reenact R.S. 17:222(A) and to"

AMENDMENT NO. 2

On page 1, line 2, after "17:222(C)" delete "(3)"

AMENDMENT NO. 3

On page 1, line 2, after "entrance;" insert "to provide for minimum age for entrance into the first grade of public school;"

AMENDMENT NO. 4

On page 1, line 4, between "systems" and the period "." insert "; and to provide for related matters"

AMENDMENT NO. 5

On page 1, between lines 5 and 6, insert the following:

"Section 1. R.S. 17:222(A) is hereby amended and reenacted to read as follows:

§222. Age of school entrance; proof of age, race, and parentage required; ~~exceptions~~

A. The age of which a child may enter the first grade of any public school at the beginning of the public school session shall be six years on or before ~~September thirtieth~~ December thirty-first of the calendar year in which the school year begins.

* * *

AMENDMENT NO. 6

On page 1, line 6, after "Section" change "1" to "2" and after "17:222(C)" delete "(3)"

Senator W. Fields moved adoption of the amendments.

Senator Greene objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Cravins	Jones
Boissiere	Fields C	Robichaux
Branch	Fields W	Romero
Cain	Irons	Tarver
Cox	Johnson	
Total—14		

NAYS

Barham	Greene	Malone
Bean	Heitmeier	Schedler

Casanova
Dardenne
Dean
Dyess
Ellington
Total—21

Hines
Hollis
Lambert
Landry
Lentini
ABSENT

Siracusa
Smith
Theunissen
Thomas
Ullo

Mr. President
Campbell
Total—4

Hainkel
Jordan

The Chair declared the amendments were rejected.

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

HOUSE BILL NO. 1490—
BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 9:397.2 and 397.3(A) and (B)(2)(a), relative to paternity; to provide relative to the chain of custody and admissibility of blood or tissue sampling; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Landry
Total—1

ABSENT

Mr. President
Total—3

Hainkel

Jordan

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

HOUSE BILL NO. 1524—

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

AN ACT

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

to provide for emissions inspections; to provide for the imposition and disposition of certain fees; to repeal certain requirements and procedures regarding vehicle emission inspections and reports; and to provide for related matters.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Fields to Reengrossed House Bill No. 1524 by Representative Damico

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 30:2054(B)(8)(a)" to "R.S. 30:2054(B)(2)(a) and (8)(a)"

AMENDMENT NO. 2

On page 1, line 13, change "R.S. 30:2054(B)(8)(a)" to "R.S. 30:2054(B)(2)(a) and (8)(a)"

AMENDMENT NO. 3

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

"(2)(a) To develop permitting procedures and regulations conforming to applicable state and federal laws, and to require and issue permits, licenses, variances, or compliance schedules for all sources of air contaminants within the state of Louisiana and when the secretary deems it advisable to delegate the power to issue such permits, licenses, variances, or compliance schedules to the assistant secretary subject to his continuing oversight or refer it to the commission. Notwithstanding any other provision of law to the contrary, the secretary or assistant secretary shall not issue or renew any permit, license, or variance to any source of air contaminants located in any parish, municipality, area, or region that has been placed on the nonattainment list for ozone standards and classified as "serious" or worse by the United States Environmental Protection Agency when such issuance or renewal will result in an increase in emissions of air contaminants in the nonattainment parish, municipality, area, or region, when the source of such air contaminants originated outside of this state.

* * *

AMENDMENT NO. 4

On page 2, at the end of line 25, insert the following:

"In any parish, municipality, area, or region in the state that has been listed on the nonattainment list for ozone and classified as "serious" or worse, the department shall take all necessary and proper steps to insure that no increase in emissions of air pollutants originating from outside this state or outside the nonattainment parish, municipality, area, or region occurs in such nonattainment parish, municipality, area, or region."

Motion

Senator Dardenne moved to table the amendment.

Senator C. Fields objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Dyess	Lentini
Bean	Ellington	Malone
Boissiere	Greene	Romero

Branch	Hainkel	Schedler
Casanova	Heitmeier	Siracusa
Cravins	Hines	Smith
Dardenne	Hollis	Theunissen
Dean	Lambert	Thomas
Total—24		

NAYS

Bajoie	Fields W	Landry
Cain	Irons	Robichaux
Campbell	Johnson	Tarver
Cox	Jones	
Fields C	Jordan	
Total—13		

ABSENT

Mr. President	Ullo
Total—2	

The Chair declared the amendment was tabled.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Barham	Greene	Malone
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Casanova	Hollis	Smith
Cravins	Jordan	Theunissen
Dardenne	Lambert	Thomas
Dean	Landry	Ullo
Total—24		

NAYS

Bajoie	Dyess	Hines
Campbell	Fields C	Johnson
Cox	Fields W	
Total—8		

ABSENT

Boissiere	Jones	Tarver
Cain	Robichaux	
Irons	Siracusa	
Total—7		

The Chair declared the bill failed to pass.

Notice of Reconsideration

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

HOUSE BILL NO. 1549—
BY REPRESENTATIVE DOWNER
AN ACT

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

June 3, 1999

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing yeas for Mr. President, Bajoie, Barham, Bean, Branch, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, and Total—35.

NAYS

Total—0

ABSENT

Table listing absent members: Boissiere, Cain, Total—4.

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

Mr. President in the Chair

HOUSE BILL NO. 1574—

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

AN ACT

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

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Engrossed House Bill No. 1574 by Representative Travis

AMENDMENT NO. 1

On page 3, line 23, after "Principal" change "means" to "includes"

On motion of Senator Hollis, the amendments were adopted.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed House Bill No. 1574 by Representative Travis

AMENDMENT NO. 1

On page 5, line 15, change "(6)" to "(6)(a)"

AMENDMENT NO. 2

On page 5, between lines 18 and 19, insert the following:

"(b) A conviction or a plea of guilty or nolo contendere shall not constitute an automatic disqualification as otherwise required pursuant to Subparagraph (a) if ten or more years has elapsed between the date of application and the successful completion or service of any sentence, deferred adjudication, or period of probation or parole, Code of Criminal Procedure Article 893 or equivalent judicial dismissal process granted.

(c) Subparagraph (b) shall not apply to any person convicted of a crime of violence as defined in R.S. 14:2(13).

(d) The office of state fire marshal may consider the seriousness and circumstances of the offense and subsequent arrests."

AMENDMENT NO. 3

On page 6, line 11, change "(2)" to "(2)(a)"

AMENDMENT NO. 4

On page 6, between lines 14 and 15, insert the following:

"(b) A conviction or a plea of guilty or nolo contendere shall not constitute an automatic disqualification as otherwise required pursuant to Subparagraph (a) if ten or more years has elapsed between the date of application and the successful completion or service of any sentence, deferred adjudication, or period of probation or parole, Code of Criminal Procedure Article 893 or equivalent judicial dismissal process granted.

(c) Subparagraph (a) shall not apply to any person convicted of a crime of violence as defined in R.S. 14:2(13).

(d) The office of state fire marshal may consider the seriousness and circumstances of the offense and subsequent arrests."

Senator Ellington moved adoption of the amendments.

Senator Hainkel objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing yeas for Bajoie, Barham, Bean, Branch, Cain, Campbell, Cox, Cravins, Dardenne, Dyess, Total—30.

NAYS

Table listing nays: Casanova, Dean, Total—4.

ABSENT

Mr. President	Johnson	Tarver
Boissiere	Robichaux	
Total—5		

The Chair declared 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	Dyess	Landry
Bajoie	Ellington	Lentini
Barham	Fields C	Malone
Branch	Fields W	Romero
Cain	Greene	Schedler
Campbell	Heitmeier	Siracusa
Casanova	Hines	Smith
Cox	Hollis	Theunissen
Cravins	Irons	Thomas
Dardenne	Jones	Ullo
Dean	Lambert	
Total—32		

NAYS

Hainkel	Jordan
Total—2	

ABSENT

Bean	Johnson	Tarver
Boissiere	Robichaux	
Total—5		

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.

HOUSE BILL NO. 1575—

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

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—36	NAYS
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Total—0	ABSENT
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Mr. President	Boissiere	Tarver
Total—3		

The Chair declared the 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.

HOUSE BILL NO. 1577—

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

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0	ABSENT
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Boissiere	Schedler
Irons	Tarver
Total—4	

The Chair declared the 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.

Rules Suspended

Senator Dyess asked for and obtained a suspension of the rules for the purpose of taking up out of regular order.

House Bills and Joint Resolutions on Third Reading and Final Passage

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

June 3, 1999

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.

Floor Amendments Sent Up

Senator Dyess sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dyess to Engrossed House Bill No. 2242 by Representative Curtis

AMENDMENT NO. 1

On page 1, line 3, change "Economic" to "Cities"

AMENDMENT NO. 2

On page 2, line 3, change "Economic" to "Cities"

AMENDMENT NO. 3

On page 3, lines 3 and 4, change ". Each of the following shall appoint three members:" to ", who shall be appointed as follows:"

AMENDMENT NO. 4

On page 3, line 5, change "The" to "Three members by the"

AMENDMENT NO. 5

On page 3, line 6, change "The" to "Two members by the"

AMENDMENT NO. 6

On page 3, line 7, change "The" to "Two members by the"

AMENDMENT NO. 7

On page 3, line 8, change "The" to "Three members by the"

AMENDMENT NO. 8

On page 3, between lines 8 and 9, insert the following:

"(e) Two members by the Central Louisiana Chamber of Commerce."

AMENDMENT NO. 9

On page 3, line 10, change "(d)" to "(e)"

AMENDMENT NO. 10

On page 7, line 5, change "Such" to "To the extent allowed by state and federal law, the"

AMENDMENT NO. 11

On page 7, delete lines 9 through 11, and insert "provisions of state and federal law."

AMENDMENT NO. 12

On page 7, line 14, change "on January 1, 2000" to "upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval"

On motion of Senator Dyess, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Barham, Bean, Boissiere, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Total—38; Dyess, Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan; Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Theunissen, Thomas, Ullo

NAYS

Total—0

ABSENT

Tarver
Total—1

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

House Bills and Joint Resolutions on Third Reading and Final Passage, Resumed

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

HOUSE BILL NO. 1580—
BY REPRESENTATIVES DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

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

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

Table with 3 columns of names: Bean, Casanova, Cox, Cravins, Dardenne, Dean, Total—18; Greene, Hainkel, Heitmeier, Hollis, Johnson, Jones; Lambert, Landry, Lentini, Robichaux, Siracusa, Theunissen

NAYS

Mr. President Ellington Romero

Bajoie	Fields C	Schedler
Barham	Fields W	Smith
Branch	Hines	Thomas
Cain	Irons	Ullo
Campbell	Malone	
Total—17		

ABSENT

Boissiere	Jordan
Dyess	Tarver
Total—4	

The Chair declared the bill failed to pass.

Notice of Reconsideration

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

HOUSE BILL NO. 1582—

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

AN ACT

To amend and reenact R.S. 30:2011(C), (D)(3) and (6), 2014(A), 2015(E), 2019(D), 2022(C)(1), 2025(A), (B)(1)(d), (C)(2) and (3), (E)(1)(a) and (2), and (G)(1) and (2)(b), 2033(B) and (C), 2035(B)(1) and (2), 2050.1(C), 2050.2(A), 2050.3(A) and (C)(1), 2050.4(I), 2050.10(A)(5), 2054(A)(introductory paragraph) and (B)(2)(a) and (3)(a) and (e), 2059, 2060(E), (F), (G), (H), and (I), 2064(A)(2)(b), (C), (D), (E)(introductory paragraph) and (2), (F), and (G)(1), 2074(A)(introductory paragraph), (3) and (4) and (B)(4), 2075.2(B), 2076(C) and (D), 2089, 2103(4)(b), (5), and (11), 2104(A)(introductory paragraph) and (B)(2), 2107(A), (B), and (D), 2108, 2109(A) and (B), 2110, 2112, 2113(G), 2114, 2115(A), (C), (D), and (F), 2154(A)(introductory paragraph) and (4) and (B)(1)(a), (2)(a), and (4), 2158(A)(1), 2160, 2180(A)(2) and (B), 2181, 2183(I), 2195(E), 2195.2(A)(introductory paragraph) and (B)(1)(c), 2195.4(B)(4) and (C)(2), 2203(A), 2204(A)(1) and (2), 2222(C), 2223(3), 2224(A)(introductory paragraph) and (2)(introductory paragraph) and (c), (B), and (C), 2225(D)(2), 2226(A), 2280, 2305(G), 2423(B), 2521, 2522(5), 2547(A)(introductory paragraph) and (3) and (B) and R.S. 36:231(C)(1), 234(A)(11), 236(B), 237(A) and (B), and 238(B), (C), (D), and (E) and to repeal R.S. 30:2037 and 2182, relative to the Department of Environmental Quality; to provide relative to the organization, composition, duties, powers, and functions of the department; to establish the offices of environmental assessment, environmental compliance, and environmental services, and provide for purpose, powers, functions, and duties; to establish the legal division within the office of the secretary and provide for powers and duties; to abolish the offices of air quality and radiation protection, water resources, waste services, and legal affairs and enforcement, and provide for the transfer of certain powers, functions, and duties; to provide for the powers, functions, and duties of the secretary and under secretaries and assistant secretaries; to provide relative to promulgation of rules and certain scientific determinations; to provide relative to powers and duties for the issuance and denial of permits, licenses, variances, certificates, and other matters; to provide for penalties and violations; 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	Dean	Landry
Bajoie	Ellington	Lentini
Barham	Fields W	Malone
Bean	Greene	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

Fields C
Total—1

ABSENT

Dyess	Hainkel	Tarver
Total—3		

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. 1583—

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

AN ACT

To amend and reenact R.S. 30:2015(E), 2054(B)(2)(a), 2055, 2075, 2075.3(A)(2)(a), 2109(A), 2187(A)(introductory paragraph), (1), (2), and (3), 2195(B), 2195.3(A)(11), and 2225(F)(1) and to repeal R.S. 30:2053(2) and 2201, relative to the Department of Environmental Quality; to provide relative to certain provisions containing departmental references, terms, and requirements; to revise and repeal certain provisions, procedures, terms, references, and requirements; to provide relative to Tank Trust Fund fees retained by a bulk facility operator; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

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NAYS

Total—0
ABSENT
Boissiere Jordan
Total—2

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

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

AN ACT

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

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

NAYS

Total—0
ABSENT
Boissiere Jordan
Dean 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. 1591—
BY REPRESENTATIVES DAMICO, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 30:2285.1(A), relative to the Department of Environmental Quality; to provide relative to voluntary remedial actions; to provide relative to public notice and public hearings; to provide certain procedures and requirements; to provide for notice to adjoining landowners; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0
ABSENT
Boissiere Jordan Tarver
Total—3

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

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

AN ACT

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

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. 1592 by Representative Damico

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 30:2417(B), (C), (D), (E), (F), (G), (H), (I), and (J),"

AMENDMENT NO. 2

On page 1, line 6, after "fees;" insert "to require certain used oil facilities to obtain licenses or permits from the department;"

AMENDMENT NO. 3

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

"Section 1. R.S. 30:2417(B), (C), (D), (E), (F), (G), (H), (I), and (J), are hereby amended and reenacted to read as follows:"

§2417. Used oil; collection; recycling and reuse; disposal

B. Notwithstanding any other provision of law to the contrary, the regulations and guidelines promulgated pursuant to

this Section shall require all used oil collection centers, transfer facilities, and transporters as defined in LAC 33:V.4001, to obtain licenses or permits authorizing such facilities to handle used oil in compliance with this Section, if any of the above facilities or operations is also conducting processing as defined in LAC 33:V.4001. Such processing includes, but is not limited to, physical separation of water from the used oil. This Paragraph shall apply only to used oil collection centers, transfer facilities whose processing operations commence after the effective date of this Act. Nothing in this Paragraph shall apply to businesses that primarily engage in oil changes.

B.C. Any appropriations, gifts, grants, or other monies received for used oil recycling purposes shall be remitted to the state treasurer in compliance with Article VII, Section 9(B) of the Constitution of Louisiana ~~within ten days~~ after receipt by the Department of Revenue, and prior to such monies being placed in the state general fund, an amount equal to such monies received shall be deposited to the credit of credited to the Used Oil Recycling Trust Fund, which is hereby established as a special fund in the state treasury. The monies in the Used Oil Recycling Trust Fund shall be invested by the state treasurer in the same manner as monies in the state general fund. All interest earned on money from this fund and invested by the state treasurer shall be credited to the Used Oil Recycling Trust Fund.

ED. The secretary shall administer the Used Oil Recycling Trust Fund and the monies shall be used to:

- (1) Provide technical assistance, grants, subsidies, and loans to local government for programs to encourage collection, reuse, and proper disposal of used oil.
- (2) Provide technical assistance and incentives for the collection and recycling of used oil to nongovernment collection or recycling facilities.
- (3) Provide for public education and research, including advertising, training, unique incentives, and other programs, provided, however, that no more than thirty-five percent of the monies may be used for this type of activity during any fiscal year.

DE. The secretary shall develop guidelines to award grants, subsidies, and low interest loans to local government to encourage the establishment and maintenance of programs and facilities to reduce the improper disposal of used oil, which may include the following in the order of priority to be supported:

- (1) Establishing publicly operated used oil collection facilities at landfills and other public places.
- (2) Curbside pickup of used oil containers by a local government or its designee.
- (3) Retrofitting solid waste equipment to promote curbside pickup or disposal of used oil at designated collection facilities.
- (4) Providing containers and other materials and supplies that the public can use to store in an environmentally safe manner used oil for pickup or delivery to a collection facility.

EE. The following activities are prohibited:

- (1) No person may knowingly collect, transport, store, recycle, use, or dispose of used oil in any manner which endangers the public health or welfare.
- (2) No person may knowingly discharge or cause to be discharged used oil into sewers, drainage systems, septic tanks, or any waters or lands of the state.
- (3) After July 1, 1991, no person may knowingly mix or commingle used oil with solid waste that is to be disposed of in landfills or directly knowingly dispose of used oil in solid waste landfills within the state of Louisiana unless specifically approved by the department.
- (4) No person may knowingly mix or commingle used oil with hazardous substances.
- (5) Used oil shall not be used for road oiling, dust control, weed abatement, or other similar uses that have the potential to release used oil into the environment.

FG. The department shall develop incentives for the reuse, recycling, and marketing of used oil. Such incentives may include a program to encourage individuals who change their own oil to return used oil to a used oil collection facility.

GH. As of July 1, 1992, no person shall knowingly dispose of used oil in any manner other than at a permitted used oil collection facility, unless specifically approved by the department. Exempt from this requirement are entities which only burn used oil generated by the burner, provided such burning is done in compliance with applicable rules of the Louisiana Department of Environmental Quality.

HJ. Nothing herein shall be construed to prohibit the collection, transportation, or disposal of used oil mixed or commingled with solid waste by any person engaged in the collection, transportation, and/or disposal of solid waste, unless it can be demonstrated that such person knew that such used oil had been mixed or commingled with the solid waste collected, transported, or disposed of and unless it can be demonstrated that it is economically and environmentally feasible to remove and recover such used oil from the solid waste collected, transported, or disposed of.

IJ. When purchasing lubricating oils, every person acting as purchasing agent for any agency, board, commission, or department of the state shall give preference to rerefined oil which meets manufacturer's warranty, provided the cost of rerefined oil does not exceed by more than five percent the cost of other oils, and so long as the product contains at least twenty-five percent rerefined oil.

KJ. For the purposes of this Section, the owner or operator of a used oil collection facility which accepts used oil from the public may presume that a quantity of no more than five gallons of used oil accepted from any member of the public is not mixed with a hazardous substance, provided that such owner or operator acts in good faith and provided that the recycled or used oil:

- (1) Has been removed from the engine of a light duty motor vehicle, farm equipment, or a household appliance by the owner of such vehicle, equipment, or appliance.
- (2) Is presented by such owner to the dealer for collection, accumulation, and delivery to an oil recycling facility.
- (3) The owner or operator is not knowingly accepting used oil which has been mixed with any listed or characteristic hazardous waste or hazardous substance.

* * *

AMENDMENT NO. 4

On page 1, line 8, change "Section 1." to "Section 2."

Senator W. Fields moved adoption of the amendments.

Senator Smith objected.

ROLL CALL

The roll was called with the following result:

YEAS		
Bajoie	Ellington	Lambert
Barham	Fields C	Landry
Bean	Fields W	Lentini
Boissiere	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Tarver
Casanova	Hollis	Thomas
Cox	Irons	Ulló
Cravins	Johnson	
Dardenne	Jones	
Total—31		
NAYS		
Malone	Smith	
Siracusa	Theunissen	
Total—4		
ABSENT		

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Mr. President Dyess
Dean Jordan
Total—4

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members who voted 'YEAS' in three columns: Bajoie, Barham, Bean, Boissiere, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Ellington, Total—35; Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Lambert, Landry; Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Tarver, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Mr. President Dyess
Dean Jordan
Total—4

The Chair declared the amended 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. 1651—

BY REPRESENTATIVES MURRAY, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, BARTON, GUILLORY, HUNTER, ODINET, AND WIGGINS AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, SCHEDLER, AND BEAN

AN ACT

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

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. 1651 by Representative Murray

AMENDMENT NO. 1

On page 4, before line 1 and after row 7 of the chart, delete row 8 and insert in lieu thereof the following:

Column 1 8
Column 2 Equal to or greater than one billion four hundred million dollars
Column 3 Upward or downward
Column 4 seven thousand dollars
Column 5 Apply R.S. 23:1592 without seven percent discount under R.S. 23:1592 (C) and without five percent discount under R.S. 23:1592 (D), then multiply such amount by 1.05 and then multiply such amount by 1.15 and then multiply such amount by 1.135
Column 6 Two hundred eighty dollars
Column 7 54.70
Column 8 17.65

AMENDMENT NO. 2

On page 8, line 2, after "reduced by" delete "fifteen" and insert in lieu thereof "thirty"

AMENDMENT NO. 3

On page 1 delete lines 17 through 26

AMENDMENT NO. 4

On page 12 delete lines 1 through 26

AMENDMENT NO. 5

On page 13 delete lines 1 through 26

AMENDMENT NO. 6

On page 14 delete line 1 through 4

AMENDMENT NO. 7

On page 11, line 16 after "R.S. 23:1475" delete the colon ":" and insert in lieu thereof ". Rate table 8 shall reduce employer's rates by thirty percent of Table 6. Rate table 8 shall be developed by the Louisiana Department of Labor to include reduction and reflect all FUTA requirements."

AMENDMENT NO. 8

On page 14, line 14 after "exceed" delete "thirty-five" and insert in lieu thereof "twenty"

AMENDMENT NO. 9

On page 14, line 19 after "subaccount to" delete "thirty-five" and insert in lieu thereof "twenty"

AMENDMENT NO. 10

On page 15, line 19 after "exceed" delete "fifty" and insert in lieu thereof "twenty"

AMENDMENT NO. 11

On page 15, line 24 after "subaccount to" delete "fifty" and insert in lieu thereof "twenty"

AMENDMENT NO. 12

On page 17, line 7 after "two hundred" delete "fifty-eight" and insert in lieu thereof "eighty"

Senator Cox moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Cain	Fields W	Lambert
Campbell	Irons	Landry
Cox	Jones	Robichaux
Fields C	Jordan	
Total—11		

NAYS

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

ABSENT

Bajoie	Dean	Johnson
Cravins	Dyess	
Total—5		

The Chair declared the amendments were rejected.

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. 1651 by Representative Murray

AMENDMENT NO. 1

On page 6, line 14 after "applicant" delete "may" and insert in lieu thereof "shall"

AMENDMENT NO. 2

On page 6, at the end of line 19 delete "or;" and insert a period "."

AMENDMENT NO. 3

On page 6, delete lines 20 through 23

Senator Cox moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Cain	Fields C	Jones
Campbell	Fields W	Lambert
Cox	Hines	Robichaux
Cravins	Irons	
Total—11		

NAYS

Mr. President	Hainkel	Schedler
Bajoie	Heitmeier	Siracusa
Barham	Hollis	Smith
Boissiere	Johnson	Tarver

Branch	Jordan	Theunissen
Dardenne	Landry	Thomas
Dean	Lentini	Ullo
Ellington	Malone	
Greene	Romero	
Total—25		

ABSENT

Bean	Casanova	Dyess
Total—3		

The Chair declared the amendments were rejected.

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. 1651 by Representative Murray

AMENDMENT NO. 1

On page 1, line 4, change "(B)(8), (9), (10)," to "(B)(8) and (9)" and on line 5, delete "and (11)"

AMENDMENT NO. 2

On page 2, line 3, change "(B)(8), (9)," to "(B)(8) and (9)" and on line 4, delete "(10), and (11)"

AMENDMENT NO. 3

On page 14, delete lines 21 through 26 and on page 15 delete lines 1 through 18

AMENDMENT NO. 4

On page 15, line 19 change "(10)" to "(9)" and delete lines 25 through 26

AMENDMENT NO. 5

On page 16 delete lines 1 through 23

Senator Cox moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Cain	Fields C	Irons
Campbell	Fields W	Lambert
Cox	Heitmeier	Robichaux
Cravins	Hines	
Total—11		

NAYS

Mr. President	Greene	Romero
Barham	Hainkel	Schedler
Bean	Hollis	Siracusa
Boissiere	Johnson	Smith
Branch	Jones	Tarver
Casanova	Jordan	Theunissen
Dardenne	Landry	Thomas
Dean	Lentini	Ullo
Ellington	Malone	
Total—26		

ABSENT

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Bajoie
Total—2

Dyess

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 1651 by Representative Murray

AMENDMENT NO. 1

On page 4, line 1 after "J." delete the remainder of the line, delete lines 2 through 7, and insert in lieu thereof the following:

"The Workforce Development Training Account shall be a pilot program and shall not be funded pursuant to R.S. 23:1553(B)(8) or (10) in any calendar year following 2003."

Senator Heitmeier moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie
Boissiere
Cain
Campbell
Cox
Total—15

Cravins
Fields C
Fields W
Heitmeier
Hines

Jones
Jordan
Lambert
Landry
Robichaux

NAYS

Mr. President
Barham
Bean
Branch
Casanova
Dardenne
Dean
Ellington
Total—23

Greene
Hainkel
Hollis
Irons
Johnson
Lentini
Malone
Romero

Schedler
Siracusa
Smith
Tarver
Theunissen
Thomas
Ullo

ABSENT

Dyess
Total—1

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Bajoie
Barham
Bean
Boissiere

Fields C
Fields W
Greene
Hainkel
Heitmeier

Lentini
Malone
Robichaux
Romero
Schedler

Branch
Cain
Campbell
Casanova
Cravins
Dardenne
Dean
Ellington
Total—37

Hines
Hollis
Irons
Johnson
Jones
Jordan
Lambert
Landry

Siracusa
Smith
Tarver
Theunissen
Thomas
Ullo

NAYS

Cox
Total—1

ABSENT

Dyess
Total—1

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

Motion

On motion of Senator Campbell, Senate Bill No. 224 was made Special Order of the Day, No. 1 on Monday, June 7, 1999 immediately following the Morning Hour.

Motion

On motion of Senator Campbell, Senate Bill No. 711 was made Special Order of the Day, No. 2 on Monday, June 7, 1999 immediately following the Morning Hour.

Rules Suspended

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

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

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

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

BY SENATOR GREENE AND REPRESENTATIVE MCDONALD AND COAUTHORED BY REPRESENTATIVE DOWNER
AN ACT

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

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

SENATE BILL NO. 450—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 18:1505.4(A)(2), R.S. 39:1233.1, R.S. 42:1118.1(B), 1119(B)(2)(a)(ii) and (b)(ii), 1120(A), 1123(16)(a), and 1124(D), to enact R.S. 42:1111(E)(2)(d), and 1157(A)(5) and

(6), all relative to certain reports, registrations and statements to be filed with the Board of Ethics; to provide for filing deadlines and late fees applicable to certain reports, registrations and statements; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 450 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 1505.4" delete the remainder of the line and delete lines 3 and 4 and insert "and R.S. 42:1119(B)(2)(a)(ii) and (b)(ii), 1124(D), and 1157(A)(1) and to enact R.S. 42:1157(A)(5), all"

AMENDMENT NO. 2

On page 1, line 6, after "Ethics;" delete the remainder of the line and insert the following:

"to make the imposition of late fees for not timely filing certain campaign finance reports discretionary; to make the imposition of certain civil penalties discretionary; to provide for the venue of certain actions; to provide for the maximum late fees"

AMENDMENT NO. 3

On page 1, line 10, after "R.S. 18:1505.4" and before "is" delete "(A)(2)"

AMENDMENT NO. 4

On page 1, delete line 13 and insert the following:

"A.(1) Any candidate, the treasurer or chairman of a political committee, or any other person required to file any reports under this Chapter, who knowingly fails to file or who knowingly fails to timely file any such reports as are required by this Chapter ~~shall~~ may be assessed a civil penalty as provided in R.S. 42:1157 for each day until such report is filed."

AMENDMENT NO. 5

On page 1, line 14, after "penalty" delete "shall" and insert "may"

AMENDMENT NO. 6

On page 2, line 23, after "R.S. 18:1495.4(C)" delete "shall be" and insert "may not exceed"

AMENDMENT NO. 7

On page 2, delete lines 25 through 27, and on page 3, delete lines 1 through 27, and on page 4, delete lines 1 through 14 and insert the following in lieu thereof:

"(3)(a) If a person, other than a political committee, required to file is supporting or opposing a candidate or candidates, the penalty applicable to such candidate or candidates as provided in Subparagraph (a), (b), or (c) of Paragraph (2) of this Subsection shall apply.

(b) If a person, other than a political committee, required to file is supporting or opposing candidates with different penalty levels, the penalty shall be the highest penalty for any such candidate.

(4)(a) For reports required by this Chapter which are required to be filed between the time a candidate qualifies and election day, in addition to any penalties ~~required by~~ which may be imposed under this Section or any other law, the supervisory committee ~~shall may~~ impose on any person required to file such a report who has not filed such report by the sixth day after the report is due, after a hearing by the supervisory committee pursuant to the provisions of R.S. 18:1511.4(C), with notice to the party who is

the subject of the hearing, an additional civil penalty not to exceed ten thousand dollars.

(b) For all other reports required by this Chapter, in addition to any penalties required by this Section or any other law, the supervisory committee ~~shall may~~ impose on any person required to file such a report who has not filed such report by the eleventh day after the report is due, after a hearing by the supervisory committee pursuant to the provisions of R.S. 18:1511.4(C), with notice to the party who is the subject of the hearing, an additional civil penalty not to exceed ten thousand dollars.

B. Any candidate, the treasurer or chairman of any political committee, or any other person required to file reports under this Chapter who knowingly and willfully fails to disclose, or knowingly and willfully fails to accurately disclose, any information required by this Chapter to be disclosed in the reports required herein, ~~shall may~~ be assessed a civil penalty for each day until such information is disclosed by amendment to the appropriate report of such candidate, political committee, or other person. "Knowingly and willfully", for purposes of this Subsection, means conduct which could have been avoided through the exercise of due diligence. Such penalties shall be as provided in Subsection A above.

Section 2. R.S. 42:1119(B)(2)(a)(ii) and (b)(ii), 1124(D) and 1157(A)(1) are hereby amended and reenacted and R.S. 42:1157(A)(5) is hereby enacted to read as follows:"

AMENDMENT NO. 8

On page 4, delete line 16 and insert the following:

"B. * * *

AMENDMENT NO. 9

On page 4, delete line 18 and insert the following:

"(a) * * *

AMENDMENT NO. 10

On page 4, line 24, after "this" delete the remainder of the line and delete lines 25 and 26 in their entirety and insert the following:

"Item may be assessed a late fee of fifty dollars per day, not to exceed one thousand five hundred dollars.

(b) * * *

AMENDMENT NO. 11

On page 5, line 6, after "this" delete the remainder of the line and delete line 7 in its entirety and insert the following:

"Item may be assessed a late fee of fifty dollars per day, not to exceed one thousand five hundred dollars."

AMENDMENT NO. 12

On page 5, delete lines 9 through 27 and on page 6, delete lines 1 through 21 in their entirety

AMENDMENT NO. 13

On page 6, line 24, after "D." and before "Whoever" insert "(1)"

AMENDMENT NO. 14

On page 6, line 26, delete "~~defined be fined~~" and insert "be fined"

AMENDMENT NO. 15

On page 7, between lines 1 and 2, insert the following:

"(2) Actions or prosecutions for any violation of this Subsection shall be brought in the parish of the domicile of the

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offender and prosecutions shall be instituted by the district attorney of that parish. * * *

AMENDMENT NO. 16

On page 7, delete lines 3 through 7 and insert the following:

"A.(1) The staff of the board ~~shall~~ may automatically assess and order the payment of late filing fees, in accordance with rules adopted by the board, for any failure to timely file any report or statement due under any law under its jurisdiction as provided in ~~R.S. 42:1131(C) or R.S. 42:1132(C)~~ or R.S. 24:50 et seq. The board shall promulgate rules to facilitate the carrying out of the provisions of this Chapter regarding order for and payment of late fees. Any appeal of such order for the payment of late fees shall be to the board, which shall promulgate rules governing the procedure for appeals of late filing fees." * * *

AMENDMENT NO. 17

On page 7, at the beginning of line 8, delete "(6)" and insert "(5)"

AMENDMENT NO. 18

On page 7, between lines 18 and 19, insert the following:

"(e) If the fee is two hundred dollars per day, the maximum shall be three thousand dollars."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 450 by Senator Dardenne

AMENDMENT NO. 19

In House Committee Amendment No. 1, proposed by the House Committee on House and Governmental Affairs to Reengrossed Senate Bill 450 by Senator Dardenne, on line 2 after "R.S." and before "1505.4", insert "18:"

AMENDMENT NO. 20

In House Committee Amendment No. 8, proposed by the House Committee on House and Governmental Affairs to Reengrossed Senate Bill 450 by Senator Dardenne, between lines 40 and 41 insert asterisks * * *

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Reengrossed Senate Bill No. 450 by Senator Dardenne

AMENDMENT NO. 1

On page 7, at the end of line 1, insert "Any prosecution under this Subsection shall be tried before a jury of six persons, all of whom must concur to render a verdict."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lancaster to Reengrossed Senate Bill No. 450 by Senator Dardenne

AMENDMENT NO. 1

On page 7, after line 19, insert the following:

"Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this

Act shall become effective on the day following such approval."

Senator Dardenne moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Dyess
Campbell	Hainkel
Total—4	

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

Senator Casanova in the Chair

SENATE BILL NO. 113—
BY SENATOR EWING

AN ACT

To enact R.S. 14:67.16, relative to criminal law; to provide for the crime of identity theft; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Wilkerson to Engrossed Senate Bill No. 113 by Senator Ewing (Duplicate of H.B. No. 194)

AMENDMENT NO. 1

On page 1, line 2, after "relative to" delete the remainder of the line and on line 3, delete "identity theft," and insert the following:

"crimes, to create the crime of unauthorized use of personal identity; to provide for penalties;"

AMENDMENT NO. 2

On page 1, line 6, after "§67.16." delete the remainder of the line and insert "Unauthorized use of personal identity"

AMENDMENT NO. 3

On page 1, delete lines 8 through 16 in their entirety, delete pages 2 and 3 in their entirety and insert the following:

"A. Unauthorized use of personal identity is the use, without the permission of the possessor, with fraudulent intent, of the personal identity of a person for the purpose of obtaining, whether contemporaneously or not, of credit, money, goods, services, or any- thing of value, where the value of the credit, money, goods, services, or other thing of value exceeds one hundred dollars. For the purposes of this Section, "personal identity" is the name, social security number, driver's license number, armed forces identification number, bank account number, credit card number, information from a birth or death certificate or other governmental document, or any other information, in any form, which is or can be used to identify a person.

B. Whoever commits the crime of unauthorized use of personal identification, where the value of the credit, money, goods, services, or other thing of value exceeds one hundred dollars but does not exceed five hundred dollars, shall be fined not more than five hundred dollars, or imprisoned for not more than six months, or both.

C. Whoever commits the crime of unauthorized use of personal identity, where the value of the credit, money, goods, services, or other thing of value exceeds five hundred dollars, shall be fined not more than two thousand dollars, or imprisoned, with or without hard labor, for not more than two years, or both.

D. In addition to any other sentence imposed under this Section, the sentencing court, in its discretion, may require the offender to make restitution to the victim for any loss to the victim caused by the offense."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 113 by Senator Ewing

AMENDMENT NO. 1

In House Floor Amendment No.3 proposed by Representative Wilkerson to Engrossed Senate Bill No. 113 by Senator Ewing, on page 1, line 24, before ", where" change "identification" to "identity"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Michot to Engrossed Senate Bill No. 113 by Senator Ewing

AMENDMENT NO. 1

In Amendment No. 3, proposed by Representative Wilkerson and adopted by the House on April 13, 1999, on page 2, line 4, after "offense" and before the period "." insert "and to any other person who has suffered a financial loss as a result of the offense"

Senator Ewing moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

Dardenne
Dean
Total—36

Jordan
Lambert
NAYS

Thomas
Ullo

Total—0

ABSENT

Campbell
Total—3

Dyess

Hollis

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

SENATE BILL NO. 406—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:1162(A)(7), relative to the Louisiana School Employees' Retirement System; to provide for the election of a retired member to the board of trustees; to provide for an effective date; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed Senate Bill No. 406 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 2, between "R.S. 11:1162(A)(7)," and "relative" insert "and to enact R.S. 11:721.1.(C) and 1115(D),"

AMENDMENT NO. 2

On page 1, line 3, delete "System;" and insert in lieu thereof "System and the Teachers' Retirement System; to provide with respect to the reemployment of certain retirees, their benefits and options for membership;"

AMENDMENT NO. 3

On page 1, line 8, between "reenacted" and "to" insert "and R.S. 11:721.1.(C) and 1115(D) are hereby enacted"

AMENDMENT NO. 4

On page 1, between lines 9 and 10 insert:

"§721.1. Option to participate in system
* * *

C. Notwithstanding any provision of law to the contrary, any person who has a doctorate degree and who was employed by the Board of Elementary and Secondary Education for at least seven years and who is or was employed by the East Baton Rouge Parish School System for at least sixteen years and who is employed by that system at any time during 1999 as the supervisor of social studies teachers shall have the option of becoming a member of the Louisiana School Employees' Retirement System, without suspension or reduction of benefits received from this system, provided the option is exercised prior to January 1, 2000.
* * *

§1115. Election of membership; termination
* * *

D. Any person described in R.S. 11:721.1.(C) shall have the option of becoming a member of this system, provided the option is exercised prior to January 1, 2000.
* * *

Senator Heitmeier moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Branch, Cain, Casanova, Cox, Cravins, Dardenne, Dean, Ellington, Total—36; Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert; Landry, Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Tarver, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns: Mr. President, Campbell, Dyess; Total—3

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

SENATE BILL NO. 552— BY SENATOR LAMBERT

AN ACT

To enact R.S. 40:1234.1, relative to emergency medical services; to authorize payment to emergency medical service providers for certain authorized services provided incident to hazardous materials emergencies; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Morrish to Engrossed Senate Bill No. 552 by Senator Lambert (Duplicate of H.B. No. 1208)

AMENDMENT NO. 1

On page 1, line 2, after "relative to" delete the remainder of the line and delete lines 3 and 4 in their entirety and insert "hazardous substance emergencies; to provide for payment for emergency medical services; and to"

AMENDMENT NO. 2

On page 1, at the beginning of line 11, delete "Any person" and insert "The person or entity"

AMENDMENT NO. 3

On page 1, at the end of line 13, change "service" to "services"

AMENDMENT NO. 4

On page 1, at the beginning of line 15, change "a" to "such"

AMENDMENT NO. 5

On page 1, line 15, delete "an authorized member of the" and delete line 16 in its entirety and insert "any person authorized by the Department of Public Safety and Corrections or the Department of Environmental Quality to respond to a hazardous substance emergency."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Morrish to Engrossed Senate Bill No. 552 by Senator Lambert

AMENDMENT NO. 1

Delete Conforming House Floor Amendment No. 1 proposed by Representative Morrish and adopted by the House on April 15, 1999.

AMENDMENT NO. 2

On page 1, line 4, after "materials" insert "transportation"

AMENDMENT NO. 3

On page 1, line 8, after "substance" insert "transportation"

AMENDMENT NO. 4

On page 1, line 11, after "person" delete "causing or contributing" and insert "who in the course of transporting hazardous substances or materials causes or contributes"

AMENDMENT NO. 5

In Conforming House Floor Amendment No. 5 proposed by Representative Morrish and adopted by the House on May 15, 1999, on line 16 of the amendment, after "substance" insert "transportation"

AMENDMENT NO. 6

On page 1, after line 16, insert "Nothing in this Section shall affect the rights of any party to recover under any other provision of law."

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Branch, Cain, Casanova, Cox, Cravins, Dardenne, Dean, Ellington, Total—36; Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert; Landry, Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Tarver, Theunissen, Thomas, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns: Mr. President, Campbell, Dyess; Total—3

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

SENATE BILL NO. 586— BY SENATOR SCHEDLER

AN ACT

To amend and reenact the introductory paragraph of Code of Civil Procedure Arts. 2786(B) and 2786(B)(2), (C)(3), and (D), 2787, 2789(B), 2790(A), 2791(B)(2) and (C)(3), and 2792, and to enact Code of Civil Procedure Arts. 2785(5), 2786(C)(4), and 2795, relative to modification and enforcement of support orders; to

authorize the use of certain federally approved forms for registering support orders; to provide for service of registered support orders; to provide for the requirements of clerks of court relative to such orders; to provide for the jurisdiction of certain courts regarding registered support orders; to provide relative to the time to object to such orders; to provide for the joinder of certain support proceedings; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Wiggins to Engrossed Senate Bill No. 586 by Senator Schedler (Duplicate of H.B. No. 1147)

AMENDMENT NO. 1

On page 1, line 3, after "2786(B)" delete "and 2786(B)(2)," and insert "(introductory paragraph) and (2),"

AMENDMENT NO. 2

On page 1, line 5, delete "modification" and delete lines 6 through 11 in their entirety, and on line 12, delete "support proceedings;" and insert the following:

"intrastate registration of support orders; to provide for the definition of a party to a support order; to provide for the registration of a support order for modification purposes; to provide for notice of the registration of a support order;"

AMENDMENT NO. 3

On page 1, line 15, after "2786(B)" delete "and 2786(B)(2)," and insert "(introductory paragraph) and (2),"

AMENDMENT NO. 4

On page 2, at the beginning of line 8, after "order," delete "the obligor of a support order" and after "or the" insert "state of" and after "Louisiana" insert a comma ","

AMENDMENT NO. 5

On page 2, line 9, insert a comma "," after "Services"

AMENDMENT NO. 6

On page 2, line 10, change "identical to" to "as defined in" and at the end of the line delete "to those"

AMENDMENT NO. 7

On page 2, line 11, delete "defined in" and change "pursuant to" to "or under"

AMENDMENT NO. 8

On page 2, line 12, after "Act" and before the comma "," insert "(UIFSA)"

AMENDMENT NO. 9

On page 2, line 13, change "described" to "stated"

AMENDMENT NO. 10

On page 2, delete line 24 and insert "URESA or"

AMENDMENT NO. 11

On page 2, line 25, delete "Uniform Interstate Family Support Act (UIFSA)" and insert "UIFSA"

AMENDMENT NO. 12

On page 3, line 3, after "(3)" insert "(a)"

AMENDMENT NO. 13

On page 3, line 5, after "or" delete "issue" and insert "(b) Issue"

AMENDMENT NO. 14

On page 3, line 21, delete "or the date of"

AMENDMENT NO. 15

On page 3, line 22, delete "service" and after "2786(C)(3)" delete the period "." and insert "(a), or within twenty days from the date of service required in Article 2786(C)(3)(b)."

AMENDMENT NO. 16

On page 5, delete line 6, and insert "URESA or"

AMENDMENT NO. 17

On page 5, line 7, delete "Uniform Interstate Family Support Act (UIFSA)" and insert "UIFSA"

AMENDMENT NO. 18

On page 5, line 12, after "(3)" insert "(a)"

AMENDMENT NO. 19

On page 5, line 14, change "address" to "addresses" and at the end of the line, insert a comma "," after "support" and after "or" delete "issue" and insert "(b) Issue"

AMENDMENT NO. 20

On page 5, line 21, delete "or the date of"

AMENDMENT NO. 21

On page 5, line 22, delete "service" and at the end of the line, delete the period "." after "(3)" and insert "(a), or within twenty days from the date of service required in Article 2791(C)(3)(b)."

AMENDMENT NO. 22

On page 5, delete line 26 in its entirety, and on line 27, delete "nothing in this Subsection" and insert "Nothing herein" and after "construed" delete "to prohibit" and insert "as prohibiting"

AMENDMENT NO. 23

On page 6, line 1, delete "under this Subsection or from" and insert "hereunder nor"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 586 by Senator Schedler

AMENDMENT NO. 1

In Conforming Amendments proposed by Representative Wiggins in House Floor Amendments to Senate Bill 586 by Senator Schedler, in House Amendment #6, on line 22, change 'delete "to those" ' to "delete "those"

AMENDMENT NO. 2

On page 1, line 2, following "reenact" and before "Code" delete "the introductory paragraph of"

AMENDMENT NO. 3

On page 1, line 4, following "(B)(2)" and before "and" insert "(introductory paragraph)"

AMENDMENT NO. 4

On page 1, line 14, following "1." and before "Code" delete "the introductory paragraph of"

AMENDMENT NO. 5

On page 1, line 15, following "(B)(2)" insert "(introductory paragraph)"

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

June 3, 1999

ROLL CALL

The roll was called with the following result:

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

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

SENATE BILL NO. 673—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:1521(C), relative to the Clerks' of Court Retirement and Relief Fund; to increase the benefit accrual rate; to provide for prospective application only; to provide for an effective date; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Flavin to Engrossed Senate Bill No. 673 by Senator Heitmeier (Duplicate of H.B. No. 719)

AMENDMENT NO. 1

On page 1, line 3, after "Fund;" delete the remainder of the line and on line 4, delete "provide for prospective application only;" and insert the following:

"to provide with respect to the method for calculating benefits; to provide with respect to the benefit accrual rate;"

AMENDMENT NO. 2

On page 1, line 13, after "benefits," delete the remainder of the line and on line 14, delete "1999" and insert "he"

AMENDMENT NO. 3

On page 1, line 14, after "monthly" insert "regular retirement" and after "equal to" delete "three" and delete the remainder of the line and delete lines 15 and 16 in their entirety, and on page 2, delete lines 1 through 8 in their entirety and insert the following:

"the following rates:

(a) Three percent of his monthly average final compensation, multiplied by the number of ~~his years of~~

credited service years of service credit accrued on and before June 30, 1999.

(b) Three and one-third percent of his monthly average final compensation, multiplied by the number of years of service credit accrued on and after July 1, 1999.

(2) Monthly regular retirement benefits as provided in this Subsection shall not to exceed one hundred percent of his monthly average final compensation."

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

ROLL CALL

The roll was called with the following result:

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

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

SENATE BILL NO. 766—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 47:843(D), 864(A), and 865, relative to tobacco products; to provide for tax regulations; to provide for certain cigarettes to which tax stamps shall not be affixed; to provide for certain violations of the Unfair Trade and Consumer Protection Law; to provide for penalties; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Travis to Reengrossed Senate Bill No. 766 by Senator Heitmeier

AMENDMENT NO. 1

On page 6, delete lines 12 through 17 in their entirety and insert in lieu thereof the following:

"Section 2. This Act shall become effective on July 1, 1999; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 1999, or on

the day following such approval by the legislature, whichever is later."

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—35

NAYS

Total—0

ABSENT

Mr. President	Campbell
Boissiere	Dyess

Total—4

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

SENATE BILL NO. 768—
BY SENATORS HOLLIS AND HEITMEIER
AN ACT

To amend and reenact R.S. 37:3171, 3172, 3173(A)(2), 3176(A)(1), (3), and (B), 3177(A)(1) introductory paragraph, 3179, 3179.2, 3180, 3181(A) introductory paragraph, (A) (6), (7), (10), (11), (12)(a)(i), and (14), (B), (E), (F), (G), (H), (I), and (J), 3183, and 3184, to enact 3173(A)(3), 3178, and 3185, and to repeal R.S. 37:3176(C), relative to the Interior Designer Licensing Law; to provide for the practice of interior design; to change the terms of the Board of Examiners of Interior Designers; to provide for enforcement; and to provide for related matters.

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

SENATE BILL NO. 227—
BY SENATOR LANDRY
AN ACT

To amend and reenact R.S. 56:326(A)(7)(b), relative to fishing; to provide for the minimum legal collarbone size for eel catfish; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Chaisson to Engrossed Senate Bill No. 227 by Senator Landry

AMENDMENT NO. 1
On page 1, line 12, change "cat" to "catfish" all three times it appears

AMENDMENT NO. 2
On page 2, line 13, change "cat" to "catfish"

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

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

Total—36

NAYS

Total—0

ABSENT

Mr. President	Campbell	Dyess
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Total—3

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

SENATE BILL NO. 270—
BY SENATOR DYESS
AN ACT

To enact R.S. 40:1496(G) and 1501(E)(9), relative to fire protection districts; to provide relative to the appointment of members in certain parishes; to authorize the governing authority of the fire protection districts located in Rapides Parish to levy additional ad valorem taxes; to provide for voter approval of such tax; and to provide for related matters.

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

SENATE BILL NO. 492—
BY SENATOR THOMAS (BY REQUEST)
AN ACT

To amend and reenact R.S. 56: 302.3(B)(2) and (B)(4), relative to recreational gear use; to provide that the mobility impaired may use a slat trap or a hoop net to catch catfish for home consumption; and to provide for related matters.

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

SENATE BILL NO. 557—
BY SENATORS LANDRY AND HEITMEIER
AN ACT

To amend and reenact R.S. 11:1549(A), relative to the Clerks' of Court Retirement and Relief Fund; to provide with respect to cost-of-living adjustments; to provide for the authority of the board of trustees to grant a cost-of-living adjustment; to provide for an effective date; and to provide for related matters.

June 3, 1999

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

SENATE BILL NO. 852— BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 23:1196(A)(6), relative to self-insurance funds for workers' compensation; to provide for premium discounts based on certain criteria; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Labor and Industrial Relations to Reengrossed Senate Bill No. 852 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 9, after "debit of" and before "percent" delete "thirty" and insert in lieu thereof "twenty-five"

AMENDMENT NO. 2

On page 2, line 9, after "credit of" and before "percent" delete "thirty" and insert in lieu thereof "twenty-five"

AMENDMENT NO. 3

On page 2, line 12, after "allowable" and before "percent" delete "thirty" and insert in lieu thereof "twenty-five"

AMENDMENT NO. 4

On page 2, line 15, after "allowable" and before "percent" delete "thirty" and insert in lieu thereof "twenty-five"

AMENDMENT NO. 5

On page 3, line 16, after "or credits," and before "Plans" insert the following:

"However, in no event shall the net effect of such maximum debit or credit exceed one-half of the fund year member distributions payable from the most recent filed audited financial statement."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 852 by Senator Dardenne

AMENDMENT NO. 1

In House Committee Amendment No. 5 proposed by the House Committee on Labor and Industrial Relations to Senate Bill No. 852, on line 14, change "page 3" to "page 2"

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajois, Barham, Bean, Boissiere, Branch, Cain, Casanova, Cox, Cravins, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Tarver, Theunissen

Dardenne Ellington Total—36

Jordan Lambert

Thomas Ullo

NAYS

Total—0

ABSENT

Campbell Total—3

Dean

Dyess

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

SENATE BILL NO. 919— BY SENATOR EWING

AN ACT

To enact Chapter 27 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1231 through 1236, and R.S. 36:744(O) and 919.6, relative to museums; to establish the Eddie G. Robinson Museum Commission; to provide for its domicile; to provide for membership; to provide for the powers and duties of the commission; to provide relative to funding; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Wilkerson to Engrossed Senate Bill No. 919 by Senator Ewing

AMENDMENT NO. 1

On page 2, delete lines 14 through 19 and insert the following:

"C. The commission shall include the following members:

(1) Four members shall be appointed by the governor subject to confirmation by the Louisiana Senate. Such members shall serve at the pleasure of the governor.

(2) The following shall also be members of the commission:

(a) The president of Grambling State University or his designee.

(b) The mayor of the city of Grambling.

(c) The president of the Grambling Chamber of Commerce.

(d) The president of the Grambling State University National Alumni Association or his designee.

(e) The athletic director at Grambling State University.

(f) The head football coach at Grambling State University.

(g) The president of the Grambling State University athletic foundation.

(h) The state archivist.

(3) Mr. Eddie G. Robinson may serve as a member of the commission. If he chooses to serve as a member, he shall be a full, voting member. If at any time he does not or cannot

serve in such capacity, no successor to his position shall be appointed."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hudson to Engrossed Senate Bill No. 919 by Senator Ewing

AMENDMENT NO. 1

On page 3, after line 27, add the following:

"(3) Acquire by purchase, lease as lessee, and hold and use any property, movable or immovable, tangible or intangible, or any interest therein necessary or desirable for carrying out the purposes of this Chapter and sell, lease as lessor, transfer, and dispose of any such property acquired by it.

(4) Acquire by purchase, lease, or otherwise construct, develop, maintain, and operate the museum. All public works contracted by the commission shall be subject to, and in accordance with, Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950."

Senator Ewing moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Barham, Bean, Boissiere, Branch, Cain, Casanova, Cox, Cravins, Dardenne, Dean, Ellington, Total—37; Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry; Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Tarver, Theunissen, Thomas, Ulló

NAYS

Total—0

ABSENT

Campbell, Total—2; Dyess

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

SENATE BILL NO. 417— BY SENATOR BEAN

AN ACT

To enact R.S. 22:250.50, relative to health insurance contracts; to require health insurers transacting business in this state to include certified transplant centers located in Louisiana in any preferred or exclusive provider network; to provide for guidelines for transplant centers located in the state; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Reengrossed Senate Bill No. 417 by Senator Bean

AMENDMENT NO. 1

On page 1, line 3, after "health" delete the remainder of the line and insert "insurance issuer transacting business in this state to include certain certified"

AMENDMENT NO. 2

On page 1, line 11, after "health" delete "insurer" and insert "insurance issuer"

AMENDMENT NO. 3

On page 1, line 12, after "application" delete "for services" and insert "to provide solid organ transplantation"

AMENDMENT NO. 4

On page 2, line 4, after "certified" delete the remainder of the line and delete lines 5 through 11 in their entirety and insert the following:

"under Title XVIII of the Social Security Act or, in the absence of such certification, other appropriate standards utilized by a majority of health insurance issuers in this state."

AMENDMENT NO. 5

On page 2, line 14, after "health" delete "insurer" and insert "insurance issuer"

AMENDMENT NO. 6

On page 2, between lines 18 and 19, insert the following:

"B. No health insurance issuer authorized to transact business in this state shall refuse to consider an application to provide hematopoietic cell transplantation in any preferred or exclusive provider network by any transplant center located in the state provided the following conditions are met:

(1) The transplant center is certified by the Federation for the Accreditation of Hematopoietic Cell Therapy (FAHCT) or by at least one of the following National Institutes of Health sponsored cooperative groups: the Southwest Oncology Group (SWOG), the Eastern Cooperative Oncology Group (ECOG), or the Cancer and Leukemia Group B (CALGB), for adult patients; and the Pediatric Oncology Group (POG) or Children's Cancer Group (CCG) for pediatric patients.

(2) The transplant center accepts payment at the same rate paid to other transplant centers located outside of Louisiana with whom the health insurance issuer has a contract for such services.

(3) The transplant center agrees to perform all medically necessary services associated with hematopoietic cell transplantation at no additional cost to the insured or enrollee regardless of any lifetime benefit limits or other limitations on coverage."

AMENDMENT NO. 7

On page 2, at the beginning of line 19, delete "(5) The health insurer has not" and insert the following:

"C. The provisions of this Section shall not apply to a health insurance issuer who has documented"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 417 by Senator Bean

AMENDMENT NO. 8

In House Committee Amendments proposed by the House Committee on Insurance to Reengrossed Senate Bill No. 417 by Senator Bean, in Amendment No. 7, on line 12, at the end of the line, before the quotation marks, delete "documented"

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

ROLL CALL

The roll was called with the following result:

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

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

SENATE BILL NO. 499— BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 22:1114(K)(2)(b)(i) and 1117(C)(1)(b), relative to the licensing of insurance agents, brokers and solicitors; to prohibit certain activities by the employees of insurance companies; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Wiggins to Re-reengrossed Senate Bill No. 499 by Senator Cravins

AMENDMENT NO. 1

On page 3, line 5, after "are" and before "authorized" delete "not"

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

ROLL CALL

The roll was called with the following result:

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

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

NAYS

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

ABSENT

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

Dyess

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

SENATE BILL NO. 815— BY SENATOR EWING

AN ACT

To amend and reenact R.S. 46:236.10(C) and (F), relative to the Department of Social Services; to require the safeguard of information contained in the state case registry under certain circumstances; and to provide for related matters.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Engrossed Senate Bill No. 815 by Senator Ewing

AMENDMENT NO. 1

On page 1, line 2, after "(F)" insert and "2136.2(F)"

AMENDMENT NO. 2

On page 1, line 7, after "(F)" insert and "2136.2(F)"

AMENDMENT NO. 3

On page 1, line 4, after "circumstances;" and before "and" insert "to provide for access to information in the Louisiana Protective Order Registry;"

AMENDMENT NO. 4

On page 3, after line 1, insert the following:

§2136.2. Louisiana Protective Order Registry

F. The judicial administrator's office shall make the Louisiana Protective Order Registry available to state and local law enforcement agencies, district attorney offices, the Department of Social Services, office of family support, support enforcement services, and the courts"

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

ROLL CALL

The roll was called with the following result:

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

Branch	Heitmeier	Romero
Cain	Hines	Schedler
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Campbell	Dyess	Tarver
Total—3		

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

SENATE BILL NO. 898—
BY SENATOR C. FIELDS

AN ACT

To enact R.S. 40:1662.18, relative to electronic protective systems; to provide for certain obligations by alarm contracting companies; to provide for penalties; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 898 by Senator C. Fields

AMENDMENT NO. 1

On page 1, line 11, after "immediately" delete the remainder of the line and at the beginning of line 12, delete "operate the electronic protective system" and insert in lieu thereof "return the lockout, installer, or programming code of the electronic protective system to the factory default setting"

Senator C. Fields moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Campbell	Ellington
Dyess	Tarver

Total—4

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

SENATE BILL NO. 908—
BY SENATOR W. FIELDS

AN ACT

To enact R.S. 13:965, relative to court reporters for the Nineteenth Judicial District Court; to provide for fees for the preparation of criminal transcripts; to require the establishment of a fund for payment of transcription fees in indigent cases; to provide for administration of the fund; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Engrossed Senate Bill No. 908 by Senator Fields

AMENDMENT NO. 1

On page 2, line 9, after "be" and before "as" change "taxed" to "assessed"

Senator W. Fields moved to concur in the amendments proposed by the House.

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	Robichaux
Branch	Heitmeier	Romero
Cain	Hines	Schedler
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Campbell	Dyess	Tarver
Total—3		

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

SENATE BILL NO. 931—
BY SENATORS JOHNSON, BAJOIE, W. FIELDS, HAINKEL, HOLLIS AND SMITH

AN ACT

To amend and reenact R.S. 37:1861(A), and to enact Part II-A of Chapter 21 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1871 through 1881, relative to antique dealers; to provide for definitions of "antique dealer" and "cemetery artifacts"; to provide for prohibited acts and purchases; to provide for reporting requirements; to provide for

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recordkeeping; to provide for violations and penalties; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Engrossed Senate Bill No. 931 by Senators Johnson, et al.

AMENDMENT NO. 1

On page 3, line 2, after "person" and before "engaged" delete "in the city"

AMENDMENT NO. 2

On page 4, line 10, after "department" and before "or" insert "of the municipality" and on line 11, after "office" and before the period "." insert "of the parish in which the business is located"

AMENDMENT NO. 3

On page 4, line 15, after "police" delete the remainder of the line and insert in lieu thereof "of the municipality or the sheriff of the parish in which the dealer is located, as appropriate."

AMENDMENT NO. 4

On page 6, line 8, after "furnished" delete the remainder of the line and insert in lieu thereof ", upon application, by the police department of the municipality or the sheriff's office of the parish in which the business is located."

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Ellington, Lambert. Lists names of members who voted 'yea'.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Dyess, Tarver. Lists names of members who were absent.

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

SENATE BILL NO. 974— BY SENATOR DEAN

AN ACT

To amend and reenact R.S. 56:492 and to repeal R.S. 56:326(H), relative to size and possession limits of southern flounder; to

authorize commercial fishermen to retain southern flounder caught as by-catch; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Engrossed Senate Bill No. 974 by Senator Dean

AMENDMENT NO. 1

On page 1, line 2, between "56:" and "492" insert "326(H) and" and delete "and to repeal R.S. 56:326(H)"

AMENDMENT NO. 2

On page 1, line 7, between "56:" and "492" insert "326(H) and" and change "is" to "are"

AMENDMENT NO. 3

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

"§326 Size and possession limits; commercial fish

* * *

H. The possession limit for the commercial taking of southern flounder shall be ten fish for each licensed fisherman for each consecutive day on the water. However, the provisions of this Subsection shall not apply to southern flounder caught as by-catch authorized by R.S. 56:492.

* * *

AMENDMENT NO. 4

On page 1, at the end of line 12, insert "and any commercial fisherman may sell"

AMENDMENT NO. 5

On page 1, delete line 15 in its entirety

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Ellington, Lambert. Lists names of members who voted 'yea'.

Total—35

NAYS

Malone Total—1

ABSENT

Table with 3 columns: Name, Dyess, Tarver. Lists names of members who were absent.

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

SENATE BILL NO. 1027—
BY SENATORS JONES AND EWING
AN ACT

To enact R.S. 33:2740.46, relative to special taxing districts; to create a downtown economic development district in the city of Monroe; to authorize special uses of the Ouachita River; and to provide for related matters.

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

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 1027 by Senator Jones

AMENDMENT NO. 1

On page 2, line 19, after "Street" change the semicolon ";" to a period "." and delete the remainder of the line and delete line 20

AMENDMENT NO. 2

On page 3, line 17, after "Commerce" delete the period "." and insert "to the council on or before August 1, 1999."

AMENDMENT NO. 3

On page 3, line 19, after "submitted" insert "to the council on or before August 1, 1999."

AMENDMENT NO. 4

On page 3, delete lines 25 through 27 and on page 4 delete lines 1 through 4 and insert the following:

"(e) The initial appointments to the board shall be made on or before September 1, 1999."

AMENDMENT NO. 5

On page 4, at the beginning of line 5, change "(c)" to "(2)(a)"

AMENDMENT NO. 6

On page 4, line 5, after "board" delete the remainder of the line and on line 6 delete "expiration of the initial terms"

AMENDMENT NO. 7

On page 4, at the beginning of line 10, change "(d)" to "(b)"

AMENDMENT NO. 8

On page 11, line 4, after "of the" delete "city or"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1027 by Senator Jones

AMENDMENT NO. 1

In Amendments proposed by the House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 1027 by Senator Jones, in Amendment No. 3, on line 9, following "1999", delete the period "."

AMENDMENT NO. 2

On page 8, line 15, before "source" change "expenditure specified to" "expenditures specifying the"

AMENDMENT NO. 3

On page 11, line 12, following "interest" and before "not" delete "from"

AMENDMENT NO. 4

On page 11, line 17, following "the" and before "shall" change "bond" to "bonds"

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

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	Robichaux
Branch	Heitmeier	Romero
Cain	Hines	Schedler
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Campbell	Dyess	Tarver
Total—3		

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

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jack Smith to Engrossed Senate Bill No. 889 by Senator Landry

AMENDMENT NO. 1

On page 1, line 2, after "(C)(4)" insert "and to enact R.S. 48:381.2(F)"

AMENDMENT NO. 2

On page 1, line 7, after "standards;" insert "to provide relative to certain fees;"

AMENDMENT NO. 3

On page 1, line 10, after "reenacted" insert " and R.S. 48:381.2(F) is hereby enacted"

AMENDMENT NO. 4

On page 2, after line 6, insert the following:

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"F. The fee for fiber optic telecommunication installations placed within a controlled access highway right-of-way shall not exceed two thousand two hundred dollars. The department may reduce fees in exchange for shared resources. The department is authorized to reduce fees for its agents, defined for the purposes of this Subsection as those applicants who erect facilities on behalf of the department in order to conduct department work."

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

Senator Landry moved to reject the amendments proposed by the House.

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	Schedler
Cain	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones	Ullo
Dean	Jordan	
Total—35		

NAYS

Total—0

ABSENT

Campbell	Robichaux
Dyess	Tarver
Total—4	

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

Rules Suspended

Senator C. Fields 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. 1690—
BY REPRESENTATIVE WESTON
AN ACT

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

relative to the lease of public property; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Hainkel	Landry	Malone
Total—3		

ABSENT

Campbell	Siracusa
Dyess	Tarver
Total—4	

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

HOUSE BILL NO. 1703—
BY REPRESENTATIVE STELLY
AN ACT

To enact R.S. 11:701(29), (30), and (31) and 784.1 and Part IX of Chapter 2 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:945 through 947, and to repeal R.S. 11:785, relative to the Teachers' Retirement System; to provide with respect to definitions; to provide regarding benefits, the computation thereof, and certain limitations related thereto; to further provide regarding compensation and contributions; 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	Ellington	Lambert
Bajoie	Fields C	Landry
Barham	Fields W	Lentini
Bean	Greene	Malone
Boissiere	Hainkel	Robichaux
Branch	Heitmeier	Romero
Cain	Hines	Schedler
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo

Total—36

NAYS

Total—0

ABSENT

Campbell Dyess 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. 1704—

BY REPRESENTATIVE TRAVIS

AN ACT

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

The bill was read by title. Senator Hollis 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	Robichaux
Branch	Heitmeier	Romero
Cain	Hines	Schedler
Casanova	Hollis	Smith
Cox	Irons	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones	Ullo
Dean	Jordan	
Total—35		

NAYS

Total—0

ABSENT

Campbell Siracusa
Dyess Tarver
Total—4

The Chair declared the 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.

HOUSE BILL NO. 1712—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 11:2221(E)(1), relative to the Municipal Police Employees' Retirement System; to provide with respect to the Deferred Retirement Option Plan; to provide with respect to membership, contributions, and survivor benefits; 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	Ellington	Lambert
Bajoie	Fields C	Landry
Barham	Fields W	Lentini
Bean	Greene	Malone
Boissiere	Hainkel	Robichaux
Branch	Heitmeier	Romero
Cain	Hines	Schedler
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Campbell Dyess 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. 1718—

BY REPRESENTATIVE THOMPSON

AN ACT

To enact R.S. 33:447, relative to mayor's courts; to create the Mayor's Court for the Village of Forest in West Carroll Parish; 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	Jordan
Bajoie	Ellington	Lambert
Barham	Fields C	Landry
Bean	Fields W	Malone
Boissiere	Greene	Robichaux
Branch	Heitmeier	Romero
Cain	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Johnson	Ullo
Dardenne	Jones	
Total—29		

NAYS

Hainkel
Total—1

ABSENT

Campbell Irons Tarver
Cravins Lentini Theunissen
Dyess Schedler Thomas
Total—9

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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.

Mr. President in the Chair

HOUSE BILL NO. 1720—
BY REPRESENTATIVE WESTON

AN ACT

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

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

Rules Suspended

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

Messages from the House

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

June 3, 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. 941—
BY SENATORS BARHAM, DARDENNE, HAINKEL AND SCHEDLER AND REPRESENTATIVES DEWITT, DOWNER, MCMAINS, DIEZ AND CRANE
AN ACT

To amend and reenact R.S. 47:1565(C)(2) and R.S. 47:2419(B), relative to the Department of Revenue; to provide that the deputy assistant secretary of the office of legal affairs of the department may act in certain instances instead of the assistant secretary of the office of legal affairs; to provide for an effective date; and to provide for related matters.

Reported without amendments.

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

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

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

Reported without amendments.

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

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

AN ACT

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

Reported without amendments.

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

Introduction of Resolutions, Senate and Concurrent

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

SENATE RESOLUTION NO. 49—

BY SENATOR SCHEDLER

A RESOLUTION

To urge and request the Department of Revenue to delay the implementation of the collection of taxes on food items previously donated to food banks.

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

SENATE CONCURRENT RESOLUTION NO. 147—

BY SENATOR JORDAN

A CONCURRENT RESOLUTION

To offer condolences of the Louisiana Legislature upon the death of Judge Jerome E. Domengeaux.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Fields C, Fields W. Includes Mr. President, Barham, Bean, Boissiere, Branch, Cain, Cox, Dardenne, Dean, Ellington, Total—28.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Dyess, Irons. Includes Bajoie, Campbell, Tarver, Theunissen.

Casanova	Lambert	Thomas
Cravins	Schedler	
Total—11		

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

SENATE CONCURRENT RESOLUTION NO. 148—
BY SENATOR BEAN

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals and the Department of Insurance to study the feasibility of offering payments to an organ donor's family towards funeral expenses.

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

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 3, 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. 2197—

BY REPRESENTATIVE FLAVIN
AN ACT

To enact R.S. 38:2220.1 through 2220.4, relative to public contracts; to authorize and provide for certain causes of action; to authorize a cause of action against violators of the Public Bid Law; to provide relative to the persons eligible to institute such an action; to provide certain procedures, requirements, terms and conditions; to provide relative to the office of the attorney general; to provide for orders, recovery, and certain awards by the court; to provide for protection from disciplinary proceedings; and to provide for related matters.

HOUSE BILL NO. 465—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 14:40.2(E), relative to the crime of stalking; to provide for certain written notices of convictions; and to provide for related matters.

HOUSE BILL NO. 1468—

BY REPRESENTATIVE LANDRIEU
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 "Texas Gas Transmission Corporation vs. State of Louisiana", "Crawler Supply Company, Inc. v. State of Louisiana", "American Express Travel Related Services vs. State of Louisiana", and "TIW Corporation v. State of Louisiana", and to provide for related matters.

HOUSE BILL NO. 2104—

BY REPRESENTATIVES ALARIO, THOMPSON, AND JENKINS
AN ACT

To amend and reenact R.S. 47:301(10)(a)(iii), and (18)(a)(iii), relative to political subdivision sales and use tax; to exclude from such tax tangible personal property which is to be leased or rented; and to provide for related matters.

HOUSE BILL NO. 2111—

BY REPRESENTATIVES HEBERT, DOWNER, ALEXANDER, BARTON, BAYLOR, BRUNEAU, CLARKSON, CURTIS, DEVILLE, DOERGE, DUPRE, DURAND, FAUCHEUX, FONTENOT, FRUGE, GAUTREAUX, GLOVER, HILL, HOPKINS, HUDSON, ILES, MITCHELL, MONTGOMERY, ODINET, PINAC, POWELL, QUEZAIRE, ROMERO, SCHWEGMANN, JACK SMITH, THERIOT, TRICHE, WADDELL, WALSWORTH, WIGGINS, WILKERSON, WILLARD, WINSTON, WRIGHT, NEVERS, FRITH, AND THOMPSON AND SENATORS EWING, HAINKEL, BEAN, BOISSIERE, CAIN, COX, CRAVINS, ELLINGTON, W. FIELDS, GREENE, HINES, IRONS, JONES, ROMERO, SCHEDLER, AND TARVER

AN ACT

To enact R.S. 17:421.6, relative to the use of certain state funds for pay increases; to require city and parish school boards receiving certain excess state funds to provide pay increases for school employees; to provide definitions; to provide guidelines and conditions for such pay increases; to require city and parish school boards not receiving such excess funds also to provide pay increases for school employees pursuant to an appropriation of funds for this purpose; to provide relative to amounts; to provide for certain exclusions regarding application of such state funds; and to provide for related matters.

HOUSE BILL NO. 2208—

BY REPRESENTATIVES COPELIN, CHAISSON, DANIEL, DURAND, FAUCHEUX, GLOVER, HEATON, HILL, LANDRIEU, MCCAIN, MONTGOMERY, ODINET, PIERRE, WARNER, AND WILLARD

AN ACT

To amend and reenact Section 4.A. of Act No. 541 of the 1976 Regular Session of the Louisiana Legislature, as amended by Act No. 499 of the 1978 Regular Session of the Louisiana Legislature, Act No. 449 of the 1980 Regular Session of the Louisiana Legislature, Act No. 927 of the 1981 Regular Session of the Louisiana Legislature, Act No. 476 of the 1984 Regular Session of the Louisiana Legislature, Act No. 259 of the 1989 Regular Session of the Louisiana Legislature, and Act No. 640 of the 1993 Regular Session of the Louisiana Legislature, relative to the Louisiana Stadium and Exposition District; to require legislative approval of any amendment to the contract or lease with the New Orleans franchise of the National Football League and of any contract or lease of the multi-purpose facility with a professional sports franchise; and to provide for related matters.

HOUSE BILL NO. 2211—

BY REPRESENTATIVE GUILLORY
AN ACT

To enact R.S. 30:2027.1, relative to the Department of Environmental Quality; to provide relative to reporting of or detecting the illegal disposal of hazardous waste by tank truck, trailer, or other vehicle; to authorize the development of an environmental watchdog program; to provide duties, terms, conditions, procedures, and requirements; to provide relative to reward amounts; to provide for rules and regulations; to provide for confidentiality; and to provide for related matters.

HOUSE BILL NO. 1119—

BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact R.S. 40:1379.3.1(A), relative to fees paid for concealed handgun permits; to provide for reduced fees for certain persons; and to provide for related matters.

HOUSE BILL NO. 223—

BY REPRESENTATIVE MORRISH
AN ACT

To enact Code of Criminal Procedure Art. 222, relative to blood and saliva testing; to require a person to be tested for infectious disease after committing an act which could transmit the disease to a law enforcement officer; and to provide for related matters.

June 3, 1999

HOUSE BILL NO. 1596—

BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 24:11, relative to legislative procedure; to provide for the form of a legislative petition for an extraordinary session of the legislature; to provide for the timing of such an extraordinary session; and to provide for related matters.

HOUSE BILL NO. 1994—

BY REPRESENTATIVE CARTER
AN ACT

To enact Chapter 4-B of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:350 through 352, relative to agriculture; to provide for the preservation of rural lands; to provide for legislative findings; to provide that certain local regulations affecting rural unincorporated areas in certain parishes be submitted to the electors in that area for approval; and to provide for related matters.

HOUSE BILL NO. 2098—

BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 17:3217.2(D), to provide relative to the operation of vending stands, vending machines, and other concessions at Delgado Community College, including limitations on fees, service charges, or other operating costs; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 2167—

BY REPRESENTATIVE WELCH
AN ACT

To enact R.S. 14:93.4(C), relative to the crime of exploitation of the infirmed; to provide that a person convicted of the offense or who enters a plea agreement for the offense shall be prohibited from having access to any aged or disabled persons power of attorney, guardianship, assets, or property; and to provide for related matters.

HOUSE BILL NO. 206—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 14:34.3(B), relative to the crime of battery of a school teacher; to provide with regard to penalties; and to provide for related matters.

HOUSE BILL NO. 1405—

BY REPRESENTATIVE DAMICO
AN ACT

To enact R.S. 47:1907(I), relative to assessors; to provide for certain increases in the annual compensation of assessors; and to provide for related matters.

HOUSE BILL NO. 1536—

BY REPRESENTATIVE BOWLER
AN ACT

To enact R.S. 9:4802(G)(3) and R.S. 38:2242(F), relative to privileges and liens; to provide for privileges and liens of sellers under the Private Works Act and materialmen doing work with a public entity; and to provide for related matters.

HOUSE BILL NO. 2151—

BY REPRESENTATIVE GREEN
AN ACT

To amend and reenact R.S. 35:1.1, 191(A)(1), and 201(A), relative to notaries; to provide for the appointment of notaries; to provide for the validity of certain prior appointments; and to provide for related matters.

HOUSE BILL NO. 1598—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 33:2495(B)(2) and 2555(B)(2), relative to fire and police civil service; to provide relative to the formal

training required of certain entry level employees; and to provide for related matters.

HOUSE BILL NO. 1604—

BY REPRESENTATIVES JETSON, ODINET, PIERRE, AND GAUTREUX
AN ACT

To enact R.S. 30:127(G) and 148.6(C), R.S. 41:1217(E), and R.S. 56:30.2, relative to leased state lands; to require the lessee to maintain public access to public waterways through leased state lands; and to provide for related matters.

HOUSE BILL NO. 862—

BY REPRESENTATIVE LANDRIEU
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay certain judgments of the Board of Tax Appeals; and to provide for related matters.

HOUSE BILL NO. 1955—

BY REPRESENTATIVES HUNTER AND MARIONNEAUX
AN ACT

To enact R.S. 17:164.2, relative to school buses used to transport students; to require that certain buses be equipped with occupant restraint systems; to provide relative to rules and regulations of the State Board of Elementary and Secondary Education; to provide relative to compliance and funding; and to provide for related matters.

HOUSE BILL NO. 1450—

BY REPRESENTATIVE FONTENOT
AN ACT

To amend and reenact Civil Code Articles 89 and 3520, relative to same sex marriages; to prohibit the recognition of any marriage between persons of the same sex; to provide for any such marriage contracted in another state or jurisdiction; to provide for the effect of any public act, record or judicial proceeding in another state or jurisdiction which authorizes such marriages; and to provide for related matters.

HOUSE BILL NO. 1755—

BY REPRESENTATIVE DEWITT
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the final judgment in the suit entitled "Cytec Industries Inc. v. State of Louisiana", and to provide for related matters.

HOUSE BILL NO. 2246—

BY REPRESENTATIVE WARNER
AN ACT

To enact Chapter 8-F of Title 45 of the Louisiana Revised Statutes of 1950, to be composed of R.S. 45:844.1 through 844.4, relative to telecommunication services access; to provide for legislative intent; to provide for definitions; to provide for nondiscrimination by property owner; and to provide for related matters.

HOUSE BILL NO. 2161—

BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 56:797(C) and 798(B), relative to investment of certain special funds; to authorize investment of the Rockefeller Foundation Wildlife Refuge and Game Preserve Fund and the Russell Sage or Marsh Island Refuge Fund in stocks, bonds, and certain government securities; and to provide for related matters.

HOUSE BILL NO. 2198—

BY REPRESENTATIVE FRITH
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for the Fiscal Year 1999-2000 to the Department of Wildlife and Fisheries to pay the judgment in the class action suit entitled "Odilon Marceaux, et al v. State of Louisiana, Virginia Van Sickle,

Department of Wildlife and Fisheries, Louisiana Wildlife and Fisheries Commission, and Herbert L. Sumrall"; to provide for interest, court costs, and certain retirement obligations; and to provide for related matters.

HOUSE BILL NO. 1280—
BY REPRESENTATIVES MCMAINS, DEWITT, DOWNER, DIEZ, AND CRANE AND SENATORS DARDENNE, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To enact R.S. 27:68.1, to provide for a notice of lis pendens in actions involving gaming; to provide for the circumstances under which such notices shall be issued by a hearing officer; to provide for a hearing to set aside the notice of lis pendens; to provide the effect of such notices on persons to whom a sale, assignment, transfer, or disposition is made; and to provide for related matters.

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

HOUSE BILL NO. 206—
BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 14:34.3(B), relative to the crime of battery of a school teacher; to provide with regard to penalties; and to provide for related matters.

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

HOUSE BILL NO. 223—
BY REPRESENTATIVE MORRISH
AN ACT

To enact Code of Criminal Procedure Art. 222, relative to blood and saliva testing; to require a person to be tested for infectious disease after committing an act which could transmit the disease to a law enforcement officer; and to provide for related matters.

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

HOUSE BILL NO. 465—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 14:40.2(E), relative to the crime of stalking; to provide for certain written notices of convictions; and to provide for related matters.

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

HOUSE BILL NO. 862—
BY REPRESENTATIVE LANDRIEU
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay certain judgments of the Board of Tax Appeals; 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. 1119—
BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact R.S. 40:1379.3.1(A), relative to fees paid for concealed handgun permits; to provide for reduced fees for certain persons; and to provide for related matters.

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

HOUSE BILL NO. 1280—
BY REPRESENTATIVES MCMAINS, DEWITT, DOWNER, DIEZ, AND CRANE AND SENATORS DARDENNE, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To enact R.S. 27:68.1, to provide for a notice of lis pendens in actions involving gaming; to provide for the circumstances under which such notices shall be issued by a hearing officer; to provide for a hearing to set aside the notice of lis pendens; to provide the effect of such notices on persons to whom a sale, assignment, transfer, or disposition is made; and to provide for related matters.

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

HOUSE BILL NO. 1405—
BY REPRESENTATIVE DAMICO
AN ACT

To enact R.S. 47:1907(I), relative to assessors; to provide for certain increases in the annual compensation of assessors; 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. 1450—
BY REPRESENTATIVE FONTENOT
AN ACT

To amend and reenact Civil Code Articles 89 and 3520, relative to same sex marriages; to prohibit the recognition of any marriage between persons of the same sex; to provide for any such marriage contracted in another state or jurisdiction; to provide for the effect of any public act, record or judicial proceeding in another state or jurisdiction which authorizes such marriages; 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. 1468—
BY REPRESENTATIVE LANDRIEU
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 "Texas Gas Transmission Corporation vs. State of Louisiana", "Crawler Supply Company, Inc. v. State of Louisiana", "American Express Travel Related Services vs. State of Louisiana", and "TIW Corporation v. 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. 1536—
BY REPRESENTATIVE BOWLER
AN ACT

To enact R.S. 9:4802(G)(3) and R.S. 38:2242(F), relative to privileges and liens; to provide for privileges and liens of sellers under the Private Works Act and materialmen doing work with a public entity; 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. 1596—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 24:11, relative to legislative procedure; to provide for the form of a legislative petition for an extraordinary session of the legislature; to provide for the timing of such an extraordinary session; and to provide for related matters.

June 3, 1999

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

HOUSE BILL NO. 1598—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 33:2495(B)(2) and 2555(B)(2), relative to fire and police civil service; to provide relative to the formal training required of certain entry level employees; 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. 1604—
BY REPRESENTATIVES JETSON, ODINET, PIERRE, AND GAUTREAUX
AN ACT

To enact R.S. 30:127(G) and 148.6(C), R.S. 41:1217(E), and R.S. 56:30.2, relative to leased state lands; to require the lessee to maintain public access to public waterways through leased state lands; and to provide for related matters.

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

HOUSE BILL NO. 1755—
BY REPRESENTATIVE DEWITT
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the final judgment in the suit entitled "Cytex Industries Inc. v. 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. 1955—
BY REPRESENTATIVES HUNTER AND MARIONNEAUX
AN ACT

To enact R.S. 17:164.2, relative to school buses used to transport students; to require that certain buses be equipped with occupant restraint systems; to provide relative to rules and regulations of the State Board of Elementary and Secondary Education; to provide relative to compliance and funding; 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. 1994—
BY REPRESENTATIVE CARTER
AN ACT

To enact Chapter 4-B of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:350 through 352, relative to agriculture; to provide for the preservation of rural lands; to provide for legislative findings; to provide that certain local regulations affecting rural unincorporated areas in certain parishes be submitted to the electors in that area for approval; and to provide for related matters.

On motion of Senator Bean, the bill, which was designated a duplicate of Senate Bill No. 695, was read by title and referred to the Committee on Agriculture.

HOUSE BILL NO. 2098—
BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 17:3217.2(D), to provide relative to the operation of vending stands, vending machines, and other concessions at Delgado Community College, including limitations on fees, service charges, or other operating costs; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 2104—
BY REPRESENTATIVES ALARIO, THOMPSON, AND JENKINS
AN ACT

To amend and reenact R.S. 47:301(10)(a)(iii), and (18)(a)(iii), relative to political subdivision sales and use tax; to exclude from such tax tangible personal property which is to be leased or rented; 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. 2111—
BY REPRESENTATIVES HEBERT, DOWNER, ALEXANDER, BARTON, BAYLOR, BRUNEAU, CLARKSON, CURTIS, DEVILLE, DOERGE, DUPRE, DURAND, FAUCHEUX, FONTENOT, FRUGE, GAUTREAUX, GLOVER, HILL, HOPKINS, HUDSON, ILES, MITCHELL, MONTGOMERY, ODINET, PINAC, POWELL, QUEZAIRE, ROMERO, SCHWEGMANN, JACK SMITH, THERIOT, TRICHE, WADDELL, WALSWORTH, WIGGINS, WILKERSON, WILLARD, WINSTON, WRIGHT, NEVERS, FRITH, AND THOMPSON AND SENATORS EWING, HAINKEL, BEAN, BOISSIERE, CAIN, COX, CRAVINS, ELLINGTON, W. FIELDS, GREENE, HINES, IRONS, JONES, ROMERO, SCHEDLER, AND TARVER
AN ACT

To enact R.S. 17:421.6, relative to the use of certain state funds for pay increases; to require city and parish school boards receiving certain excess state funds to provide pay increases for school employees; to provide definitions; to provide guidelines and conditions for such pay increases; to require city and parish school boards not receiving such excess funds also to provide pay increases for school employees pursuant to an appropriation of funds for this purpose; to provide relative to amounts; to provide for certain exclusions regarding application of such state funds; 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. 2151—
BY REPRESENTATIVE GREEN
AN ACT

To amend and reenact R.S. 35:1.1, 191(A)(1), and 201(A), relative to notaries; to provide for the appointment of notaries; to provide for the validity of certain prior appointments; 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. 2161—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 56:797(C) and 798(B), relative to investment of certain special funds; to authorize investment of the Rockefeller Foundation Wildlife Refuge and Game Preserve Fund and the Russell Sage or Marsh Island Refuge Fund in stocks, bonds, and certain government securities; 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. 2167—
BY REPRESENTATIVE WELCH
AN ACT

To enact R.S. 14:93.4(C), relative to the crime of exploitation of the infirmed; to provide that a person convicted of the offense or who enters a plea agreement for the offense shall be prohibited from having access to any aged or disabled persons power of attorney, guardianship, assets, or 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 C.

HOUSE BILL NO. 2197—

BY REPRESENTATIVE FLAVIN

AN ACT

To enact R.S. 38:2220.1 through 2220.4, relative to public contracts; to authorize and provide for certain causes of action; to authorize a cause of action against violators of the Public Bid Law; to provide relative to the persons eligible to institute such an action; to provide certain procedures, requirements, terms and conditions; to provide relative to the office of the attorney general; to provide for orders, recovery, and certain awards by the court; to provide for protection from disciplinary proceedings; and to provide for related matters.

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

HOUSE BILL NO. 2198—

BY REPRESENTATIVE FRITH

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for the Fiscal Year 1999-2000 to the Department of Wildlife and Fisheries to pay the judgment in the class action suit entitled "Odilon Marceaux, et al v. State of Louisiana, Virginia Van Sickle, Department of Wildlife and Fisheries, Louisiana Wildlife and Fisheries Commission, and Herbert L. Sumrall"; to provide for interest, court costs, and certain retirement obligations; 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. 2208—

BY REPRESENTATIVES COPELIN, CHAISSON, DANIEL, DURAND, FAUCHEUX, GLOVER, HEATON, HILL, LANDRIEU, MCCAIN, MONTGOMERY, ODINET, PIERRE, WARNER, AND WILLARD

AN ACT

To amend and reenact Section 4.A. of Act No. 541 of the 1976 Regular Session of the Louisiana Legislature, as amended by Act No. 499 of the 1978 Regular Session of the Louisiana Legislature, Act No. 449 of the 1980 Regular Session of the Louisiana Legislature, Act No. 927 of the 1981 Regular Session of the Louisiana Legislature, Act No. 476 of the 1984 Regular Session of the Louisiana Legislature, Act No. 259 of the 1989 Regular Session of the Louisiana Legislature, and Act No. 640 of the 1993 Regular Session of the Louisiana Legislature, relative to the Louisiana Stadium and Exposition District; to require legislative approval of any amendment to the contract or lease with the New Orleans franchise of the National Football League and of any contract or lease of the multi-purpose facility with a professional sports franchise; and to provide for related matters.

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

HOUSE BILL NO. 2211—

BY REPRESENTATIVE GUILLORY

AN ACT

To enact R.S. 30:2027.1, relative to the Department of Environmental Quality; to provide relative to reporting of or detecting the illegal disposal of hazardous waste by tank truck, trailer, or other vehicle; to authorize the development of an environmental watchdog program; to provide duties, terms, conditions, procedures, and requirements; to provide relative to reward amounts; to provide for rules and regulations; to provide for confidentiality; and to provide for related matters.

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

HOUSE BILL NO. 2246—

BY REPRESENTATIVE WARNER

AN ACT

To enact Chapter 8-F of Title 45 of the Louisiana Revised Statutes of 1950, to be composed of R.S. 45:844.1 through 844.4, relative to telecommunication services access; to provide for legislative intent; to provide for definitions; to provide for nondiscrimination by property owner; and to provide for related matters.

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

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 3, 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. 257—

BY REPRESENTATIVES PERKINS AND THORNHILL

A CONCURRENT RESOLUTION

To appeal to the Congress of the United States to limit the appellate jurisdiction of the federal courts regarding the specific medical practice of partial-birth abortions.

HOUSE CONCURRENT RESOLUTION NO. 265—

BY REPRESENTATIVE WIGGINS

A CONCURRENT RESOLUTION

To commend and congratulate Ann Beaubouef upon winning the National High School Rodeo Pole Bending Championship and the Reserve All-Around Championship.

HOUSE CONCURRENT RESOLUTION NO. 266—

BY REPRESENTATIVE WARNER

A CONCURRENT RESOLUTION

To memorialize the U.S. Congress to appoint a task force to develop a plan to close the Mississippi River Gulf Outlet.

HOUSE CONCURRENT RESOLUTION NO. 262—

BY REPRESENTATIVES WELCH, HOLDEN, JETSON, AND WESTON AND SENATORS CLEO FIELDS AND WILSON FIELDS

A CONCURRENT RESOLUTION

To commend and congratulate Reverend Theodore J. Jemison on his fiftieth anniversary as the pastor of the Mount Zion First Baptist Church in Baton Rouge, Louisiana, and for his service to the Mount Zion First Baptist Church community and dedicated leadership and successful efforts in the civil rights movement.

HOUSE CONCURRENT RESOLUTION NO. 261—

BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To urge and request higher education governing boards to appropriately fund intramural and recreational sport facilities and programs.

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

June 3, 1999

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. 257—

BY REPRESENTATIVES PERKINS AND THORNHILL
A CONCURRENT RESOLUTION

To appeal to the Congress of the United States to limit the appellate jurisdiction of the federal courts regarding the specific medical practice of partial-birth abortions.

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

HOUSE CONCURRENT RESOLUTION NO. 261—

BY REPRESENTATIVE QUEZAIRE
A CONCURRENT RESOLUTION

To urge and request higher education governing boards to appropriately fund intramural and recreational sport facilities and programs.

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

HOUSE CONCURRENT RESOLUTION NO. 262—

BY REPRESENTATIVES WELCH, HOLDEN, JETSON, AND WESTON AND SENATORS CLEO FIELDS AND WILSON FIELDS
A CONCURRENT RESOLUTION

To commend and congratulate Reverend Theodore J. Jemison on his fiftieth anniversary as the pastor of the Mount Zion First Baptist Church in Baton Rouge, Louisiana, and for his service to the Mount Zion First Baptist Church community and dedicated leadership and successful efforts in the civil rights movement.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Jordan
Barham	Fields W	Landry
Bean	Greene	Lentini
Boissiere	Hainkel	Malone
Branch	Heitmeier	Robichaux
Cain	Hines	Romero
Dardenne	Hollis	Smith
Dean	Johnson	Ullo
Ellington	Jones	
Total—26		

NAYS

Total—0

ABSENT

Bajoie	Dyess	Tarver
Campbell	Irons	Theunissen
Casanova	Lambert	Thomas
Cox	Schedler	
Cravins	Siracusa	
Total—13		

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

HOUSE CONCURRENT RESOLUTION NO. 265—

BY REPRESENTATIVE WIGGINS
A CONCURRENT RESOLUTION

To commend and congratulate Ann Beaubouef upon winning the National High School Rodeo Pole Bending Championship and the Reserve All-Around Championship.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Jordan
Barham	Fields W	Landry
Bean	Greene	Lentini
Boissiere	Hainkel	Malone
Branch	Heitmeier	Robichaux
Cain	Hines	Romero
Dardenne	Hollis	Smith
Dean	Johnson	Ullo
Ellington	Jones	
Total—26		

NAYS

Total—0

ABSENT

Bajoie	Dyess	Tarver
Campbell	Irons	Theunissen
Casanova	Lambert	Thomas
Cox	Schedler	
Cravins	Siracusa	
Total—13		

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

HOUSE CONCURRENT RESOLUTION NO. 266—

BY REPRESENTATIVE WARNER
A CONCURRENT RESOLUTION

To memorialize the U.S. Congress to appoint a task force to develop a plan to close the Mississippi River Gulf Outlet.

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

Rules Suspended

Senator Bean asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 540 from the Committee on Finance.

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.

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.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

EDUCATION

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

June 3, 1999

To the President and Members of the Senate:

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

HOUSE BILL NO. 195— BY REPRESENTATIVE WILKERSON AN ACT

To enact R.S. 17:3351.2, relative to dissemination of specific information; to prohibit the dissemination of certain information by public postsecondary education institutions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1155— BY REPRESENTATIVES FONTENOT AND MCMAINS AN ACT

To enact Chapter 5-F of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.31 through 380.36, and R.S. 36:744(O) and 801.10, to create the Livingston Parish Museum and Cultural Center in the Department of State; to provide for a museum governing board including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1164— BY REPRESENTATIVE PRATT AN ACT

To amend and reenact R.S. 17:416.8(A)(2) and (B), relative to pupil discipline; to provide for school board and school discipline policies, including policy content, policy review, policy distribution, and dissemination of policy information to employees, students, and certain others; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1990— BY REPRESENTATIVES SALTER, BARTON, BAUDOIN, CRANE, CURTIS, DOERGE, KENNEY, LONG, PRATT, WINSTON, DOWNER, ALEXANDER, ANSARDI, BAYLOR, BRUCE, CLARKSON, COPELIN, DANIEL, DUPRE, FARVE, FAUCHEUX, FRITH, GAUTREAUX, GUILLORY, HEATON, HEBERT, HILL, HOLDEN, ILES, JENKINS, KENNARD, LANCASTER, LANDRIEU, MARIONNEAUX, MCMAINS, MONTGOMERY, MORRELL, MURRAY, ODINET, PERKINS, PIERRE, PINAC, QUEZAIRE, RIDDLE, ROMERO, SCHNEIDER, SCHWEGMANN, SHAW, THOMAS, TRAVIS, WADDELL, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILLARD, AND WOOTON

AN ACT

To enact R.S. 17:235.2, relative to commitments by public school students and their parents or guardians; to require certain public school students and their parents or guardians to sign statements that they have read rules relative to school attendance, homework assignments, and school rules; to provide relative to information provided to students regarding such statements; to provide relative to rules and regulations of city and parish school boards; to provide for effectiveness; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2048— BY REPRESENTATIVES PERKINS AND CLARKSON AN ACT

To enact R.S. 17:100.6, relative to certain policies of governing authorities of public elementary and secondary schools; to require such governing authorities to adopt certain policies regarding access by students and school employees to certain Internet and online sites; to provide certain exceptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2067— BY REPRESENTATIVE WESTON AN ACT

To amend and reenact R.S. 17:204, relative to the In-School Intervention Pilot Program; to extend the termination date of the program; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2123— BY REPRESENTATIVES WILLARD AND FARVE AN ACT

To amend and reenact R.S. 17:2115(A), relative to prayer in schools; to remove restriction that prayer authorized for students and teachers be silent prayer; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2252— BY REPRESENTATIVE WIGGINS AN ACT

To enact R.S. 17:100.6, relative to the power and authority of public school boards; to provide for the management and administration of certain public school lands, buildings and improvements, facilities, and other property by the public school board in whose geographic boundaries the lands, buildings and improvements, facilities, or other property is located; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted, THOMAS A. GREENE Chairman

REPORT OF COMMITTEE ON LOCAL AND MUNICIPAL AFFAIRS

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

June 3, 1999

To the President and Members of the Senate:

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

SENATE RESOLUTION NO. 41— BY SENATOR BOISSIERE A RESOLUTION

To urge and request the Senate Committee on Local and Municipal Affairs to study blighted, dilapidated, and deteriorating structures and the enforcement of housing and environmental matters in the city of New Orleans.

Reported favorably.

June 3, 1999

SENATE BILL NO. 1101—

BY SENATOR BAJOE

AN ACT

To enact R.S. 33:4094.1, relative to the city of New Orleans; to authorize the local governing body to collect a special ad valorem tax of four mill on the dollar for sewage drainage services; to provide for the collection of such taxes for twenty years to benefit the Sewage and Water Board; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 212—

BY REPRESENTATIVE WESTON

A CONCURRENT RESOLUTION

To urge and request the Department of Culture, Recreation and Tourism to develop a plan for implementation of a golf trail in the state of Louisiana and to submit such plan and related recommendations to the Legislature of Louisiana.

Reported favorably.

HOUSE BILL NO. 232—

BY REPRESENTATIVE BARTON

AN ACT

To amend and reenact R.S. 47:332.7(B), relative to the Bossier City Riverfront and Civic Center Fund; to provide for uses of monies in the fund; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 240—

BY REPRESENTATIVE STELLY

AN ACT

To enact R.S. 40:1498(D), relative to fire protection districts in Calcasieu Parish; to provide for increases in the per diem paid to members of the governing authorities of such districts; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 264—

BY REPRESENTATIVE THOMPSON

AN ACT

To amend and reenact R.S. 39:1302(1), relative to the Louisiana Local Government Budget Act to expand the definition of entities which are subject to such provisions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 668—

BY REPRESENTATIVE DUPRE

AN ACT

To enact R.S. 33:7712(A)(5), relative to Consolidated Waterworks District No. 1 in Terrebonne Parish; to authorize the district to provide for incentive pay for its employees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 976—

BY REPRESENTATIVE GLOVER

AN ACT

To amend and reenact R.S. 47:302.2 and 332.6 and Section 2 of Act 957 of the 1992 Regular Session of the Legislature, relative to the Shreveport Riverfront and Convention Center Fund; to revise the dedication of monies in the fund; to expand the allowable uses of monies in the fund to include renovation, expansion, or maintenance of Independence Stadium; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1030—

BY REPRESENTATIVE PERKINS

AN ACT

To enact R.S. 9:1113, relative to local building codes and inspections of non-inhabited structures on private residential property; to provide property owners an exemption from local building codes and inspections by indemnifying the local government agency or municipality; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1107—

BY REPRESENTATIVES TOOMY, ANSARDI, BOWLER, DAMICO, DONELON, AND VITTER AND SENATORS HAINKEL, LENTINI, AND ULLO

AN ACT

To enact R.S. 33:9128 and 9129, relative to the Jefferson Parish Communications District; to provide that each wireless service supplier establish a mechanism to permit the district to have access to certain customer data; to provide as to the applicability of certain laws; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1511—

BY REPRESENTATIVE BARTON

AN ACT

To amend and reenact R.S. 14:326(C), relative to parades, marches, or demonstrations; to exempt professional firefighter and police associations from permit requirements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1516—

BY REPRESENTATIVE PERKINS

AN ACT

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

Reported favorably.

HOUSE BILL NO. 2102 (Duplicate of Senate Bill No. 939)—

BY REPRESENTATIVE BARTON AND SENATOR EWING AND COAUTHORED BY REPRESENTATIVES DOWNER, DUPRE, AND WESTON

AN ACT

To amend and reenact R.S. 33:9101(A) and (B)(4)(introductory paragraph), 9102, 9103(A)(1) and (E), 9105, and 9106(B)(1), and Section 5(A)(4) through (6) and (B) of Act No. 155 of the 1982 Regular Session of the Louisiana Legislature, as amended by Act No. 897 of the 1990 Regular Session, and Act No. 726 of 1995 Regular Session and Section 5(A)(1), (5), and (6) and (B)(1) of Act No. 788 of the 1979 Regular Session of the Louisiana Legislature, as amended by Act No. 441 of the 1981 Regular Session, Act No. 7 of the 1982 Regular Session, and Act No. 1241 of the 1995 Regular Session, to enact R.S. 33:9109, and to repeal Parts III through X of Chapter 31 of Title 33 of the Louisiana Revised Statutes of 1950, comprised of R.S. 33:9131, 9131.1, 9131.2, 9131.3, 9131.4, 9131.5, 9131.6, and 9131.7 respectively, relative to communications districts; to provide for the creation of multiparish communications districts and to authorize contracts between districts; to provide relative to the rate of the emergency telephone service charge on landline phones; to authorize the levy of an emergency telephone service charge on certain wireless communications systems; to provide for the use of such service charge for certain enhancements to 911 service and other purposes of the districts; to repeal certain existing authority for an emergency telephone service charge; to provide for the collection of the service charge; to provide for agreements between communications districts and service suppliers for the purpose of making technological enhancements; to provide relative to audits

of the districts; to provide relative to standards of service, the sharing of certain confidential information, and the liability of the districts and the service suppliers; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DIANA E. BAJOIE
Chairwoman

REPORT OF COMMITTEE ON

TRANSPORTATION, HIGHWAYS, AND PUBLIC WORKS

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

June 3, 1999

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 139—
BY SENATOR MALONE
A CONCURRENT RESOLUTION

To urge and request the United States Department of Transportation to approve the Shreveport Regional Airport to maintain the four slots previously used by American Airlines to allow nonstop air service from Shreveport, Louisiana to Chicago O'Hare International Airport in Illinois.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 2—
BY REPRESENTATIVE GUILLORY
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to study the traffic problems at the intersection of Prien Lake Road and Interstate 210 in Lake Charles, and to consider the inclusion of traffic mitigation improvements at this intersection when compiling the Highway Priority Program.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 7—
BY REPRESENTATIVES LONG AND JOHN SMITH
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to establish a rest area at the Interstate 49 and Highway 6 interchange and to urge and request the Department of Culture, Recreation and Tourism to maintain a tourist information center at that site.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 11—
BY REPRESENTATIVE LONG AND SENATOR SMITH
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development and United States Army Corps of Engineers to study drainage problems on the lower Cane River in Natchitoches Parish, Louisiana, and make recommendations to the legislature prior to the 2000 Regular Session.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 12—
BY REPRESENTATIVE LONG AND SENATOR SMITH
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect lighting at the intersection of Interstate Highway 49 and Louisiana Highway 6 in Natchitoches Parish, Louisiana.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 36—
BY REPRESENTATIVE MICHOT
A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections, office of motor vehicles, to extend its office hours and to open additional "express" offices.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 57—
BY REPRESENTATIVE LONG
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to select the route of the east-west corridor project from Vidalia, Louisiana, to Clarence, Louisiana.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 58—
BY REPRESENTATIVE LONG
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to investigate solutions to flooding problems at Black Lake/Clear Lake and to present to the legislature by March 1, 2000, a report detailing its findings and recommendations.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 105—
BY REPRESENTATIVE LONG
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to raise the Black Lake Bridge located along Louisiana Highway 9 in Natchitoches Parish and to include in the bridge replacement project, listed in the Highway Priority Program and scheduled for construction in Fiscal Year 2001-2002, a plan to raise the approaches to such bridge.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 155—
BY REPRESENTATIVE LONG AND SENATOR SMITH
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to include the Natchitoches By-Pass project in the proper priority in the Highway Priority Program for FY 2000-2001 and to include an appropriate level of funding in the Capital Outlay Bill for FY 2001-2002.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 213—
BY REPRESENTATIVE QUEZAIRE
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect signs indicating the location of the community of Wallace, Louisiana.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 216—

BY REPRESENTATIVE JOHN SMITH
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to adequately fund and staff the DeRidder Automated Flight Service Station.

Reported favorably.

HOUSE BILL NO. 30—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 32:384(D) and to enact R.S. 32:384(E), relative to towing; to authorize the approval of other safety devices as an alternative to safety chains; to require inspection prior to approval; to provide for certain criteria of such devices; to provide for the promulgation of rules and regulations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 36—

BY REPRESENTATIVES HUDSON AND JOHNS
AN ACT

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

Reported favorably.

HOUSE BILL NO. 85—

BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact R.S. 32:295.1(A) and (B), relative to motor vehicles; to provide for the use of safety belts in certain vehicles; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 100—

BY REPRESENTATIVE POWELL
AN ACT

To enact R.S. 34:1951(D), relative to the South Tangipahoa Parish Port Commission; to provide for the terms of office of the members of the board of commissioners; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 277—

BY REPRESENTATIVE MICHOT
AN ACT

To enact R.S. 48:278, relative to state highways; to require the Department of Transportation and Development to erect directional signs to approaches for designated Louisiana byways; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 383—

BY REPRESENTATIVE STELLY
AN ACT

To amend and reenact R.S. 34:203.1, relative to the Lake Charles Harbor and Terminal District; to authorize the Lake Charles Harbor and Terminal District to sell its property within Westlake, Louisiana, through a publicly advertised request for proposal process; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 406—

BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 47:463.57, 463.58, and 463.59 relative to motor vehicles; to provide relative to license plates; to create the Native American prestige license plate; to create the American-Italian Renaissance Foundation prestige license plate; to create the Bellsouth Volunteers prestige license plate; to provide relative to the fee for such plates; to provide relative to donations; to designate the use of such donations; to require the establishment of certain scholarship programs relative to the Native American prestige license plate; to provide relative to the design of such plates; to authorize promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 429—

BY REPRESENTATIVES WRIGHT AND KENNEY
AN ACT

To enact R.S. 38:343, relative to the Tensas Basin Levee District; to authorize the district to transfer its title in certain property in Catahoula Parish and to accept title to certain property in Catahoula Parish; to provide terms and conditions; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 501—

BY REPRESENTATIVE LONG AND SENATOR SMITH
AN ACT

To authorize the Department of Transportation and Development to remove certain roads in Natchitoches Parish from the state highway system and to replace these roads with certain roads currently designated as parish roads in Natchitoches Parish for completion of the Natchitoches Bypass; to prohibit addition of mileage to the state highway system; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 530—

BY REPRESENTATIVES MORRELL, COPELIN, PIERRE, WELCH, BAYLOR, WILKERSON, CURTIS, GUILLORY, HUDSON, HUNTER, AND WILLARD AND SENATOR IRONS

AN ACT

To name that part of Interstate 10 lying within Orleans Parish between the Jefferson Parish line and the St. Bernard Parish line the Reverend Avery C. Alexander Freeway; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 597—

BY REPRESENTATIVE MCCAIN AND SENATOR GREENE
AN ACT

To amend and reenact R.S. 32:409.1(A)(2)(d)(vi), relative to drivers' licenses; to provide relative to applications for drivers' licenses; to authorize issuance of drivers' licenses to certain persons without social security numbers; to require documentation demonstrating proof of lawful presence; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 860—

BY REPRESENTATIVES KENNEY AND WRIGHT
AN ACT

To enact R.S. 48:491(D), relative to public roads; to provide that any road or street used by the public is a public road or street; to provide the local governing authority shall have the discretion to maintain the road or street; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 923—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 39:1482(A)(1), relative to state contracts; to provide within the state procurement law for special provisions granted the Department of Transportation and Development relative to selection of consultants for certain services; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1109—

BY REPRESENTATIVE WARNER

AN ACT

To amend and reenact Section 1(B) of Act 716 of the 1989 Regular Session of the Legislature, relative to the Lake Pontchartrain Basin Foundation; to provide for the membership of the board of directors; to add a member from St. Bernard Parish and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1131—

BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 32:707.2 and to amend and reenact R.S. 47:532.1(A)(7), relative to the Vehicle Certificate of Title Law; to authorize the department to develop and implement an electronic media system for lien recordation and title information on motor vehicles; to authorize the setting of fees for such services; to require public license tag agents operating a secured host computer to provide a bond in an amount set by the department; to require the confidentiality of certain information; to authorize promulgation of rules and regulations; to authorize public license tag agents to contract for the administration of the electronic media system; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1157—

BY REPRESENTATIVES KENNARD, BRUCE, COPELIN, CRANE, DIEZ, DONELON, FAUCHEUX, FLAVIN, FONTENOT, FRITH, GAUTREAU, GLOVER, JENKINS, JOHNS, KENNEY, McDONALD, POWELL, SHAW, JACK SMITH, THOMPSON, THORNHILL, WIGGINS, WINDHORST, AND WOOTON

AN ACT

To amend and reenact R.S. 32:407(D) and R.S. 40:1321(E) and (F), relative to drivers' licenses and state-issued identification cards; to provide for licenses and identification cards issued to applicants less than twenty-one years of age; to require distinguishable licenses and identification cards for applicants less than twenty-one years of age; to provide for rules and regulations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1225—

BY REPRESENTATIVE DANIEL

AN ACT

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

Reported favorably.

HOUSE BILL NO. 1226—

BY REPRESENTATIVE LONG

AN ACT

To authorize the Department of Transportation and Development to remove two and five-tenths miles from Louisiana Highway 1238 in Winn Parish from the state highway system and to replace it with one mile of Thomas Mill Road, currently designated as a parish road, in Winn Parish; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1695—

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

AN ACT

To amend and reenact R.S. 39:1512(B)(4), relative to contracts for professional, personal, consulting, or social services; to provide for conditions under which advanced payments on contracts may be made; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1697—

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

AN ACT

To amend and reenact R.S. 39:1482(A), relative to professional, personal, consulting, and social services procurement; to provide a minimum threshold for such procurement requirements; deletes certain requirements for provision of contracts to the office of contractual review; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1698—

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

AN ACT

To amend and reenact R.S. 39:1508, relative to purchases of professional, personal, consulting, and social services; to change the threshold for small purchase procurement of such services; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1915—

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

AN ACT

To repeal Part IV-A of Chapter 2 of Title 2 of the Louisiana Revised Statutes of 1950, comprised of R.S. 2:350.1 through 350.3, relative to the Airport Planning Grant Program.

Reported favorably.

HOUSE BILL NO. 1916—

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

AN ACT

To amend and reenact R.S. 48:256.5(D)(1), relative to Department of Transportation and Development contracts; to provide relative to the withholding of payments after claims are received by the department; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1934—

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

AN ACT

To repeal R.S. 48:264, relative to the Department of Transportation and Development; to repeal the provisions relative to the disposal of worn equipment.

Reported favorably.

June 3, 1999

HOUSE BILL NO. 1935—

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

AN ACT

To amend and reenact R.S. 47:481 and 727, R.S. 48:167, 384, and 786, and R.S. 49:325(A), 325.1(A), and 326 and to repeal R.S. 48:161 through 163 and 164 through 166, relative to the general highway fund; to repeal the provisions which provide for the composition, administration, and expenditures of the general highway fund; to delete references to the general highway fund; to provide relative to the disposition of collections of the tax on gasoline and motor fuels; to delete references to the office of highways; to provide references to the Transportation Trust Fund; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1936—

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

AN ACT

To repeal R.S. 48:1107, relative to bridges; to repeal the provisions authorizing the Mississippi-Louisiana Bridge Construction Compact.

Reported favorably.

HOUSE BILL NO. 1937—

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. 48:53, relative to the Department of Transportation and Development; to provide relative to the authority of the secretary in paying subsistence allowances to employees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1938—

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

AN ACT

To amend and reenact R.S. 48:271, relative to the Department of Transportation and Development; to delete provisions authorizing the department to erect historical markers; to authorize the erection of directional signs to land holdings of the office of state parks; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1940—

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

AN ACT

To repeal Act No. 168 of the 1980 Regular Session of the Legislature of Louisiana, relative to aviation museums; to repeal the provisions requiring the Department of Transportation and Development to operate state aviation museums.

Reported favorably.

HOUSE BILL NO. 1960—

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

AN ACT

To amend and reenact R.S. 38:90.1(8), 90.4(A)(1)(introductory paragraph) and (B)(1) and (2)(introductory paragraph), 90.7, 90.8, 90.9(1) and (4), 90.12(A), (B) and (C), 91, and 92(A)(introductory paragraph) and (4) and (B) and to repeal R.S. 38:90.12(D) and (E), relative to the Statewide Flood-Control Program; to provide relative

to the office of public works and intermodal transportation; to provide relative to the local match; to provide relative to the state's share of the cost of approved projects; to provide relative to the St. Mary Parish Consolidated Gravity Drainage District; to provide relative to in-kind work; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1965—

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

AN ACT

To repeal R.S. 48:77, relative to the Department of Transportation and Development; to repeal provisions authorizing the department to enter into contracts with political subdivisions for the construction and/or renovation of airport hangars.

Reported favorably.

HOUSE BILL NO. 1985—

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

AN ACT

To amend and reenact R.S. 48:252(A)(1) and (I)(2)(b), relative to the bidding requirements of Department of Transportation and Development projects; to provide for the time period in which written invitations for quotations are to be sent; to provide relative to facsimile or telecopier transmission of addenda; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1995—

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

AN ACT

To amend and reenact R.S. 39:1615(A), relative to multiyear contracts; to increase the specified period for contracts for services or supplies; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2036—

BY REPRESENTATIVE WRIGHT

AN ACT

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

Reported favorably.

HOUSE BILL NO. 2082—

BY REPRESENTATIVES BOWLER, JENKINS, AND PERKINS

AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; to provide relative to license plates; to create the "CHOOSE LIFE" prestige license plate; to provide for the issuance of such plate; to provide for a minimum number of applicants; to provide for the design and color of such plate; to provide relative to the fees for such plates; to provide for the creation of the "Choose Life" fund within the state treasury; to provide for the deposit of certain monies into the fund; to provide for the use of such monies; to provide for the qualifications of organizations applying for receipt of such monies; to require annual disbursement of such monies; to require qualified organizations to submit an annual audit; to create the Choose Life Advisory Council; to provide for membership, terms, duties and pay for members of such Council; to authorize promulgation of rules and regulations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2091—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To enact R.S. 47:462(C), relative to motor vehicles; to authorize the use of prestige license plates on certain trucks; to provide relative to fees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2103—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 38:2212(I), relative to the bidding requirements for public contracts; to exempt volunteer citizen labor in certain situations; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2140—
BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 38:306(A) and 309, relative to the powers and duties of levee district boards and levee and drainage district boards; to provide for authority to exchange property; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2158—
BY REPRESENTATIVES MARIONNEAUX AND FAUCHEUX
AN ACT

To enact R.S. 32:1522, relative to motor vehicles; to provide relative to motor carriers transporting passengers; to provide relative to for-hire carriers; to provide for definitions; to provide for driving time requirements; to require for-hire carrier companies to maintain certain records; to authorize state police to inspect certain records; to require the department to promulgate rules and regulations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2168—
BY REPRESENTATIVES MCMAINS, FONTENOT, AND KENNARD
AN ACT

To amend and reenact R.S. 38:3301 and 3309, relative to the Amite River Basin Drainage and Water Conservation District; to provide for the geographical boundaries of the district; to provide relative to Comite River Diversion Canal Impact Area; to provide relative to taxing authority of the district; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2179—
BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; to provide relative to the issuance of license plates; to create the "Don't Litter Louisiana" prestige license plate to promote litter awareness; to provide relative to the fee for such plates; to provide relative to donations; to designate the use of such donations; to provide for the design of such plate; to authorize the promulgation of rules and regulations; and to provide for related matters.

Reported favorably.

Respectfully submitted,
RON LANDRY
Chairman

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

Senator Bajoie 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. 1101—
BY SENATOR BAJOIE
AN ACT

To enact R.S. 33:4094.1, relative to the city of New Orleans; to authorize the local governing body to collect a special ad valorem tax of four mills on the dollar for sewage drainage services; to provide for the collection of such taxes for twenty years to benefit the Sewage and Water Board; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 1101 by Senator Bajoie

AMENDMENT NO. 1
On page 1, line 3, change "mill" to "mills"

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

Message to the Secretary of State

**SIGNED
SENATE CONCURRENT RESOLUTIONS**

June 3, 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. 60—
BY SENATOR BEAN AND REPRESENTATIVES DURAND, FRITH AND THOMPSON

A CONCURRENT RESOLUTION
To memorialize the Congress of the United States to restore National Resource Conservation Service's budget in order that it can continue to serve the conservation and environmental needs of Louisiana.

SENATE CONCURRENT RESOLUTION NO. 75—
BY SENATOR BARHAM AND REPRESENTATIVES FRITH AND THOMPSON
A CONCURRENT RESOLUTION

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

June 3, 1999

SENATE CONCURRENT RESOLUTION NO. 76—
BY SENATOR MALONE AND REPRESENTATIVES FRITH AND THOMPSON
A CONCURRENT RESOLUTION

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

SENATE CONCURRENT RESOLUTION NO. 134—
BY SENATORS JORDAN, BAJOIE, BARHAM, BEAN, BOISSIERE, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, EWING, C. FIELDS, W. FIELDS, GREENE, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SIRACUSA, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana on the death of Kelly Flanagan, daughter, stepdaughter, sister, stepsister, granddaughter, and friend.

SENATE CONCURRENT RESOLUTION NO. 135—
BY SENATOR HAINKEL AND REPRESENTATIVE BRUNEAU
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of William O'Regan, father, brother, grandfather, businessman, civic/community leader, veteran, deacon, Christian, and friend.

SENATE CONCURRENT RESOLUTION NO. 137—
BY SENATOR COX AND REPRESENTATIVE GUILLORY
A CONCURRENT RESOLUTION

To commend Delta School of Business and Technology on thirty years of service to southwest Louisiana.

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

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 3, 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. 46—
BY SENATORS DARDENNE, BAJOIE, BARHAM, BEAN, BOISSIERE, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DEAN, DYESS, ELLINGTON, EWING, C. FIELDS, W. FIELDS, GREENE, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SIRACUSA, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO
A RESOLUTION

To recognize and commend Dave Chokshi for his academic accomplishments that have culminated in a number of prestigious honors, including being named as the Louisiana High School Student of the Year.

SENATE RESOLUTION NO. 47—
BY SENATORS HAINKEL AND BAJOIE
A RESOLUTION

To commend Brother Jeffrey L. Calligan, F.S.C., on his ten years of extraordinary service to the students, families, and faculty of De La Salle High School and to acknowledge, on the occasion of his undertaking a new post, the significant and uplifting impact he has had on the lives he has touched.

SENATE RESOLUTION NO. 48—
BY SENATOR C. FIELDS
A RESOLUTION

To commend the Stonewall Baptist Church and Reverend Uelyss Reed, Jr. on the occasion of his installation as pastor.

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.

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 3, 1999

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

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

SENATE CONCURRENT RESOLUTION NO. 7—
BY SENATORS SCHEDLER, BRANCH, HAINKEL AND THOMAS
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.

SENATE CONCURRENT RESOLUTION NO. 22—
BY SENATORS HINES, DARDENNE, EWING, HAINKEL, BARHAM AND LANDRY 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.

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.

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.

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.

SENATE CONCURRENT RESOLUTION NO. 59—

BY SENATORS HINES, DARDENNE, EWING, HAINKEL, BARHAM, BAJOIE, BEAN, BOISSIERE, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DEAN, ELLINGTON, C. FIELDS, W. FIELDS, GREENE, HEITMEIER, HOLLIS, IRONS, JOHNSON, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SIRACUSA, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO 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.

SENATE CONCURRENT RESOLUTION NO. 81—

BY SENATOR JONES

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.

SENATE CONCURRENT RESOLUTION NO. 114—

BY SENATORS CAIN (BY REQUEST), DYESS, HINES, SMITH AND THEUNISSEN AND REPRESENTATIVES BAUDOIN, BRUCE, CARTER, FRITH, HILL, HUDSON, ILES, KENNEY, MCCAIN, J.D. SMITH AND THOMPSON

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.

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.

SENATE CONCURRENT RESOLUTION NO. 142—

BY SENATORS ELLINGTON, EWING, BAJOIE, BARHAM, BEAN, BOISSIERE, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, C. FIELDS, W. FIELDS, GREENE, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SIRACUSA, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO AND REPRESENTATIVES ALARIO, ALEXANDER, ANSARDI, BARTON, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUNEAU, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DEWITT, DIEZ, DOERGE, DONELON, DOWNER, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREAU, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, THERIOT, THOMPSON, THORNHILL, TOOMY, TRAVIS, TRICHE, WADDELL, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD, WINDHORST, WINSTON, WOOTON AND WRIGHT

A CONCURRENT RESOLUTION

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

SENATE CONCURRENT RESOLUTION NO. 143—

BY SENATORS EWING, BAJOIE, BARHAM, BEAN, BOISSIERE, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, C. FIELDS, W. FIELDS, GREENE, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SIRACUSA, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO AND REPRESENTATIVES DOWNER AND MCCALLUM

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.

Respectfully submitted,
JAY DARDENNE
Chairman

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

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 3, 1999

To the President and Members of the Senate:

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

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 234—

BY SENATORS BAJOIE AND IRONS AND REPRESENTATIVES CLARKSON, DURAND, PRATT AND SCHWEGMANN

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,

June 3, 1999

revision, and distribution of the summary; and to provide for related matters.

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.

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.

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.

SENATE BILL NO. 261— BY SENATORS BARHAM, DARDENNE, EWING, HAINKEL AND SCHEDLER AND REPRESENTATIVES ALARIO, DEWITT, DOWNER, MCMAINS AND THOMPSON 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.

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.

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.

SENATE BILL NO. 368— BY SENATORS BARHAM AND SCHEDLER AND REPRESENTATIVE WALSWORTH 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.

SENATE BILL NO. 696— BY SENATOR CAIN AND REPRESENTATIVE ILES AN ACT

To amend and reenact R.S. 11:1316, relative to the continuation of benefits payable to a spouse of a state police officer killed in the line of duty; to provide with respect to the continuation of certain death benefits provided by the State Police Pension and Retirement

system as an accessory retirement benefit; to specifically provide that such benefits continue until death of the surviving spouse; and to provide for related matters.

SENATE BILL NO. 865 (Duplicate of House Bill No. 1073)— BY SENATOR HAINKEL AND REPRESENTATIVE BOWLER AND COAUTHORED BY SENATORS JONES AND SCHEDLER AND REPRESENTATIVES BRUNEAU AND WESTON 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.

Respectfully submitted, JAY DARDENNE Chairman

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

June 3, 1999

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 244— BY REPRESENTATIVE FARVE A CONCURRENT RESOLUTION

To recognize Jean Lafitte for his extraordinary leadership which proved instrumental in saving New Orleans in the Battle of New Orleans and to urge the governor to pardon him posthumously.

HOUSE CONCURRENT RESOLUTION NO. 251— BY REPRESENTATIVE FAUCHEUX A CONCURRENT RESOLUTION

To commend and congratulate the Supreme Court of Louisiana, the members of the Uniform Rules Committee of the Judicial Council of the Supreme Court of Louisiana, and the members of the Statewide Uniform Court Rules Committee of the Louisiana State Bar Association who are working on a joint project to bring uniform rules of district court to all of the judicial districts in the state.

HOUSE CONCURRENT RESOLUTION NO. 252— BY REPRESENTATIVE SCHNEIDER AND SENATOR SCHEDLER A CONCURRENT RESOLUTION

To commend the 1999 Saint Paul's High School baseball team on being the state champion in class 4-A baseball competition.

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. 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.

June 3, 1999

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

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

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

Message from the House

SIGNED HOUSE BILLS AND JOINT RESOLUTIONS

June 3, 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. 61—

BY REPRESENTATIVE SALTER
AN ACT

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

HOUSE BILL NO. 103—

BY REPRESENTATIVES DUPRE AND DOWNER
AN ACT

To amend and reenact R.S. 33:1704.1(C), relative to fees and costs charged by marshals; to provide for a minimum fee of office that the marshal of the city of Houma is entitled to for each service rendered in civil matters; and to provide for related matters.

HOUSE BILL NO. 130—

BY REPRESENTATIVE ANSARDI
AN ACT

To enact R.S. 11:1781.1, relative to the Municipal Employees' Retirement System; to provide with respect to eligibility for retirement; to create early retirement criteria for members of Plan A; to provide for actuarial reduction of benefits; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 205—

BY REPRESENTATIVE JACK SMITH
AN ACT

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

HOUSE BILL NO. 213—

BY REPRESENTATIVES HOLDEN AND DANIEL
AN ACT

To repeal Section 2 of Act No. 1027 of the 1991 Regular Session of the Legislature, relative to the dedication of a portion of the state sales and use tax in East Baton Rouge Parish for deposit in the East Baton Rouge Parish Centroplex Fund for capital improvements at the Riverside Centroplex, Louisiana Arts and Science Center, Riverfront Promenade, and related projects in the Riverfront Development Plan; to extend the dedication; and to provide for related matters.

HOUSE BILL NO. 266—

BY REPRESENTATIVE WIGGINS
AN ACT

To amend and reenact R.S. 13:996.28(A) and (B), relative to the Judicial Expense Fund for the Ninth Judicial District Court; to

provide for the allocation of additional costs in criminal cases to the fund; and to provide for related matters.

HOUSE BILL NO. 283—

BY REPRESENTATIVE WILKERSON
AN ACT

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

HOUSE BILL NO. 330—

BY REPRESENTATIVE MCCALLUM
AN ACT

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

HOUSE BILL NO. 332—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 13:1031 and 1032, relative to clerks of court; to permit the sureties on the clerk's bond in the parish of Orleans to be residents of the state of Louisiana; to lower the bond requirement for the clerk of the civil district court in the parish of Orleans; and to provide for related matters.

HOUSE BILL NO. 338—

BY REPRESENTATIVE WALSWORTH
AN ACT

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

HOUSE BILL NO. 378—

BY REPRESENTATIVES WINDHORST, MARIONNEAUX, AND JENKINS
AND SENATOR LANDRY
AN ACT

To amend and reenact R.S. 15:573, relative to certain actions by the Board of Pardons; to provide that actions may only be taken at open meetings of the board; and to provide for related matters.

HOUSE BILL NO. 513—

BY REPRESENTATIVE GAUTREAUX
AN ACT

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

HOUSE BILL NO. 521—

BY REPRESENTATIVE JOHNS
AN ACT

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

HOUSE BILL NO. 541—

BY REPRESENTATIVE DEWITT
AN ACT

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

HOUSE BILL NO. 582—

BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

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

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HOUSE BILL NO. 583—

BY REPRESENTATIVE TRAVIS
AN ACT

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

HOUSE BILL NO. 584—

BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

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

HOUSE BILL NO. 585—

BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

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

HOUSE BILL NO. 603—

BY REPRESENTATIVE THOMPSON
AN ACT

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

HOUSE BILL NO. 676—

BY REPRESENTATIVE FLAVIN
AN ACT

To enact R.S. 13:1000.2 and 1909, relative to criminal court costs; to provide for additional costs in the City Court of Lake Charles; to provide for additional costs in the Fourteenth Judicial District Court; to provide for the assessment and collection of such costs in criminal matters for the support of the court-appointed special advocate (CASA) and children's advocacy center (CAC) programs; and to provide for related matters.

HOUSE BILL NO. 767—

BY REPRESENTATIVE PINAC
AN ACT

To enact R.S. 33:1704.1(D), relative to fees and costs of particular city marshals; to increase the mileage allowance of the city marshal of Rayne; and to provide for related matters.

HOUSE BILL NO. 781—

BY REPRESENTATIVES MCMAINS, ANSARDI, AND MCCAIN
AN ACT

To amend and reenact Children's Code Article 424 and to enact Children's Code Articles 116(2.1) and (2.2), 424.1, 424.2, 424.3, 424.4, 424.5, 424.6, 424.7, 424.8, 424.9, and 424.10, all with respect to court-appointed special advocates (CASA); to provide for the continuous revision of the Children's Code; to provide for definitions, purpose, appointment of a CASA program, assignment of a CASA volunteer, order of assignment, duties, notice, appearance as a witness and attendance at court, access to records, reports, requests for hearings, confidentiality, and immunity of CASA volunteers and others; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1042—

BY REPRESENTATIVES WARNER AND THOMPSON
AN ACT

To enact R.S. 33:2201(B)(19), relative to survivor benefits; to include additional personnel as law enforcement officers for the purpose of survivor benefits; and to provide for related matters.

HOUSE BILL NO. 1048—

BY REPRESENTATIVE DUPRE
AN ACT

To enact Part IV-B of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1152 through 1156, relative to sewage and sewerage; to authorize a homeowner to install an individual mechanical sewerage system in his own home under certain circumstances; to provide for the waiver of certain fees; to direct the Louisiana State Law Institute to redesignate certain provisions of current law; and to provide for related matters.

HOUSE BILL NO. 1100—

BY REPRESENTATIVE SCHNEIDER
AN ACT

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

HOUSE BILL NO. 1233—

BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 39:1442(A), relative to defeasance of securities of a public entity; to authorize deposits with a trust company; and to provide for related matters.

HOUSE BILL NO. 1292—

BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 39:1365(7), relative to the issuance and sale of general obligation bonds; to change requirements for bids; and to provide for related matters.

HOUSE BILL NO. 1296—

BY REPRESENTATIVES DONELON AND MARTINY
AN ACT

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

HOUSE BILL NO. 63 (Duplicate of Senate Bill No. 277)—

BY REPRESENTATIVE SCHNEIDER AND SENATOR COX AND COAUTHORED BY REPRESENTATIVES BRUCE, MARIONNEAUX, AND FRITH AND SENATOR SCHEDLER
AN ACT

To amend and reenact R.S. 15:571.3(C)(4), relative to eligibility for diminution of sentence for good behavior; to provide that such diminution is not allowed for inmates incarcerated for certain attempted offenses; and to provide for related matters.

HOUSE BILL NO. 498—

BY REPRESENTATIVES BRUNEAU AND SCHNEIDER
AN ACT

To amend and reenact R.S. 18:108, 110(B)(1), 116(A)(1)(a) and (E), 173(A), 402(E)(1)(introductory paragraph), 424(C)(2), 425(C), 431(A)(1)(b) and (B)(1), 433(A)(3), 461(B), 492(4), 532(B)(1), 532.1(D) and (E)(1) and (3), 562(D), 571(11), 573(A)(3), 583(B)(3) and (C), 651, 652, 653, 654, 1285(B)(1)(a), 1300(C)(1), 1300.13, 1307(B), 1309(D), 1312(B), 1313(I)(2) and (3), 1333(A), 1402(C), 1403, 1404(A), 1406(A), (C), and (D), 1409(A), 1410, 1485(B), and 1903(A), to enact R.S. 18:31(E), 173(D), 178, 196(C)(3), 532(B)(5), 532.1(G), 1313(I)(4),

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1401(D), 1405(G), and 1415(F), and to repeal R.S. 18:402(E)(4), relative to elections; to provide with respect to the registration of voters and the cancellation of such registration; to require the reporting of deaths in the state to certain election officials; to require notification of certain election officials of returned jury duty notices; to require a report of the unavailability of certain voters to serve on certain jury panels; to authorize the registrar to update certain registration records; to require submission of certain reports to the legislature; to change the minimum period of time between issuing the proclamation calling a special election and holding of such special election; to repeal certain provisions regarding the holding of certain special elections; to prohibit the preparation of lists of persons voting other than the official poll lists; to provide with respect to multiple candidacies; to provide with respect to the establishment of and the changing of boundaries of precincts; to provide with respect to a commissioner's responsibilities regarding poll lists and election materials; to provide for the requirements of the courses of instruction for commissioners and commissioners-in-charge; to provide with respect to the reinspection of voting machines; to provide with respect to the reimbursement of the parish board of supervisors; to provide a procedure for the resignation of members of the legislature; to provide with respect to notices of retirements; to provide the deadline for the filing notice with the secretary of state for certain proposition elections; to provide with respect to the declaration of a vacancy in office under certain circumstances; to provide with respect to absentee voting; to provide with respect to the recount of absentee ballots; to provide for definitions; to provide for reimbursement for costs of certain discovery; to provide for the due date of certain reports; to provide with respect to precincts, including the establishment of precincts, precinct freezes and other areas with respect to reapportionment; to provide with respect to an objection to the calling of a special election; and to provide for related matters.

HOUSE BILL NO. 517—

BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 11:537(D) and to enact R.S. 11:537(F), relative to the Louisiana State Employees' Retirement System; to provide with respect to repayment of refunds, restoration of service credit, and a temporary pilot program related thereto; to provide regarding certain age requirements; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 947—

BY REPRESENTATIVES DOWNER, BRUNEAU, ANSARDI, DONELON, AND LANCASTER AND SENATOR BRANCH

AN ACT

To amend and reenact R.S. 29:102 and 234 and to enact R.S. 29:212a, relative to the Code of Military Justice; to create the offense of wrongful use, possession, manufacture, or distribution of controlled dangerous substances; to define the offense; to provide for its applicability; to provide for the jurisdiction of court-martials; and to provide for related matters.

HOUSE BILL NO. 1002—

BY REPRESENTATIVE TRAVIS

AN ACT

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

HOUSE BILL NO. 1035—

BY REPRESENTATIVE SHAW

AN ACT

To authorize and provide for the transfer or lease of certain state property in Caddo Parish to the city of Shreveport from the

Department of Transportation and Development; and to provide for related matters.

HOUSE BILL NO. 1183 (Duplicate of Senate Bill No. 878)—

BY REPRESENTATIVE THOMPSON AND SENATOR THOMAS AND COAUTHORED BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 22:233(A)(introductory paragraph) 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; to authorize pilot programs developed by the Department of Insurance for increasing access to affordable health insurance; 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.

HOUSE BILL NO. 1231—

BY REPRESENTATIVES SALTER, DOWNER, ALEXANDER, ANSARDI, BARTON, BAUDOIN, BAYLOR, BRUCE, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DIEZ, FAUCHEUX, FRITH, FRUGE, GLOVER, HEATON, HEBERT, HILL, HOPKINS, HUNTER, JOHNS, KENNARD, KENNEY, LANCASTER, LONG, MARIONNEAUX, MCCALLUM, McDONALD, MICHOT, MONTGOMERY, MORRELL, MORRISH, MURRAY, PINAC, POWELL, PRATT, SCALISE, SCHWEGMANN, SHAW, JACK SMITH, SNEED, THOMPSON, THORNHILL, TRAVIS, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WINSTON, WOON, AND WRIGHT

AN ACT

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

HOUSE BILL NO. 1429 (Duplicate of Senate Bill No. 377)—

BY REPRESENTATIVE FONTENOT AND SENATOR DYESS AND COAUTHORED BY REPRESENTATIVES DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 32:387(B)(3), relative to motor vehicles; to provide relative to special permits; to require access to information of such permits by the Department of Public Safety and Corrections and the Department of Transportation and Development; and to provide for related matters.

HOUSE BILL NO. 1790—

BY REPRESENTATIVE WALSWORTH

AN ACT

To amend and reenact R.S. 44:39(A)(2)(b), relative to all public retirement systems, plans, and funds; to provide with respect to administration of documents and the digitized preservation of the original source documents; to exempt the systems from certain requirements otherwise applicable when documents have been electronically digitized; and to provide for related matters.

HOUSE BILL NO. 1864—

BY REPRESENTATIVES DANIEL, FRITH, CRANE, AND WALSWORTH AND SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 4:421(A)(2), (4), and (5), 422(A), (C)(1)(introductory paragraph), and (E), 423, 424(A)(introductory paragraph), (1), (8), and (9), 425(A) and (C), 426(A)(introductory paragraph) and (1), (B), and (C), 427(A)(introductory paragraph), (B), and (C), 428 and 430, to enact R.S. 4:420, 421(A)(7), (8), and (9), 422.1, 431, 432, and 433, and to repeal R.S. 4:421(6) and 422(F), relative to athlete agents; to provide for the registration of athlete agents; to provide for grounds for refusing to issue or renew

registrations; to provide relative to agent contracts; to provide for suspension or revocation of registration; to prohibit certain acts; to remove certain exemptions for attorneys; to provide for enforcement; to provide for certain causes of action; to provide for certain other offenses by athletes and athlete agents and for penalties; and to provide for related matters.

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

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

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

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

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

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

HOUSE BILL NO. 121—
BY REPRESENTATIVE FAUCHEUX
AN ACT

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

HOUSE BILL NO. 127—
BY REPRESENTATIVES SCHWEGMANN AND SALTER AND SENATORS BOISSIERE, HEITMEIER, IRONS, JOHNSON, AND LANDRY
AN ACT

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

HOUSE BILL NO. 211—
BY REPRESENTATIVE HILL AND SENATOR LANDRY
AN ACT

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

HOUSE BILL NO. 275—
BY REPRESENTATIVE DONELON
AN ACT

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

HOUSE BILL NO. 278—
BY REPRESENTATIVES SALTER, ALEXANDER, AND WILKERSON
AN ACT

To enact R.S. 13:2616, relative to justice of the peace courts; to provide for the territorial jurisdiction of justice of the peace courts in Bienville Parish; to provide for elections to the office of justice of the peace and constable; and to provide for related matters.

HOUSE BILL NO. 282—
BY REPRESENTATIVES WILKERSON AND JENKINS AND SENATOR JORDAN
AN ACT

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

HOUSE BILL NO. 309—
BY REPRESENTATIVE LONG
AN ACT

To amend and reenact R.S. 33:1704.1(C) and to enact R.S. 33:1704.1(D), relative to city marshals; to provide for a maximum fee the marshal of the city of Natchitoches shall receive for service in civil matters; and to provide for related matters.

HOUSE BILL NO. 316—
BY REPRESENTATIVE GREEN
AN ACT

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

HOUSE BILL NO. 328—
BY REPRESENTATIVE FAUCHEUX AND SENATORS LAMBERT AND LANDRY
AN ACT

To enact Chapter 5-F of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.31 through 380.36, and R.S. 36:744(O) and 801.10, to create the Garyville Timbermill Museum in the Department of State; to provide relative to the governing authority of the museum including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

HOUSE BILL NO. 395—
BY REPRESENTATIVE FLAVIN
AN ACT

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

HOUSE BILL NO. 415—
BY REPRESENTATIVE SHAW
AN ACT

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

HOUSE BILL NO. 445—

BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

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

HOUSE BILL NO. 459—

BY REPRESENTATIVE WESTON
AN ACT

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

HOUSE BILL NO. 471—

BY REPRESENTATIVE COPELIN
AN ACT

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

HOUSE BILL NO. 479—

BY REPRESENTATIVE TRICHE AND SENATOR LANDRY
AN ACT

To amend and reenact R.S. 40:981.3(A)(3)(a) and (b) and (D) and to enact R.S. 40:981.3(C)(5), relative to drug-free zones; to include public housing authority property within drug-free zones; and to provide for related matters.

HOUSE BILL NO. 703—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 15:81, relative to bail; to increase the amount of bail which may be set in the mayor's court in the city of Kenner; and to provide for related matters.

HOUSE BILL NO. 768—

BY REPRESENTATIVE TRAVIS
AN ACT

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

HOUSE BILL NO. 769—

BY REPRESENTATIVE TRAVIS
AN ACT

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

HOUSE BILL NO. 799—

BY REPRESENTATIVES TRICHE, DUPRE, AND DOWNER AND SENATOR LANDRY
AN ACT

To amend and reenact R.S. 9:306(B)(1) and (C), relative to seminars for divorcing parents; to provide for an expanded definition of "instructor"; and to provide for related matters.

HOUSE BILL NO. 833—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 11:1307(A), relative to the State Police Pension and Retirement System; to provide with respect to service and service credit; to provide regarding average compensation, benefits, and the accrual rate applicable thereto; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 856—

BY REPRESENTATIVE HILL
AN ACT

To amend and reenact R.S. 1:55(E)(1)(a)(iii), relative to legal holidays; to provide that Mardi Gras is a legal holiday for the clerk of court of the Thirty-third Judicial District Court; and to provide for related matters.

HOUSE BILL NO. 864—

BY REPRESENTATIVES MONTGOMERY AND FAUCHEUX
AN ACT

To amend and reenact R.S. 11:2220(B)(1)(a), relative to the Municipal Police Employees' Retirement System; to provide with respect to survivor benefits, the limitations and payment thereof; and to provide for related matters.

HOUSE BILL NO. 916—

BY REPRESENTATIVE WINSTON AND SENATOR SCHEDLER
AN ACT

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

HOUSE BILL NO. 917—

BY REPRESENTATIVE WINSTON AND SENATOR SCHEDLER
AN ACT

To amend and reenact R.S. 47:8011(A)(2)(b) and (c) and to repeal R.S. 47:8011(A)(2)(d), relative to the Tax Increment Development Act; to delete the requirement of an election in each affected parish, municipality, and taxing district; and to provide for related matters.

HOUSE BILL NO. 1076—

BY REPRESENTATIVE DEVILLE
AN ACT

To authorize and provide for the transfer or lease of certain state property; to provide for the transfer or lease of such property in St. Landry Parish to the town of Port Barre from the Department of Transportation and Development; to provide for the transfer of such property located in St. Mary Parish from the Department of Natural Resources to the West St. Mary Parish Port, Harbor and Terminal District; and to provide for related matters.

HOUSE BILL NO. 1176—

BY REPRESENTATIVE FRITH AND SENATOR THEUNISSEN
AN ACT

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

HOUSE BILL NO. 1186—

BY REPRESENTATIVE WALSWORTH
AN ACT

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

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.

June 3, 1999

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

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.

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.

HOUSE BILL NO. 566—
BY REPRESENTATIVE JOHN SMITH AND SENATOR CAIN
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.

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.

HOUSE BILL NO. 739—
BY REPRESENTATIVES WILLARD AND DOWNER
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.

HOUSE BILL NO. 742 (Duplicate of Senate Bill No. 435)—
BY REPRESENTATIVE WINDHORST AND SENATOR LANDRY AND
COAUTHORED BY REPRESENTATIVES ALEXANDER, DANIEL, FRITH,
MARTINY, MURRAY, JACK SMITH, CURTIS, DAMICO, DEWITT, FLAVIN,
FONTENOT, MORRELL, PINAC, TRAVIS, DOWNER, ALARIO, BARTON,
BAUDOIN, BAYLOR, BOWLER, BRUCE, CARTER, CLARKSON, COPELIN,
DEVILLE, DONELON, DUPRE, FAUCHEUX, FRUGE, GAUTREAU,
GUILLORY, HEATON, HILL, HOLDEN, HOPKINS, HUDSON, JOHNS,
KENNEY, LANCASTER, LANDRIEU, LONG, MCCALLUM, MITCHELL,
MONTGOMERY, ODINET, PIERRE, POWELL, PRATT, QUEZAIRE,
ROMERO, SALTER, SCALISE, SCHWEGMANN, SHAW, STELLY,
THOMPSON, THORNHILL, WADDELL, WARNER, WIGGINS, WILLARD,
AND WOOTON

AN ACT

To amend and reenact R.S. 37:1171(5), 1194, and 1198 and to enact R.S. 37:1171(7) and (8), 1178(B)(4), and 1194.1, relative to pharmacists; to provide for the compounding, filling, dispensing, and transfer of prescriptions; to authorize electronic recordkeeping in certain instances; to provide for the certification of pharmacy technicians by the Louisiana Board of Pharmacy; and to provide for related matters.

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.

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.

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.

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.

HOUSE BILL NO. 1032—
BY REPRESENTATIVES SALTER AND WALSWORTH AND SENATORS
CAIN AND SMITH
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.

HOUSE BILL NO. 1094—
BY REPRESENTATIVES MCMAINS, DEWITT, DOWNER, SCALISE, FRUGE,
JOHNS, VITTER, WALSWORTH, WIGGINS, ALEXANDER, BRUCE,
CLARKSON, CRANE, DOERGE, DONELON, FLAVIN, FRITH, GAUTREAU,
HEBERT, HOPKINS, JENKINS, KENNARD, KENNEY, LANCASTER,
MCDONALD, MICHOT, PERKINS, POWELL, ROMERO, SHAW, JACK SMITH,
STELLY, WADDELL, AND WOOTON AND SENATORS DARDENNE, EWING,
HANKEL, 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.

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 Friday, June 4, 1999 at 8:30 o'clock A.M.

The President of the Senate declared the Senate adjourned until 8:30 o'clock A.M. on Friday, June 4, 1999.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk