

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

FORTY-FIRST DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, June 8, 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 Smith, 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 Smith, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Privilege Report of the
Legislative Bureau**

June 7, 1999

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication. We advise and suggest the following amendments to the engrossed bills.

HOUSE BILL NO. 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 without amendments.

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 without 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 without amendments.

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 without amendments.

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 without 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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without 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 without 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 without amendments.

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 without amendments.

HOUSE BILL NO. 530—

BY REPRESENTATIVES MORRELL, COPELIN, PIERRE, WELCH, BAYLOR, WILKERSON, CURTIS, GUILLORY, HUDSON, HUNTER, AND WILLARD
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 without 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 without amendments.

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 without amendments.

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 without amendments.

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 without 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 without amendments.

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 without amendments.

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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 998 by Representative John R. Smith

AMENDMENT NO. 1

In Amendments proposed by the Senate Committee on Natural Resources to Reengrossed House Bill No. 998 by Representative John R. Smith, in Amendment No. 1, on line 2, after "page 1," insert "line 2," and change "(12)(a)" to "(12) introductory paragraph and (a)"

AMENDMENT NO. 2

In Amendments proposed by the Senate Committee on Natural Resources to Reengrossed House Bill No. 998 by Representative John R. Smith, in Amendment No. 3, on line 6, change "(12)(a)" to "(12) introductory paragraph and (a)"

AMENDMENT NO. 3

On page 2, line 16, delete the asterisks

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 without amendments.

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 without amendments.

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 without amendments.

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 without 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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without 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 without amendments.

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 without 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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without 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 without amendments.

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 without 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 without amendments.

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 without 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 without amendments.

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 without amendments.

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 without 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 without amendments.

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 without amendments.

June 8, 1999

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without 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 without amendments.

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 without amendments.

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 without 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 without amendments.

HOUSE BILL NO. 2194—
BY REPRESENTATIVES SCHNEIDER AND CLARKSON AND SENATOR
SCHIEDLER
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 without amendments.

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 without amendments.

Respectfully submitted,

ARTHUR J. LENTINI
Chairman

Adoption of Legislative Bureau Report

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

**Privilege Report of the
Legislative Bureau**

June 8, 1999

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication. We advise and suggest the following amendments to the engrossed bills.

HOUSE BILL NO. 3—

BY REPRESENTATIVE ALARIO
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 69—

BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 14:95(G) and R.S. 40:1379.3(D)(1)(introductory paragraph) and (f), relative to the training requirements for peace officers; to provide for certain exemptions from the prohibition of carrying of concealed weapons for retired law enforcement officers who have successfully completed certain training; to provide with regard to training requirements for carrying a concealed handgun; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 79—

BY REPRESENTATIVE MARTINY
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 81—

BY REPRESENTATIVE RIDDLE
AN ACT

To amend and reenact Children's Code Art. 412(H), relative to the confidentiality of delinquency records of a juvenile court; to provide for the release of information to school boards under certain circumstances; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 140—

BY REPRESENTATIVES LONG, THOMPSON, AND WALSWORTH
AN ACT

To amend and reenact R.S. 11:929(B), relative to the Teachers' Retirement System; to provide with respect to the Optional Retirement Plan for academic and administrative employees of public institutions of higher education; to provide regarding benefits payable and the method for payment thereof; to further provide for plan loans and emergency distributions made pursuant to rules promulgated in accordance with the Administrative Procedure Act; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 143—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 9:2945, relative to the cancellation of bond for deed contracts; to allow the notice of cancellation to be served upon the buyer by certified mail; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 174—

BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact R.S. 13:3734(F) and to enact R.S. 13:3734(G), relative to privileged communications between health care provider and patient; to authorize and protect the release of certain medical and dental records in limited circumstances; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 247—

BY REPRESENTATIVES FRUGE, FRITH, AND SCHNEIDER
AN ACT

To enact Code of Civil Procedure Article 1923, relative to attorney fees; to provide that a defendant who successfully defends a lawsuit shall have a cause of action to recover attorney fees in certain circumstances; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 285—

BY REPRESENTATIVE ALEXANDER
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 402—

BY REPRESENTATIVE RIDDLE
AN ACT

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

Reported without amendments.

June 8, 1999

HOUSE BILL NO. 529—

BY REPRESENTATIVE MCDONALD
AN ACT

To enact R.S. 11:166, relative to the Municipal Police Employees' Retirement System and the Municipal Employees' Retirement System; to provide with respect to membership; to provide with respect to service credit and the actuarial cost for the transfer thereof; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 568—

BY REPRESENTATIVE TRAVIS
A JOINT RESOLUTION

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

Reported without amendments.

HOUSE BILL NO. 601—

BY REPRESENTATIVE JOHN SMITH
A JOINT RESOLUTION

Proposing to add Article VII, Section 14(E) of the Constitution of Louisiana, relative to public contracts; to provide for the donation or exchange of movable surplus property between or among political subdivisions whose functions include public safety; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 608—

BY REPRESENTATIVES CHAISSON AND FAUCHEUX
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 667—

BY REPRESENTATIVES DOWNER, CLARKSON, MCMAINS, AND ILES
AN ACT

To enact R.S. 9:3261, relative to leases; to provide for the rights of military personnel when terminating a lease; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 683—

BY REPRESENTATIVE COPELIN
AN ACT

To enact Code of Criminal Procedure Article 814(A)(50.1), relative to responsive verdicts; to provide for responsive verdicts for possession of cocaine; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 700—

BY REPRESENTATIVE MARIONNEAUX AND SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 13:3714, relative to evidence of health care charts and records; to provide for the introduction into evidence of copies of such charts and records of various health care providers; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 772—

BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 13:718(I)(2) and R.S. 22:1065.1(A) and 1404.3, relative to fees imposed on criminal bail bonds in the Twenty-fourth Judicial District Court; to provide that additional fees in that parish do not exceed statutory limitations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 786—

BY REPRESENTATIVE DUPRE
AN ACT

To repeal Code of Criminal Procedure Article 67, relative to representation of the state in criminal matters; to repeal requirements that the attorney general represent the state in criminal cases before the supreme court.

Reported without amendments.

HOUSE BILL NO. 796—

BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 26:77 and 277, relative to the Alcoholic Beverage Control Law; to provide with respect to advertising requirements in the local newspaper before applying for a retail dealer's permit; to require only one advertisement; to not prohibit a local notice of intent poster; to prohibit certain additional local fees except in East Baton Rouge Parish; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 797—

BY REPRESENTATIVES TOOMY, BRUCE, JENKINS, AND WOOTON
AN ACT

To enact Code of Criminal Procedure Article 883.2, relative to criminal sentencing; to require victim restitution as a part of a criminal sentence in certain cases; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 857—

BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact Children's Code Article 1137(C), relative to the surrender of parental rights; to expedite the time period within which the court must hold a contradictory hearing; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 871—

BY REPRESENTATIVE THERIOT
AN ACT

To enact R.S. 14:68.6, relative to the crime of unauthorized ordering of goods or services; to provide for the creation of the crime; to provide for penalties; to provide for exceptions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 872—

BY REPRESENTATIVE THERIOT
AN ACT

To amend and reenact R.S. 14:63(H), relative to criminal trespassing; to provide for penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 894—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 11:929(B), relative to the Teachers' Retirement System; to provide with respect to the Optional Retirement Plan; to provide regarding the payment of benefits therefrom and the authorization for various methods for such payments; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 913—

BY REPRESENTATIVE TOOMY

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 943—

BY REPRESENTATIVES MCMAINS, ANSARDI, MCCAIN, AND LONG

AN ACT

To enact Title XII-A of the Children's Code, Intercountry Adoption of Children, composed of Chapter 1, Articles 1281.1 through 1281.9, Chapter 2, Articles 1282.1 through 1282.5, and Chapter 3, Articles 1283.1 through 1283.17, relative to adoption; to provide for the adoption of foreign orphans by Louisiana domiciliaries; to provide preliminary provisions on applicability, definitions, types of intercountry adoptions, certification, venue, required consent, birth certificate requirements, and persons who may petition; to provide for petition for recognition of foreign adoptions, findings, final decrees, and name change, all with respect to recognition of foreign adoptions; to provide for petitions for adoption of a foreign orphan, reimbursement of expenses, disclosure of fees and charges, service of process, duties of the Department of Social Services, hearings, intervention, decrees, and name change, all with respect to adoptions of foreign orphans; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 971—

BY REPRESENTATIVES FLAVIN, CLARKSON, AND WALSWORTH

AN ACT

To enact R.S. 9:5167.1, relative to mortgages; to provide for cancellation of a mortgage by affidavit of a title insurance business or a closing notary public; to provide for the requirements of the affidavit; to provide for penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 992—

BY REPRESENTATIVE MICHOT

AN ACT

To enact R.S. 14:133.4, relative to crimes; to create the crime of misrepresentation during issuance of a misdemeanor summons or preparation of a juvenile custodial agreement; to provide for penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1053—

BY REPRESENTATIVES KENNARD AND HEBERT

AN ACT

To enact R.S. 14:37.3, relative to offenses against the person; to create the crime of unlawful use of a laser on a police officer; to provide definitions; to provide penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1132—

BY REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 47:303(B)(7), relative to the sales and use tax; to provide for the remittance of the tax on payments under certain leases of motor vehicles collected by agents on behalf of motor vehicle lessors; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 1421—

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. 40:1379.3(A), (C)(1), (5), and (8), and (T) and to enact R.S. 40:1379.3(C)(17) and (J)(3), relative to statewide permits to carry concealed handguns; to provide for confidentiality of applications; to provide for exceptions; to provide for grounds for denial or revocation of a permit; to provide for grounds for suspension of a permit; to provide that a resident is a person who is physically present in Louisiana at least fifty-one percent of each calendar year; to provide for reciprocity agreements involving peace officers of Louisiana and other states; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1421 by Representative Triche

AMENDMENT NO. 1

On page 1, line 7, following "who" and before "is" insert "maintains a dwelling in the state and"

AMENDMENT NO. 2

On page 4, line 7, following "to" delete the remainder of the line and on line 8, delete "Code Section" and insert "18 USC"

HOUSE BILL NO. 1460—

BY REPRESENTATIVE PERKINS

AN ACT

To amend and reenact Children's Code Article 613(B) and to enact Children's Code Article 613(C), relative to children; to provide relative to investigations of child abuse or neglect; to provide for the execution of entry orders; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1484—

BY REPRESENTATIVES JACK SMITH AND WOOTON

AN ACT

To amend and reenact Code of Criminal Procedure Article 330 and Children's Code Article 827(A) and to enact R.S. 14:98(K) and (L), relative to sentences imposed in certain criminal and adjudicatory proceedings; to provide for the use of an ignition interlock device for certain offenses; to provide for home incarceration for certain offenses; to provide with regard to conditions of bail; and to provide for related matters.

June 8, 1999

Reported without amendments.

HOUSE BILL NO. 1573—

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. 14:30(A)(2), relative to the crime of first degree murder; to include homicide committed against certain laboratory employees; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1620—

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

AN ACT

To amend and reenact R.S. 40:964 Schedule III (B)(9), relative to controlled dangerous substances; to provide that salts of Ketamine are Schedule III depressants; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1626—

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

AN ACT

To amend and reenact R.S. 47:806(C)(2), relative to the special fuels tax; to eliminate recordkeeping requirements for certain taxpayers; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1629—

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

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 1631—

BY REPRESENTATIVES PERKINS AND JENKINS

AN ACT

To amend and reenact R.S. 9:224(C)(introductory paragraph), 273(A)(1) and (2), and 275(B)(1) and (C)(1)(a) and (b)(i) and (ii) and to enact R.S. 9:273.1 and 275.1, relative to covenant marriages; to provide relative to information requirements; to provide relative to contents of declarations of intent; to provide forms for the recitation and affidavit of the parties and the attestation of the counselor; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1631 by Representative Perkins

AMENDMENT NO. 1

On page 1, line 4, following "9:" and before "273.1" insert "224(E)"

AMENDMENT NO. 2

On page 1, line 12, following "9:" and before "273.1" insert "224(E)"

HOUSE BILL NO. 1663—

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

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 1763—

BY REPRESENTATIVE BRUCE

AN ACT

To amend and reenact R.S. 15:542.1(H)(1) and (2), to enact R.S. 15:541(17), 542.1(F)(3) and (H)(3) through (8), and to repeal R.S. 15:542.1(B)(4) and 544(B) through (D), all relative to registration requirements for certain sex offenders; to provide for registration requirements for certain offenders; to provide with regard to certain exceptions from registration requirements; to provide for definitions; to provide for participation in the national registration program; to provide for lifetime registration of certain persons; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1838—

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

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 1846—

BY REPRESENTATIVES MCCALLUM, KENNEY, JACK SMITH, AND THOMPSON

AN ACT

To enact R.S. 40:1849(D)(5), relative to the Liquefied Petroleum Gas Commission Rainy Day Fund; to provide for the disposition of monies in the fund in excess of the maximum allowed amount; to provide for the use of such excess funds; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1897—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 11:2213(11) and to enact R.S. 11:2214.2, relative to the Municipal Police Employees' Retirement System; to provide with respect to definitions and membership; to provide regarding the admission of certain employees, and the retention of certain other employees whose membership arose as the result of error; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1905—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 11:157(C), relative to the Municipal Police Employees' Retirement System; to provide with respect to membership; to provide with respect to contributions, refunds, and the repayment thereof; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1939—

BY REPRESENTATIVE RIDDLE

AN ACT

To amend and reenact R.S. 9:4106, relative to alternative dispute resolution; to provide for qualifications of mediators; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1973—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 11:2256(A)(1) and (2) and (C) and to enact R.S. 11:2256(A)(4) and (5), relative to the Firefighters' Retirement System; to provide with respect to benefits and the accrual rate used for the computation thereof; to provide with respect to reemployment of retirees and contributions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2049—

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

AN ACT

To amend and reenact R.S. 30:2412(19) and 2418(I) and to enact R.S. 30:2412(5.1) and 2418(L), relative to waste tires and off-road vehicles; to provide definitions for off-road vehicles and tires; to provide for fees levied for tires based on the weight of the tire; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2077—

BY REPRESENTATIVES THOMPSON AND HAMMETT

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 2080—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 9:2772(A)(1) through (3) and (C), relative to peremptive periods for certain actions; to reduce the peremptive period for actions involving deficiencies in surveying, design, supervision, or construction of immovables or improvements thereon; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 2080 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 2, following "9:2772(A)" and before "and" delete "(1) through (3)"

AMENDMENT NO. 2

On page 1, line 8, following "9:2772(A)" and before "and" delete "(1) through (3)"

AMENDMENT NO. 3

On page 1, line 14, following "including" and before "but" insert a comma ","

AMENDMENT NO. 4

On page 1, line 14, following "to" and before "an" insert a comma ","

HOUSE BILL NO. 2100—

BY REPRESENTATIVES TRAVIS AND HOLDEN AND SENATOR BRANCH

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 2120—

BY REPRESENTATIVE SCALISE

AN ACT

To enact R.S. 22:1382(A)(3)(a)(v), relative to the Insurance Guaranty Association; to provide for assessments; to provide for the transfer of offset credits; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2136—

BY REPRESENTATIVE DOWNER

AN ACT

To amend and reenact R.S. 11:471(B), (D), and (E)(1), 701(25), 1151(D), and 1318, relative to the Louisiana State Employees' Retirement System, the Teachers' Retirement System of Louisiana, the Louisiana School Employees' Retirement System, and the State Police Pension and Retirement System; to provide with respect to benefits and the classification of certain benefit recipients; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2148—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 9:5606(C) and to enact R.S. 9:5606(D), relative to actions for professional insurance agent liability; to provide for a peremptive period for actions for insurance agent liability; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2251—

BY REPRESENTATIVES FLAVIN AND COPELIN

AN ACT

To enact R.S. 11:416(A)(1)(c), relative to the Louisiana State Employees' Retirement System; to provide with respect to reemployment of retirees and benefits and limited exemptions from the suspension or reduction thereof; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ARTHUR J. LENTINI
Chairman

Adoption of Legislative Bureau Report

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

Messages from the House

June 8, 1999

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

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

June 7, 1999

To the Honorable President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 152— BY SENATOR JONES

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Earline Lambert Victorian and to reflect on her contributions to her friends, family, church and community.

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 CONCURRENT RESOLUTION NO. 154— BY SENATOR BOISSIERE

A CONCURRENT RESOLUTION

To establish a group to study and make recommendations regarding creating the New Orleans Center for Creative Arts as a state agency and to require such group to make recommendations regarding the transition.

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

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 8, 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. 688— BY REPRESENTATIVE FAUCHEUX AN ACT

To amend and reenact R.S. 14:80 and to enact R.S. 14:80.1, relative to the crime of carnal knowledge of a juvenile; to provide for felony carnal knowledge of a juvenile; to create the crime of misdemeanor carnal knowledge of a juvenile; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 1362— 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. 40:1485.4(2)(introductory paragraph) and (c) and to enact R.S. 40:1485.4(2)(f), relative to the powers and duties of the division of charitable gaming control, office of state police; to increase the fee for a charitable gaming license; to establish a noncommercial lessor's license fee; and to provide for related matters.

HOUSE BILL NO. 54— BY REPRESENTATIVE FAUCHEUX AN ACT

To amend and reenact Civil Code Art. 2713, relative to leases; to provide for a uniform delay between notice or rendition of a judgment of eviction and the execution of that judgment; and to provide for related matters.

HOUSE BILL NO. 1497— BY REPRESENTATIVE TOOMY AN ACT

To enact R.S. 14:2(13)(ff) and (gg), relative to crimes of violence; to add second degree domestic battery and aggravated domestic battery to the definition of crime of violence; and to provide for related matters.

HOUSE BILL NO. 2138— BY REPRESENTATIVES LEBLANC, MICHOT, AND WALSWORTH AN ACT

To amend and reenact R.S. 42:874(B)(7) and R.S. 49:968(B)(21)(a) and to enact R.S. 49:968(B)(21)(c), relative to the Board of Trustees of the State Employees Group Benefits Program; to provide for certain powers and duties of the board; to provide for the oversight of plan benefits and contracts for providers; and to provide for related matters.

HOUSE BILL NO. 1471— BY REPRESENTATIVES SHAW AND BRUCE AN ACT

To enact R.S. 13:1000.2 and 1909, relative to the court-appointed special advocacy program in certain parishes; to provide that costs assessed in certain criminal matters are transmitted directly to the sheriff instead of the clerk of court; to specify that such costs are to be used to support the court-appointed special advocate programs in the district; and to provide for related matters.

HOUSE BILL NO. 1746— BY REPRESENTATIVE HUDSON AN ACT

To amend and reenact R.S. 9:2343(E), relative to public trusts; to authorize certain public trusts to utilize sole source procurement provisions of the Louisiana Procurement Code; and to provide for related matters.

HOUSE BILL NO. 2013— BY REPRESENTATIVE MCMAINS AN ACT

To amend and reenact R.S. 42:874(A)(3) and to enact R.S. 42:875.1, relative to powers and duties of the Board of Trustees of the State Employees Group Benefits Program; to provide for certification of funding by the commissioner of administration prior to implementation of planned benefits programs adopted by the board; and to provide for related matters.

HOUSE BILL NO. 2176—
BY REPRESENTATIVES SCHNEIDER AND JENKINS
AN ACT

To enact R.S. 14:60.1, relative to crimes; to create the crime of home invasion; to provide for penalties; and to provide for related matters.

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

House Bills and Joint Resolutions

Senator Bean asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE BILL NO. 54—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact Civil Code Art. 2713, relative to leases; to provide for a uniform delay between notice or rendition of a judgment of eviction and the execution of that judgment; 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. 688—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 14:80 and to enact R.S. 14:80.1, relative to the crime of carnal knowledge of a juvenile; to provide for felony carnal knowledge of a juvenile; to create the crime of misdemeanor carnal knowledge of a juvenile; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 1362—
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. 40:1485.4(2)(introductory paragraph) and (c) and to enact R.S. 40:1485.4(2)(f), relative to the powers and duties of the division of charitable gaming control, office of state police; to increase the fee for a charitable gaming license; to establish a noncommercial lessor's license fee; 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. 1471—
BY REPRESENTATIVES SHAW AND BRUCE
AN ACT

To enact R.S. 13:1000.2 and 1909, relative to the court-appointed special advocacy program in certain parishes; to provide that costs assessed in certain criminal matters are transmitted directly to the sheriff instead of the clerk of court; to specify that such costs are to be used to support the court-appointed special advocate programs in the district; 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. 1497—
BY REPRESENTATIVE TOOMY
AN ACT

To enact R.S. 14:2(13)(ff) and (gg), relative to crimes of violence; to add second degree domestic battery and aggravated domestic battery to the definition of crime of violence; 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. 1746—
BY REPRESENTATIVE HUDSON
AN ACT

To amend and reenact R.S. 9:2343(E), relative to public trusts; to authorize certain public trusts to utilize sole source procurement provisions of the Louisiana Procurement Code; 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. 2013—
BY REPRESENTATIVE MCMAINS
AN ACT

To amend and reenact R.S. 42:874(A)(3) and to enact R.S. 42:875.1, relative to powers and duties of the Board of Trustees of the State Employees Group Benefits Program; to provide for certification of funding by the commissioner of administration prior to implementation of planned benefits programs adopted by the board; 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. 2138—
BY REPRESENTATIVES LEBLANC, MICHOT, AND WALSWORTH
AN ACT

To amend and reenact R.S. 42:874(B)(7) and R.S. 49:968(B)(21)(a) and to enact R.S. 49:968(B)(21)(c), relative to the Board of Trustees of the State Employees Group Benefits Program; to provide for certain powers and duties of the board; to provide for the oversight of plan benefits and contracts for providers; 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. 2176—
BY REPRESENTATIVES SCHNEIDER AND JENKINS
AN ACT

To enact R.S. 14:60.1, relative to crimes; to create the crime of home invasion; to provide for penalties; and to provide for related matters.

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

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 8, 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. 276— BY REPRESENTATIVE LANDRIEU A CONCURRENT RESOLUTION

To commend Ursuline Academy Elementary of New Orleans upon being named a 1998-1999 Blue Ribbon School of Excellence by the United States Department of Education.

HOUSE CONCURRENT RESOLUTION NO. 275— BY REPRESENTATIVE MARIONNEAUX A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources and the Department of Wildlife and Fisheries to jointly study and make recommendations relative to drainage and sedimentation in False River.

HOUSE CONCURRENT RESOLUTION NO. 278— BY REPRESENTATIVE CLARKSON A CONCURRENT RESOLUTION

To the House Committee on Administration of Criminal Justice and the Senate Committee on Judiciary C to study the feasibility of protecting rape victims by limiting access to the identity of the victim, and to report study findings and recommendations to the legislature prior to the convening of the 2000 Regular Session.

HOUSE CONCURRENT RESOLUTION NO. 279— BY REPRESENTATIVE BOWLER A CONCURRENT RESOLUTION

To commend St. Rita School of Harahan upon being named a 1998-1999 Blue Ribbon School of Excellence by the United States Department of Education.

HOUSE CONCURRENT RESOLUTION NO. 280— BY REPRESENTATIVE FARVE A CONCURRENT RESOLUTION

To commend and congratulate the radio station WYLD-AM and FM in New Orleans, Louisiana on their 50th anniversary, to express appreciation for their contributions to the community, and to wish them continued success in the future.

HOUSE CONCURRENT RESOLUTION NO. 281— BY REPRESENTATIVES BRUNEAU AND SCHWEGMANN A CONCURRENT RESOLUTION

To commend St. Dominic School of New Orleans upon being named a 1998-1999 Blue Ribbon School of Excellence by the United States Department of Education.

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

HOUSE CONCURRENT RESOLUTION NO. 275— BY REPRESENTATIVE MARIONNEAUX A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources and the Department of Wildlife and Fisheries to jointly study and make recommendations relative to drainage and sedimentation in False River.

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

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. 276— BY REPRESENTATIVE LANDRIEU A CONCURRENT RESOLUTION

To commend Ursuline Academy Elementary of New Orleans upon being named a 1998-1999 Blue Ribbon School of Excellence by the United States Department of Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Bajoie, Barham, etc., and their corresponding counts.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names like Greene, Jones, Jordan, etc., and their corresponding counts.

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

HOUSE CONCURRENT RESOLUTION NO. 278— BY REPRESENTATIVE CLARKSON A CONCURRENT RESOLUTION

To the House Committee on Administration of Criminal Justice and the Senate Committee on Judiciary C to study the feasibility of protecting rape victims by limiting access to the identity of the victim, and to report study findings and recommendations to the legislature prior to the convening of the 2000 Regular Session.

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

HOUSE CONCURRENT RESOLUTION NO. 279— BY REPRESENTATIVE BOWLER A CONCURRENT RESOLUTION

To commend St. Rita School of Harahan upon being named a 1998-1999 Blue Ribbon School of Excellence by the United States Department of Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Bajoie, Ellington, etc., and their corresponding counts.

Barham	Fields W	Robichaux
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Lambert	Thomas
Dyess	Landry	Ullo
Total—33		

NAYS

Total—0

ABSENT

Boissiere	Cravins	Jones
Cain	Greene	Jordan
Total—6		

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

HOUSE CONCURRENT RESOLUTION NO. 280—
BY REPRESENTATIVE FARVE

A CONCURRENT RESOLUTION

To commend and congratulate the radio station WYLD-AM and FM in New Orleans, Louisiana on their 50th anniversary, to express appreciation for their contributions to the community, and to wish them continued success in the future.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Casanova	Greene	Jordan
Cravins	Jones	
Total—5		

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

HOUSE CONCURRENT RESOLUTION NO. 281—
BY REPRESENTATIVES BRUNEAU AND SCHWEGMANN

A CONCURRENT RESOLUTION

To commend St. Dominic School of New Orleans upon being named a 1998-1999 Blue Ribbon School of Excellence by the United States Department of Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Malone
Total—1

ABSENT

Casanova	Greene	Jordan
Cravins	Jones	
Total—5		

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

Personal Privilege

Senator Malone asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Concurrent Resolution No. 281. He voted nay on the resolution and had intended to vote yea. He asked that the Official Journal so state.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

AGRICULTURE

Senator Cain, Chairman on behalf of the Committee on Agriculture, submitted the following report:

June 8, 1999

To the President and Members of the Senate:

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

HOUSE BILL NO. 480—
BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 38:2251(A)(5) and (H)(1) and (3), relative to the purchase or procurement of certain Louisiana products; to provide for conditions for purchase of such products in preference to products from outside the state; to provide for definitions; and to provide for related matters.

Reported favorably.

June 8, 1999

HOUSE BILL NO. 746—
BY REPRESENTATIVES HEBERT AND MORRELL
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 1248—
BY REPRESENTATIVES THOMPSON AND LONG
AN ACT

To amend and reenact R.S. 39:1595(B) and (C)(6) and to enact R.S. 39:1595(C)(7), relative to public contracts; to provide a preference for paper and paper products manufactured and converted in Louisiana; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JAMES DAVID CAIN
Chairman

**REPORT OF COMMITTEE ON
INSURANCE**

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

June 8, 1999

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 123—
BY SENATOR CAIN
A CONCURRENT RESOLUTION

To create a joint legislative task force to study the current state employee health care program.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 987—
BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact R.S. 22:1192(A)(1), relative to the Insurance Education Advisory Council; to add a new insurance trade association to the list of entities that submit nominations for appointment to the council; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1011—
BY REPRESENTATIVE CARTER
AN ACT

To amend and reenact R.S. 22:636.1(D)(4), relative to automobile liability policies; to provide for financed insurance premiums; to

provide for the return of premium funds; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1072—
BY REPRESENTATIVE ALEXANDER
AN ACT

To amend and reenact R.S. 40:2202(6) and to enact R.S. 40:2203.1, relative to preferred provider organizations; to prohibit certain practices by such organizations; to place limitations on the terms of preferred provider agreements; to provide for a cause of action by a provider against a group purchaser who establishes a preferred provider organization for certain acts; to provide with respect to the definition of provider; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2203—
BY REPRESENTATIVE SCALISE AND SENATOR HAINKEL
AN ACT

To amend and reenact R.S. 39:1536(A) and to enact R.S. 39:1543 (D), relative to risk management; to provide for implementation of loss prevention audits and associated premium adjustments for higher education agencies; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2268 (Substitute for House Bill No. 1458 by Representative Hebert)—
BY REPRESENTATIVE HEBERT
AN ACT

To enact R.S. 22:230.3, relative to health insurance; to provide relative to billing insureds, enrollees, or subscribers for certain balances for medical care not paid or covered by health benefits; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2269 (Substitute for House Bill No. 2019 by Representative Donelon)—
BY REPRESENTATIVE DONELON
AN ACT

To enact R.S. 22:1078(F), relative to domestic insurers; to provide for exemption from fees; and to provide for related matters.

Reported favorably.

Respectfully submitted,
GREGORY TARVER
Chairman

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

Senator Tarver asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 480—
BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 38:2251(A)(5) and (H)(1) and (3), relative to the purchase or procurement of certain Louisiana products; to provide for conditions for purchase of such products in preference to products from outside the state; to provide for definitions; and to provide for related matters.

Reported favorably by the Committee on Agriculture. 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. 746—
BY REPRESENTATIVES HEBERT AND MORRELL
AN ACT

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

Reported with amendments by the Committee on Agriculture.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture to Reengrossed House Bill No. 746 by Representative Hebert

AMENDMENT NO. 1

On page 1, line 2 change "1559" to "Chapter 18-C of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1561 through 1570"

AMENDMENT NO. 2

On page 1, line 8, change "1559" to "Chapter 18-C of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:1561 through 1570,"

AMENDMENT NO. 3

On page 1, line 15 change "Licensed" to "Registered" and change "R.S. 37:1559" to "Chapter 18-C of this Title"

AMENDMENT NO. 4

On page 2, delete lines 1 through 23 in their entirety and insert in lieu thereof the following:

“ CHAPTER 18-C. EQUINE DENTISTS

§1561. Definitions

As used in this Chapter, the following words shall have the meaning ascribed to them unless the context clearly indicates otherwise:

(1) "Board" means the Louisiana Board of Veterinary Medicine.

(2) "Certificate of approval" means a certificate issued by the Louisiana Board of Veterinary Medicine to a registered equine dentist.

(3) "The practice of equine dentistry" means the rasping (floating) of molar, premolar, and canine teeth, and the removal of deciduous incisor and premolar teeth (caps).

(4) "Registered equine dentist" means a person registered by the board as being qualified to practice equine dentistry in Louisiana.

(5) "Racetrack" means any facility which conducts races as defined in R.S. 4:165 (A)(4)(d).

§1562. Application

In order to obtain a certificate of approval as a registered equine dentist, the applicant shall comply with the following provisions:

(1) Submit an application which shall be sworn to and subscribed before a notary public.

(2) Submit evidence that he is a current resident of this state on or before July 1, 1999, and is substantially involved in the care and maintenance of horses in the horse racing industry in Louisiana as defined in the board's rules and regulations.

(3) Submit evidence of licensure in good standing issued by the Louisiana Racing Commission on or before July 1, 1995.

(4) Pay the fees established by the board, which shall not exceed the following amounts:

(a) Original registration fee not to exceed two hundred fifty dollars.

(b) Annual renewal of registration fee not to exceed two hundred fifty dollars.

(c) Late fee for delinquent registration renewals not to exceed two hundred fifty dollars.

(d) Application fee not to exceed one hundred dollars.

§1563. Practice

A. Except as provided in this Chapter, no person shall practice equine dentistry in Louisiana unless issued a certificate of approval by the board.

B. A registered equine dentist may practice equine dentistry at a racetrack in this state.

C. (1) A registered equine dentist who practices equine dentistry at a location in this state other than at a racetrack shall notify the horse owner's veterinarian prior to the commencement of the practice of equine dentistry. In the event that the horse owner does not have a veterinarian, the equine dentist shall obtain a referral from a veterinarian licensed by the board.

(2) Prior to the initiation of an extraction of first premolar teeth (wolf teeth), the registered equine dentist shall also notify and obtain the approval of the equine owner's veterinarian or referral veterinarian.

D. Notwithstanding any other provision of law, after complying with the provisions of R.S. 37:1561 and any rule or regulation promulgated by the board regarding the application process, fees, and defining the duties of an equine dentist, any person who was licensed as an equine dentist before July 1, 1995, and who desires to practice equine dentistry shall be issued a certificate of approval by the board and shall be registered as an equine dentist.

§1564. Exemptions

A. Licensed veterinarians or persons who hold temporary permits to practice veterinary medicine shall be exempt from the provisions of this Chapter.

B. With proper training and under the direct supervision of a licensed veterinarian, laypeople and registered veterinary technicians employed by a licensed veterinarian may perform the rasping (floating) of molar, premolar, and canine teeth and the removal of deciduous incisor and premolar teeth (caps).

§1565. Certificate of approval; denial; sanctions

A. After a hearing held in compliance with the Administrative Procedure Act, the board may deny, suspend or revoke the certificate of approval held by any registered equine dentist, or impose any other penalty authorized in this Chapter, upon a finding by a majority of the quorum of the board that an equine dentist has failed to comply with any provision of this Chapter or any of the rules and regulations adopted by the board based upon any one of the following grounds:

(1) Has willfully or negligently divulged or discussed with anyone a veterinarian's diagnosis or treatment without the express permission of the veterinarian.

(2) Has been convicted or entered a plea of nolo contendere to any offense involving moral turpitude.

(3) Has been proven to suffer from the habitual or excessive use of alcohol or any controlled dangerous substance.

(4) Has committed fraud or misrepresentation in applying for or procuring a certificate of approval to perform as a registered equine dentist in this state, or in applying for or procuring an annual registration.

(5) Has impersonated another person registered as an equine dentist or allowed any person to use his certificate of approval.

(6) Has aided or abetted the practice of veterinary medicine by a person not licensed by the board.

(7) Has aided or abetted the practice of equine dentistry by a person not registered by the board;

(8) Has performed duties of an equine dentist in an incompetent or grossly negligent manner.

(9) Has performed an act of cruelty upon an animal.

(10) Has been found guilty of unprofessional conduct. Unprofessional conduct shall include departure from departure from, or failure to conform to, the minimal standards of acceptable and prevailing practice of equine dentistry. A showing of actual injury to a horse shall not be necessary.

(11) Has been declared insane or incompetent by a court of law.

(12) Has engaged in conduct resulting in the suspension, revocation or any other sanction by another state of a registration, license, or certification to perform as an equine dentist. A certified copy of the record of the suspension, revocation, or any other sanction of the state imposing the penalty shall be conclusive evidence of such suspension, revocation, or sanction.

(13) Has employed fraud or dishonesty in connection with his practice as a registered equine dentist.

(14) Has been shown to have exhibited conduct unbecoming to a person registered as an equine dentist or detrimental to the best interests of the public.

B. Failure to pay the fees required in R.S. 37:1561 shall result in an automatic denial of a certificate of approval held by an equine dentist. Any denial, suspension, revocation, or other sanction shall be subject to review pursuant to the Administrative Procedure Act and the board's rules.

§1566. Identification of registered equine dentists

A registered equine dentist shall use the title "Registered Equine Dentist."

§1567. Certificates; validity, renewal, possession

A. Each certificates of approval issued under this Chapter shall expire on thirtieth day of September of each year and shall be renewed by making application for renewal of a certificate with the board and payment of the annual registration renewal fee established by the board. On or before the first day of July of each year, the executive director of the board shall mail a notice to each registered equine dentist that his certificate of approval will expire on the thirtieth day of September of each year and provide him with a form for re-registration. The executive director shall issue a new certificate of approval to all persons renewing their certificate under this Chapter.

B. The board shall adopt rules providing for a continuing education program for registered equine dentists. A registered equine dentist shall participate in the continuing education program as a condition of retaining his certificate of approval.

C. Any person who practices equine dentistry after the expiration of his certificate of approval and who willfully or by neglect fails to renew such license shall be guilty of practicing equine dentistry in violation of this Chapter. Any person may renew an expired certificate of approval within one year of its expiration by making written application for renewal, paying the current renewal fee plus all delinquent renewal fees, and meeting the continuing education program requirements.

D. Each holder of a certificate of approval to act as a registered equine dentist shall have such certificate in his possession when practicing equine dentistry.

§1568. Misrepresentation and penalty

A. In addition to or in lieu of any remedy provided in this Chapter, the board may seek imposition of a civil penalty by any district court for any violation for which the board may issue a notice to cease and desist under this Chapter. The civil penalty shall be no less than five hundred dollars and no more than five thousand dollars for each offense.

B. When the board finds any registered equine dentist guilty of any violation of this Chapter, it may enter an order imposing one or more of the following penalties:

- (1) Denial of an application.
- (2) Revocation or suspension of a certificate of approval.
- (3) Imposition of an fine not to exceed one thousand dollars for each count or separate offense.
- (4) Issuance of a reprimand.
- (5) Placement of the registered equine dentist on probation for a period of time and subject to such conditions as the board may specify.
- (6) Restricting the authorized scope of practice.

C. The board by rule shall provide for appeals of denials of applications. The board shall impose other administrative penalties only on the basis of a ruling by the board pursuant to an adjudicatory hearing.

D. In addition to the disciplinary action or fines assessed by the board, the board may assess all costs of the board proceedings, including

investigators, stenographers, administrative, and attorney's fees and court costs.

§1569. Powers of the board

The board, in accordance with the Administrative Procedure Act, shall adopt, amend, repeal, and establish all rules and regulations and collect all fees necessary for its government and all regulations necessary to carry into effect the provisions of this Chapter, including, but not limited to, defining the duties of a registered equine dentist, determining eligibility requirements for registration, and establishing disciplinary grounds and penalties.

§1570. Waiver of liability

No veterinarian shall be liable for any act or omission of a registered equine dentist."

On motion of Senator Cain, 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. 987—
BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact R.S. 22:1192(A)(1), relative to the Insurance Education Advisory Council; to add a new insurance trade association to the list of entities that submit nominations for appointment to the council; 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. 1011—
BY REPRESENTATIVE CARTER
AN ACT

To amend and reenact R.S. 22:636.1(D)(4), relative to automobile liability policies; to provide for financed insurance premiums; to provide for the return of premium funds; 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. 1072—
BY REPRESENTATIVE ALEXANDER
AN ACT

To amend and reenact R.S. 40:2202(6) and to enact R.S. 40:2203.1, relative to preferred provider organizations; to prohibit certain practices by such organizations; to place limitations on the terms of preferred provider agreements; to provide for a cause of action by a provider against a group purchaser who establishes a preferred provider organization for certain acts; to provide with respect to the definition of provider; 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. 1072 by Representative Alexander

AMENDMENT NO. 1

On page 2, line 18, delete "for a", delete lines 19 through 26, delete page 3 and insert the following:

"unless such organization is clearly identified on the benefit card issued by the group purchaser or other entity accessing a group purchaser's contractual agreement or agreements and presented to the participating provider when medical care is

provided. When more than one preferred provider organization is shown on the benefit card of a group purchaser or other entity, the applicable contractual agreement that shall be binding on a provider shall be determined as follows:

(1) The first preferred provider organization domiciled in this state, listed on the benefit card, beginning on the front of the card, reading from left to right, line by line, from top to bottom, that is applicable to a provider on the date medical care is rendered, shall establish the contractual agreement for payment that shall apply.

(2) If there is no preferred provider organization domiciled in this state listed on the benefit card, the first preferred provider organization domiciled outside this state listed on the benefit card, following the same process outlined in Paragraph 1 of this Subsection shall establish the contractual agreement for payment that shall apply.

(3) The side of the benefit card that prominently identifies the name of the insurer, or plan sponsor and beneficiary shall be deemed to be the front of the card.

(4) When no preferred provider organization is listed, the plan sponsor or insurer identified by the card shall be deemed to be the group purchaser for purposes of this Section.

(5) When no benefit card is issued or utilized by a group purchaser or other entity, written notification shall be required of any entity accessing an existing group purchaser's contractual agreement or agreements, at least thirty days prior to accessing services through a participating provider under such agreement or agreements.

C. A preferred provider organization agreement shall not be applied or used on a retroactive basis unless all providers of medical services that are affected by the application of alternative rates of payment receive written notification from the entity that seeks such an arrangement and agree in writing to be reimbursed at the alternative rates of payment.

D. In no instance shall any provider be bound by the terms of a preferred provider organization agreement that is in violation of this Part.

E. Any claim submitted by a provider for services provided to a person identified by the provider and a group purchaser as eligible for alternative rates of payment in a preferred provider agreement shall be subject to the standards for claims submission and timely payment according to the provisions of Part VI-D of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950.

F. A group purchaser establishing a preferred provider organization shall be prohibited from charging a credentialing fee or any other type of monetary fee, when no access to a group purchaser is provided. Any provider who participates in a preferred provider organization may be charged a reasonable fee either on a periodic basis or based on the tangible benefits received from continued participation in a preferred provider organization. Such fees may be based on actual"

AMENDMENT NO. 2

On page 4, line 3 after "provisions" insert "of Subsections A, B, C, D or F"

AMENDMENT NO. 3

On page 4, line 11 after "form" delete the remainder of the line and on line 12 delete "of this Act" and insert "no later than January 1, 2000"

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. 1248—

BY REPRESENTATIVES THOMPSON AND LONG
AN ACT

To amend and reenact R.S. 39:1595(B) and (C)(6) and to enact R.S. 39:1595(C)(7), relative to public contracts; to provide a preference for paper and paper products manufactured and converted in Louisiana; and to provide for related matters.

Reported with amendments by the Committee on Agriculture.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture to Reengrossed House Bill No. 1248 by Representative Thompson

AMENDMENT NO. 1

On page 1, line 2, change "39:1595(B) and(C)(6)" to "R.S. 39:1595(C)(6)"

AMENDMENT NO. 2

On page 1, line 7, change "39:1595(B) and(C)(6)" to "R.S. 39:1595(C)(6)"

AMENDMENT NO. 3

On page 1, delete lines 12 through 17 and on page 2, delete lines 1 through 3 in their entirety.

On motion of Senator Cain, 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. 2203—

BY REPRESENTATIVE SCALISE AND SENATOR HAINKEL
AN ACT

To amend and reenact R.S. 39:1536(A) and to enact R.S. 39:1543 (D), relative to risk management; to provide for implementation of loss prevention audits and associated premium adjustments for higher education agencies; 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. 2268 (Substitute for House Bill No. 1458 by Representative Hebert)—

BY REPRESENTATIVE HEBERT
AN ACT

To enact R.S. 22:230.3, relative to health insurance; to provide relative to billing insureds, enrollees, or subscribers for certain balances for medical care not paid or covered by health benefits; 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. 2269 (Substitute for House Bill No. 2019 by Representative Donelon)—

BY REPRESENTATIVE DONELON
AN ACT

To enact R.S. 22:1078(F), relative to domestic insurers; to provide for exemption from 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.

Special Order of the Day

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

HOUSE BILL NO. 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 D'Amico

AMENDMENT NO. 1

On page 2, line 21, after "Agency," delete the remainder of the line and delete line 22 in its entirety and on line 23, delete "deposited into the Environmental Trust Fund."

AMENDMENT NO. 2

On page 4, line 8, delete "an amount less than"

AMENDMENT NO. 3

On page 4, at the beginning of line 9, change "three" to "two" and after "inspection and" delete the remainder of the line and delete lines 10 through 13 in their entirety and insert "provide that the additional dollars"

Senator C. Fields moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Bajojie, Cain, Campbell, Cox, Fields C, Total—13; Fields W, Irons, Johnson, Jones, Jordan; Landry, Robichaux, Ullo

NAYS

Table with 3 columns: Mr. President, Barham, Bean, Boissiere, Branch, Casanova, Dardenne; Ellington, Greene, Hainkel, Heitmeier, Hines, Hollis, Lambert; Romero, Schedler, Siracusa, Smith, Tarver, Theunissen, Thomas

Dean, Dyess, Total—25

Lentini, Malone, ABSENT

Cravins, Total—1

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. 1524 by Representative Damico

AMENDMENT NO. 1

On page 2, line 21, between "Agency" and the period "." insert "as of the effective date of this Act"

AMENDMENT NO. 2

On page 3, line 22, between "Agency" and the comma "," insert "as of the effective date of this Act"

On motion of Senator Cox, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Bajojie, Barham, Bean, Boissiere, Branch, Cain, Campbell, Casanova, Cravins, Dardenne, Dean, Total—35; Dyess, Ellington, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert; Landry, Lentini, Malone, Romero, Schedler, Siracusa, Smith, Tarver, Theunissen, Thomas, Ullo

NAYS

Cox, Fields C, Total—4; Fields W, Robichaux

ABSENT

Total—0

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

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. 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

Barham	Greene	Lentini
Bean	Hainkel	Robichaux
Boissiere	Heitmeier	Romero
Branch	Hines	Schedler
Casanova	Hollis	Siracusa
Dardenne	Johnson	Tarver
Dean	Jones	Theunissen
Dyess	Lambert	Thomas
Ellington	Landry	
Total—26		

NAYS

Mr. President	Cravins	Jordan
Cain	Fields C	Malone
Campbell	Fields W	Smith
Cox	Irons	
Total—11		

ABSENT

Bajoie	Ullo
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.

Special Order of the Day

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

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

AN ACT

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

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. 1920 by Representative Alario

AMENDMENT NO. 1

On page 1, line 4, after "limits" insert "and for specified purposes"

AMENDMENT NO. 2

On page 1, line 12, after "amounts" insert "provided the revenue generated by the authorized increase is used to increase the compensation for teachers in such school"

AMENDMENT NO. 3

On page 1, line 13, change "five" to "two"

AMENDMENT NO. 4

On page 1, line 14, after "hundred" insert "and fifty"

AMENDMENT NO. 5

On page 1, line 16, change "five hundred dollars" to "two hundred and fifty dollars"

AMENDMENT NO. 6

On page 1, delete lines 17 and 18

Senator W. Fields moved adoption of the amendments.

Senator Hainkel objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Heitmeier	Lentini
Boissiere	Hines	Malone
Cain	Irons	Robichaux
Cox	Johnson	Schedler
Cravins	Jones	Ullo
Fields C	Jordan	
Fields W	Lambert	
Total—19		

NAYS

Mr. President	Dean	Romero
Barham	Dyess	Siracusa
Bean	Ellington	Smith
Branch	Greene	Tarver
Campbell	Hainkel	Theunissen
Casanova	Hollis	Thomas
Dardenne	Landry	
Total—20		

ABSENT

Total—0

The Chair declared the amendments were rejected.

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. 1920 by Representative Alario

AMENDMENT NO. 1

On page 1, line 4, after "schools;" insert "to provide for parental approval of such increases;"

AMENDMENT NO. 2

On page 1, line 10, after "may" insert ", subject to the approval of a majority of parents or guardians of students as provided for in Section 2 of this Act,"

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AMENDMENT NO. 3

On page 1, after line 18, insert the following:

"Section 2. There shall be one vote for each household which has a student or students enrolled in the laboratory school on the date the election, as provided in this Section, is held, which may be exercised by the parents or guardians of such student or students. The approval of parents or guardians required in this Act shall be a favorable vote by a majority of all votes on a proposition to increase the fees to the amount approved by the legislature at an election held by the school for such purpose."

AMENDMENT NO. 4

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

Senator W. Fields moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields W	Landry
Branch	Heitmeier	Lentini
Campbell	Hines	Malone
Cox	Irons	Robichaux
Dyess	Johnson	
Fields C	Jordan	
Total—16		

NAYS

Mr. President	Dean	Schedler
Barham	Ellington	Siracusa
Bean	Greene	Smith
Boissiere	Hainkel	Theunissen
Cain	Hollis	Thomas
Casanova	Jones	Ullo
Cravins	Lambert	
Dardenne	Romero	
Total—22		

ABSENT

Tarver
Total—1

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Landry
Barham	Dean	Romero
Bean	Ellington	Siracusa
Boissiere	Greene	Smith
Branch	Hainkel	Theunissen
Cain	Hollis	Thomas
Campbell	Jones	Ullo
Casanova	Jordan	
Cravins	Lambert	
Total—25		

NAYS

Bajoie	Heitmeier	Malone
Cox	Hines	Robichaux
Dyess	Irons	Schedler
Fields C	Johnson	
Fields W	Lentini	
Total—13		

ABSENT

Tarver
Total—1

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Hainkel, 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.

**Senate Concurrent Resolutions
Returned from the House of Representatives
with Amendments**

The following Senate Concurrent Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 45—
BY SENATOR ROBICHAUX

A CONCURRENT RESOLUTION

To request additional funding for a fisheries data collection program and a detailed, historical study on price trends in the shrimping industry.

The resolution was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Triche to Original Senate Concurrent Resolution No. 45 by Senator Robichaux

AMENDMENT NO. 1

On page 2, line 5, change "25" to "twenty-five"

AMENDMENT NO. 2

On page 2 delete lines 27 and 28 in their entirety and insert in lieu thereof "and requests the Department of Wildlife and Fisheries to conduct"

AMENDMENT NO. 3

On page 3, at the beginning of line 1, delete "or authorize"

AMENDMENT NO. 4

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

"BE IT FURTHER RESOLVED that a copy of the results of the price trend study be transmitted to the Senate and House Natural Resources Committees prior to the beginning of the 2000 Regular Session."

Senator Robichaux moved to concur in the amendments proposed by the House.

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 amendments proposed by the House were concurred in. Senator Robichaux moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE CONCURRENT RESOLUTION NO. 40—

BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

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

The resolution 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 Original Senate Concurrent Resolution No. 40 by Senator Hainkel

AMENDMENT NO. 1

On page 2, line 11, after "governor" delete the period "." and insert "or his designee."

AMENDMENT NO. 2

On page 2, line 12, after "governor" delete the period "." and insert "or his designee."

AMENDMENT NO. 3

On page 2, line 13, after "Development" delete the period "." and insert "or his designee."

AMENDMENT NO. 4

On page 2, line 14 after "Labor" delete the period "." and insert "or his designee."

AMENDMENT NO.5

On page 2, line 15 after "Quality" delete the period "." and insert "or his designee."

AMENDMENT NO.6

On page 2, line 16, after "Resources" delete the period "." and insert "or his designee."

Senator Hainkel moved to concur in the amendments proposed by the House.

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	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones	Ullo
Dean	Jordan	

Total—38

NAYS

Total—0

ABSENT

Siracusa
Total—1

The Chair declared the amendments proposed by the House were concurred in. Senator Hainkel moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE CONCURRENT RESOLUTION NO. 62—

BY SENATOR HINES

A CONCURRENT RESOLUTION

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

The resolution was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original Senate Concurrent Resolution No. 62 by Senator Hines

AMENDMENT NO. 1

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

"(6) The president of Louisiana Tech University or his designee."

Senator Hines moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bajoie	Ellington	Lentini
Barham	Fields C	Malone

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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	Jordan	
Total—37		

NAYS

Landry
Total—1

ABSENT

Robichaux
Total—1

The Chair declared the amendments proposed by the House were concurred in. Senator Hines moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE CONCURRENT RESOLUTION NO. 87—
BY SENATOR SIRACUSA

A CONCURRENT RESOLUTION

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

The resolution was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to reengrossed Senate Concurrent Resolution No. 87 by Senator Siracusa

AMENDMENT NO. 1

On page 2, line 14, after "jointly" and before "and" insert "in the State Capitol in House Committee Room 6"

Senator Siracusa moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—33

NAYS

Dean
Total—2

Landry

ABSENT

Bajoie
Greene
Total—4

Hollis
Malone

The Chair declared the amendments proposed by the House were concurred in. Senator Siracusa moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE CONCURRENT RESOLUTION NO. 91—

BY SENATORS LAMBERT, DYESS, IRONS, LANDRY, SCHEDLER, SMITH AND THOMAS

A CONCURRENT RESOLUTION

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

The resolution was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original Senate Concurrent Resolution No. SCR 91 by Senator Lambert

AMENDMENT NO. 1

On page 1, at the beginning of line 3, change "evaluate and update" to "adopt"

AMENDMENT NO. 2

On page 1, line 5, after "motorcycle" insert "or motor driven cycle"

AMENDMENT NO. 3

On page 1, line 7, after "motorcycle" insert "or motor driven cycle"

AMENDMENT NO. 4

On page 1, line 10, after "motorcycle" insert "or motor driven cycle"

AMENDMENT NO. 5

On page 2, line 9, after "Corrections" change "evaluate and update" to "adopt"

AMENDMENT NO. 6

On page 2, line 11, after "motorcycle" insert "or motor driven cycle"

AMENDMENT NO. 7

On page 2, line 13, after "program to" change "reevaluate and update" to "adopt"

AMENDMENT NO. 8

On page 2, line 16, after "outlining the" delete "updated"

Senator Lambert moved to concur in the amendments proposed by the House.

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

A CONCURRENT RESOLUTION

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

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

SENATE CONCURRENT RESOLUTION NO. 95—
 BY SENATOR ROBICHAUX

A CONCURRENT RESOLUTION

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

The resolution was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Triche to Engrossed Senate Concurrent Resolution No. 95 by Senator Robichaux

AMENDMENT NO. 1

On page 1, line 2, after "request" insert "the" and change "and Agricultural and" to "Agricultural Center"

AMENDMENT NO. 2

On page 1, line 3, delete "Mechanical College"

AMENDMENT NO. 3

On page 2, line 10, after "request" insert "the" and change "and Agricultural and" to "Agricultural Center"

AMENDMENT NO. 4

On page 2, line 11, delete "Mechanical College"

AMENDMENT NO. 5

On page 2, delete lines 14 through 16 in their entirety, and insert in lieu thereof, "transmitted to the chancellor of the Louisiana State"

Senator Robichaux moved to concur in the amendments proposed by the House.

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 amendments proposed by the House were concurred in. Senator Robichaux moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE CONCURRENT RESOLUTION NO. 113—
 BY SENATOR CAIN

A CONCURRENT RESOLUTION

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

The resolution was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original Senate Concurrent Resolution No. 113 by Senator Cain

AMENDMENT NO. 1

On page 1, line 2, after "To" change "direct" to "urge and request"

AMENDMENT NO. 2

On page 2, at the beginning of line 4, change "directs" to "urges and requests"

Senator Cain moved to concur in the amendments proposed by the House.

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

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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 amendments proposed by the House were concurred in. Senator Cain moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**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. 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.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Windhorst to Reengrossed Senate Bill No. 245 by Senator Hines (Duplicate of H.B. No. 2277)

AMENDMENT NO. 1

On page 1, delete lines 3 through 8 in their entirety and insert in lieu thereof the following:

"to provide for the consideration of certain legislative instruments during regular sessions; to provide relative to subject matter limitations for and the duration of regular sessions; to provide deadlines for the prefiling and introduction of legislation and for certain legislative action; to provide for the authority of the legislature as related thereto; to provide for the submission of the proposed amendment to the electors; and to provide for related matters."

AMENDMENT NO. 2

On page 2, line 2, after "in session." insert "(2)"

AMENDMENT NO. 3

On page 2, at the end of line 3, delete "Friday before" and insert "tenth calendar day prior to"

AMENDMENT NO. 4

On page 2, delete lines 9 through 27 in their entirety and on page 3, delete lines 1 through 27 in their entirety and on page 4, delete lines 1 through 11 in their entirety and insert in lieu thereof the following:

"(2) (3)(a) All regular sessions convening in odd-numbered years shall be general in nature and shall convene at noon on the ~~last third~~ Monday in March. The legislature shall meet in such a session for not more than sixty legislative days during a period of eighty-five calendar days. No such session shall continue beyond six o'clock in the evening of the eighty-fifth calendar day after convening. No new matter intended to have the effect of law shall be introduced or received by either house after ~~midnight of the thirtieth calendar~~ six o'clock in the evening of the fifteenth legislative day. No matter intended to have the effect of law, except a measure proposing a suspension of law, shall be considered on third reading and final passage in either house after ~~midnight of the fifty-fifth~~ six o'clock in the evening of the fifty-seventh legislative day or the eighty-second calendar day, whichever occurs first, of a regular session; except by a favorable record vote of two-thirds of the elected members of each house.

(b) No measure levying or authorizing a new tax by the state or by any statewide political subdivision whose boundaries are coterminous with the state; increasing an existing tax by the state or by any statewide political subdivision whose boundaries are coterminous with the state; or legislating with regard to tax exemptions, exclusions, deductions, or credits shall be introduced or enacted during a regular session held in an odd-numbered year.

(3) (4)(a) All regular sessions convening in even-numbered years shall convene at noon on the ~~last third~~ Monday in April. ~~Each such session shall be restricted to the consideration of legislation which provides for enactment of a general appropriations bill, implementation of a capital budget, for making an appropriation, levying or authorizing a new tax, increasing an existing tax, legislating with regard to tax exemptions, exclusions, deductions, reductions, repeal, or credits, or issuing bonds.~~ The legislature shall meet in such a session for not more than ~~thirty~~ forty-five legislative days in a period of ~~forty-five~~ sixty calendar days. No such session shall continue beyond six o'clock in the evening of the ~~forty-fifth~~ sixtieth calendar day after convening. No new matter intended to have the effect of law shall be introduced or received by either house after ~~midnight~~ six o'clock in the evening of the tenth calendar legislative day. No matter intended to have the effect of law, except a measure proposing a suspension of law, shall be considered on third reading and final passage in either house after ~~midnight of the twenty-seventh~~ six o'clock in the evening of the forty-third legislative day or the fifty-eighth calendar day, whichever occurs first, of a regular session; except by a favorable record vote of two-thirds of the elected members of each house.

(b) During any session convening in an even-numbered year, no matter intended to have the effect of law, including any suspension of law, shall be introduced or considered unless its object is to enact the General Appropriation Bill; enact the comprehensive capital budget; make an appropriation; levy or authorize a new tax; increase an existing tax; levy, authorize, increase, decrease, or repeal a fee; dedicate revenue; legislate with regard to tax exemptions, exclusions, deductions, reductions, repeals, or credits; or legislate with regard to the issuance bonds. In addition, a legislative instrument intended to have the effect of law, including a suspension of law, which is not within the subject matter restrictions provided in this Subparagraph may be considered at any such session if:

(i) It is prefiled as provided in Subparagraph (2) of this Paragraph, however no member may prefile more than five such instruments; or

(ii) If its object is to enact a local or special law which is required to be and has been advertised in accordance with Section 13 of this Article and which is not prohibited by the provisions of Section 12 of this Article.

(5) Except for the restriction on the number of legislative days for each regular legislative session, the legislature may modify the provisions of Subparagraphs (2), (3)(a), and (4)(a) of this Paragraph for subsequent annual sessions, and then only by joint rule adopted by a favorable vote of two-thirds of the elected members of each house and according to the same procedure and formalities required for the passage of a law, except that it shall not be subject to gubernatorial veto or time limitations for introduction."

AMENDMENT NO. 5

On page 4, delete lines 20 through 27 in their entirety and on page 5, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

"To allow the legislature, during regular legislative sessions in even-numbered years, to consider legislation which levies, authorizes, increases, decreases, or repeals a fee or which dedicates revenue and local and special bills provided such bills are properly advertised and are not otherwise prohibited by the constitution; to allow the legislature, during regular legislative sessions in even-numbered years, to consider certain legislation which is not within the subject matter limitations if such legislation is prefiled, provided each member may not prefile more than five such instruments; to require prefiling of bills, subject to certain exceptions, no later than five o'clock on the tenth calendar day prior to the first day of a regular legislative session; to change the date that regular legislative sessions convene; to extend the length of regular sessions in even-numbered years; to provide for certain time limits for the introduction and consideration on final passage of matters intended to have the effect of law; and to allow the legislature to change procedural matters relating to sessions by a two-thirds vote. (Amends Article III, Section 2(A))"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Windhorst to Reengrossed Senate Bill No. 245 by Senator Hines and Representative Windhorst, et al.

AMENDMENT NO. 1

Delete Conforming Amendment No. 5 proposed by Representative Windhorst and adopted by the House of Representatives on May 21, 1999

AMENDMENT NO. 2

On page 4, delete lines 20 through 27 in their entirety and on page 5, delete lines 1 and 2 in their entirety and insert in lieu thereof the following:

"To limit the legislature to and provide for consideration of not more than five prefiled bills which are not within the subject matter limitations during regular sessions in even-numbered years; to provide that the legislature, during sessions in even-numbered years, may consider legislation which levies, authorizes, increases, decreases, or repeals a fee or which dedicates revenue and properly advertised local and special bills; to require prefiling of bills, subject to certain exceptions, no later than five o'clock on the tenth calendar day prior to the first day of a regular legislative session; to

change the date that regular legislative sessions convene; to extend the length of regular session in even-numbered years; to provide for time limits for the introduction and consideration on final passage of matters intended to have the effect of law; and to provide that the legislature may change procedural matters relating to sessions only by a two-thirds vote. (Amends Article III, Section 2(A))"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Engrossed Senate Bill No. 245 by Senator Hines

AMENDMENT NO. 1

In Amendment No. 4 of the set of five Conforming Amendments proposed by Representative Windhorst and adopted by the House of Representatives on May 21, 1999, on page 1, line 23, delete "third" and insert "last"

Senator Hines 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, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Jones, Jordan, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Tarver, Theunissen, Thomas, Ullo

Total—38

NAYS

Total—0

ABSENT

Johnson Total—1

The Chair declared the amendments proposed by the House were rejected. Senator Hines moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

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.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

June 8, 1999

Amendments proposed by Representative Alario to Engrossed Senate Bill No. 263 by Senator Barham

AMENDMENT NO. 1

On page 1, line 16, after "July 1," change "2003" to "2004"

AMENDMENT NO. 2

On page 2, line 18, after "July 1," change "2002" to "2003"

Senator Barham 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, Dyess, Lambert. Lists names of members who voted 'YEAS'.

NAYS

Total—0

ABSENT

Total—0

The Chair declared the amendments proposed by the House were concurred in. Senator Barham moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

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.

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

Senator C. Fields in the Chair

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.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Stelly to Engrossed Senate Bill No. 316 by Senator Cox

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and insert in lieu thereof "R.S. 11:1321 and 1322(B) and to enact R.S. 11:1305(C), relative to benefits payable from the State Police Pension and Retirement System; to provide with respect to service credit and benefits of certain unclassified employees;"

AMENDMENT NO. 2

On page 1, line 9, between "reenacted" and "to" insert "and R.S. 11:1305(C) is hereby enacted"

AMENDMENT NO. 3

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

"§1305. Membership in pension and retirement system; credit for unclassified service prohibited; exceptions

* * *

C.(1)(a) Notwithstanding any provision of law to the contrary, and particularly R.S. 11:1307 or any other provision of this Section, any state police employee who is a sworn, commissioned law enforcement officer of the office of state police, who serves in an active capacity in an unclassified position in the Department of Public Safety and Corrections, and who has previously contributed to this system, shall be eligible to continue contributing and accruing service credit in this system.

(b) Any employee described in Subparagraph (a) of this Paragraph shall be entitled to have his salary earned in such unclassified capacity included in the calculation of retirement benefits which accrue to the employee under this system.

(c) The provisions of this Paragraph are remedial in nature and, as such, shall be applied retroactively to January 1, 1996."

Senator Cox 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 'YEAS'.

NAYS

Dean Total—2

ABSENT

Mr. President Total—1

The Chair declared the amendments proposed by the House were concurred in. Senator Cox moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Rules Suspended

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

SENATE BILL NO. 294— BY SENATOR HEITMEIER

A JOINT RESOLUTION

Proposing to amend Article X, Section 10(A)(1) of the Constitution of Louisiana, relative to state and city civil service rules; to authorize supplemental pay to certain police officers from funds available; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

Table with 3 columns listing names (Mr. President, Bajoie, Barham, etc.) and their corresponding votes under the YEAS category.

NAYS

Dean Total—1

ABSENT

Total—0

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

SENATE BILL NO. 374— BY SENATOR JONES

AN ACT

To amend and reenact Part X-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2195.6, relative to health care; to provide funding for the establishment of rural primary health care clinics, rural health care initiatives, and health initiatives in medically underserved areas in the state from a portion of monies received by the state in settlement of certain litigation; to provide an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Engrossed Senate Bill No. 374 by Senator Jones

AMENDMENT NO. 1

On page 2, delete line 26, and insert the following:

"D. The provisions of this Section shall not become effective until the passage of a constitutional amendment authorizing the expenditure of the tobacco settlement funds for use in rural health care initiatives and medically underserved areas."

On motion of Senator Jones, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns listing names (Mr. President, Bajoie, Barham, etc.) and their corresponding votes under the YEAS category.

NAYS

Dean Total—2

ABSENT

Greene Total—3

Jordan Tarver

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

SENATE BILL NO. 907— BY SENATORS HAINKEL AND EWING AN ACT

To enact Chapter 10-E of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4549.1 through 4549.5, relative to the Louisiana Local Government Infrastructure Loan Fund Program; to provide legislative findings; to establish the Louisiana Local Government Infrastructure Loan Fund Program; to provide for the administration of the program; to provide for the Louisiana Local Government Infrastructure Loan Revolving Fund; to provide for loan conditions and repayment; and to provide for related matters.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

June 8, 1999

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed Senate Bill No. 907 by Senator Hainkel

AMENDMENT NO. 1

On page 6, delete lines 21 through 27 and on page 7, delete lines 1 and 2

On motion of Senator Hainkel, the amendments were adopted.

Senator Barham in the Chair

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed Senate Bill No. 907 by Senator Hainkel

AMENDMENT NO. 1

On page 2, line delete lines 18 through 22

AMENDMENT NO. 2

On page 2, line 23, change "(4)" to "(3)"

On motion of Senator Hainkel, the amendments were adopted.

Floor Amendments Sent Up

Senator Ullo sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ullo to Engrossed Senate Bill No. 907 by Senator Hainkel

AMENDMENT NO. 1

On page 3, delete lines 11 through 15

On motion of Senator Ullo, 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, Bajoie, Barham, Bean, Boissiere, Branch, Cain, Casanova, Cox, Cravins, Dardenne, Total—32

NAYS

Dean, Jordan, Lentini, Malone, Schedler

Total—5

ABSENT

Campbell, Total—2

Tarver

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.

SENATE BILL NO. 1050— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 33:2218.2(A), relative to supplemental pay; to provide for supplemental pay for law enforcement officers of certain state agencies and political subdivisions providing police services within certain municipalities; 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

Bajoie, Barham, Bean, Boissiere, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dyess, Total—36

NAYS

Dean, Total—1

ABSENT

Mr. President, Total—2

Tarver

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

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

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

Called from the Calendar

Senator Cravins asked that Senate Bill No. 1092 be called from the Calendar at this time.

SENATE BILL NO. 1092—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 11:153(A)(2) and to enact R.S. 11:1310(B), relative to the State Police Pension and Retirement System; to provide with respect to the option to obtain military service credit; and to provide for related matters.

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

Called from the Calendar

Senator Bajoie asked that Senate Bill No. 1101 be called from the Calendar at this time for its final passage.

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.

Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Engrossed Senate Bill No. 1101 by Senator Bajoie

AMENDMENT NO. 1

On page 1, line 15, after "collect" delete the remainder of the line

AMENDMENT NO. 2

On page 1, at the beginning of line 16, delete "for a term of twenty years,"

AMENDMENT NO. 3

On page 2, at the end of line 1, change "Orleans" to "Orleans."

AMENDMENT NO. 4

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

"Upon voter approval, such ad valorem tax shall be collected annually for a term of twenty years. The proceeds shall be collected for the"

AMENDMENT NO. 5

On page 2, line 2, after "systems" and before "as adjusted" insert "of the Sewage and Water Board of New Orleans,"

AMENDMENT NO. 6

On page 2, line 12, after "resolution" delete the remainder of the line

AMENDMENT NO. 7

On page 2, line 13, delete "members of the council of the city of New Orleans"

AMENDMENT NO. 8

On page 2, between lines 15 and 16, insert the following:

"C. The authorization granted by the provision of Subsection A of this Section shall expire on January 1, 2006."

On motion of Senator Bajoie, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Dyess	Lambert
Barham	Ellington	Landry
Bean	Fields C	Malone
Boissiere	Fields W	Robichaux
Branch	Greene	Romero
Cain	Hainkel	Smith
Campbell	Heitmeier	Theunissen
Casanova	Hines	Thomas
Cox	Hollis	Ullo
Cravins	Irons	
Dardenne	Johnson	
Total—31		

NAYS

Dean	Lentini	Schedler
Total—3		

ABSENT

Mr. President	Jordan	Tarver
Jones	Siracusa	
Total—5		

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

Regular Order of the Day Resumed

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments, Resumed

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. 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.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Engrossed Senate Bill No. 362 by Senator Landry

AMENDMENT NO. 1

On page 1, after line 14, insert the following

"(I) There will be no violation of this Section if the child has released himself from his child passenger restraint system after being placed therein by the driver of the vehicle."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Engrossed Senate Bill No. 362 by Senator Landry

June 8, 1999

AMENDMENT NO. 1

On page 1, line 12, after "inspected" insert "detained"

AMENDMENT NO. 2

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

"(I) Nothing herein shall preclude any peace officer from issuing a citation to the driver for a violation of this Section at the time a violation is discovered."

Senator Landry 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, Campbell, Casanova, Cox, Cravins, Dardenne, Total—33; Dyess, Ellington, Fields C, Fields W, Greene, Heitmeier, Hines, Hollis, Irons, Johnson, Jones; Lambert, Landry, Lentini, Malone, Romero, Schedler, Siracusa, Smith, Theunissen, Thomas, Ullo

NAYS

Dean Total—1

ABSENT

Table with 3 columns: Mr. President, Hainkel, Total—5; Jordan, Robichaux; Tarver

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.

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.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Downer to Engrossed Senate Bill No. 365 by Senator Lentini (Duplicate of H.B. No. 744)

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete "R.S. 40:" and insert "R.S. 40:1484.2(8) and" and after "relative to" delete "inspections of"

AMENDMENT NO. 2

On page 1, delete line 3 in its entirety and on line 4, delete "from the Amusement Rides Safety Law;" and insert "and rides; to exempt air-

supported structures from inspection and regulation by the state fire marshal;"

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." delete "R.S. 40:" and insert R.S. 40:1484.2(8) and" and after "1484.11(5)" change "is" to "are"

AMENDMENT NO. 4

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

"§1484.2. Definitions

As used in this Part, the following definitions shall apply unless otherwise indicated:

* * *

(8) "Air-supported structure" means an amusement device that incorporates a structural and mechanical system and employs a high-strength fabric or film that achieves its strength, shape, and stability by pretensioning with internal air pressure, all of which are intended to provide an enclosed area for the self-enjoyment of those so confined within.

* * *"

AMENDMENT NO. 5

On page 1, line 13, after "(5)" delete "Inflatable amusement rides and attractions where" and insert "Air-supported structures, when"

AMENDMENT NO. 6

On page 1, line 14, change "to" to "by" and after "user" and before the period "." insert "or operator"

Senator Lentini 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, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Total—35; Dyess, Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hollis, Irons, Johnson, Jones, Jordan; Lambert, Landry, Lentini, Malone, Romero, Schedler, Siracusa, Smith, Theunissen, Thomas, Ullo

NAYS

Total—0

ABSENT

Table with 2 columns: Mr. President, Hines, Total—4; Robichaux, Tarver

The Chair declared the amendments proposed by the House were concurred in. Senator Lentini moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

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.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Willard to Reengrossed Senate Bill No. 373 by Senator Irons (Duplicate of H.B. No. 1869)

AMENDMENT NO. 1

On page 4, line 13, after "of" insert "this" and after "Title" delete the remainder of the line, and on line 14, delete "Statutes of 1950"

AMENDMENT NO. 2

On page 5, line 1, after "of" and before "Title" insert "this" and after "Title" delete the remainder of the line and on line 2, delete "of 1950"

AMENDMENT NO. 3

On page 6, line 26, delete the comma "," after "zone" and insert "and"

AMENDMENT NO. 4

On page 7, line 10, delete "herein"

AMENDMENT NO. 5

On page 7, line 17, before "devise" insert "may"

AMENDMENT NO. 6

On page 7, line 22, after "notice" insert "a" and after "shall" insert "give notice of intent for treatment and shall"

AMENDMENT NO. 7

On page 8, line 2, after "owner," insert "renter."

AMENDMENT NO. 8

On page 8, line 6, after "present" insert "in order"

AMENDMENT NO. 9

On page 8, line 11, after "owner" insert a comma "," and "renter," and after "lessee" insert "if the property is under lease"

AMENDMENT NO. 10

On page 9, line 10, after "Part" insert "or of"

AMENDMENT NO. 11

On page 9, line 11, after "or" and before "any" insert "of"

AMENDMENT NO. 12

On page 9, line 15, delete "or expected violation"

AMENDMENT NO. 13

On page 9, line 24, after "may order" delete "that"

AMENDMENT NO. 14

On page 9, line 25, delete "be:" and insert "to be either:"

AMENDMENT NO. 15

On page 10, line 10, after "Part" delete "or"

AMENDMENT NO. 16

On page 10, line 11, after "or" insert "in order"

AMENDMENT NO. 17

On page 10, line 13, after "obtain" delete "an order or orders of enforcement"

AMENDMENT NO. 18

On page 10, line 14, after "venue" and before the period "." insert "an order or orders of enforcement"

AMENDMENT NO. 19

On page 11, line 22, after "monies in" delete "this" and insert "the"

Senator Irons moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Robichaux
Hainkel	Tarver
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator Irons moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

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.

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 Engrossed Senate Bill No. 448 by Senator Dardenne

AMENDMENT NO. 1

June 8, 1999

On page 1, at the end of line 3, delete "where" and insert "only when the"

AMENDMENT NO. 2

On page 1, delete line 15 and on page 2, delete lines 1 and 2 in their entirety

Senator Dardenne moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Dyess	Lambert
Barham	Ellington	Lentini
Bean	Fields C	Malone
Boissiere	Fields W	Robichaux
Branch	Greene	Romero
Cain	Hainkel	Schedler
Campbell	Heitmeier	Siracusa
Casanova	Hines	Smith
Cox	Hollis	Thomas
Cravins	Irons	Ullo
Dardenne	Johnson	
Dean	Jones	
Total—34		

NAYS

Landry
Total—1

ABSENT

Mr. President	Tarver
Jordan	Theunissen
Total—4	

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. 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.

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. 452 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, delete "R.S. 42:1116(C)," and insert "R.S. 42:1102(18)(e) and 1116(C),"

AMENDMENT NO. 2

On page 1, line 2, after "ethics;" delete the remainder of the line and delete line 3 and insert the following:

"to provide a definition of "regulatory employee"; to prohibit regulatory employees from participating in certain transactions;"

AMENDMENT NO. 3

On page 1, line 6, delete "R.S. 42:1116(C) is" and insert "R.S. 42:1102(18)(e) and 1116(C) are"

AMENDMENT NO. 4

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

"§1102. Definitions

* * *

(18) "Public employee" means anyone, whether compensated or not, who is:

* * *

(e) A "regulatory employee" is an employee, whether or not hired or paid by the state or any of its agencies or subdivisions, who performs the function of regulating, monitoring, or enforcing regulations which govern, affect, or are enforced by any agency.

A public employee shall be in such status on days on which he performs no services as well as days on which he performs services. The termination of any particular term of employment of a public employee shall take effect on the day the termination is clearly evidenced.

* * *"

AMENDMENT NO. 5

On page 1, line 10, after "No" delete the remainder of the line and on line 11, delete "responsibilities" and insert "regulatory employee"

AMENDMENT NO. 6

On page 1, line 14, delete "public servant," and insert "regulatory employee."

AMENDMENT NO. 7

On page 1, line 15, delete "public servant" and insert "regulatory employee"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lancaster to Reengrossed Senate Bill No. 452 by Senator Dardenne

AMENDMENT NO. 1

In Amendment No. 1 proposed by the Committee on House and Governmental Affairs and adopted by the House on April 26, 1999, on page 1, at the end of line 2, after "R.S. 42:1102" delete "(18)(e)" insert "(25)"

AMENDMENT NO. 2

In Amendment No. 3 proposed by the Committee on House and Governmental Affairs and adopted by the House on April 26, 1999, on page 1, at the end of line 10, after "R.S. 42:1102" delete "(18)(e)" insert "(25)"

AMENDMENT NO. 3

Delete Amendment No. 4 proposed by the Committee on House and Governmental Affairs and adopted by the House on April 26, 1999

AMENDMENT NO. 4

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

"§1102. Definitions

Unless the context clearly indicates otherwise, the following words and terms, when used in this Chapter, shall have the following meanings:

* * *

"(25) "Regulatory employee" means a public employee who performs the function of regulating, monitoring, or enforcing regulations of any agency.

* * *

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lancaster to Reengrossed Senate Bill No. 452 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 16, after "least" and before "percent" change "ten" to "twenty-five"

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: 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, Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Theunissen, Thomas.

NAYS

Table with 2 columns: Landry, Ullo.

ABSENT

Table with 2 columns: Mr. President, Tarver.

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. 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.

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 Health and Welfare to Engrossed Senate Bill No. 789 by Senator Thomas

AMENDMENT NO. 1

On page 1, line 2, change "40:1234(H)" to "40:1234(G), (H),"

AMENDMENT NO. 2

On page 1, line 3, after "personnel;" and before "to provide" insert "to provide that violations of such duties shall constitute a misdemeanor;"

AMENDMENT NO. 3

On page 1, line 9, change "40:1234(H)" to "40:1234(G), (H),"

AMENDMENT NO. 4

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

"G. Any individual, training organization, organization or other entity violating the provisions of this Section shall be guilty of a misdemeanor, conviction of which shall subject the offender to a fine of not less than five hundred dollars nor more than one thousand dollars for each separate offense."

Senator Thomas 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, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Table with 2 columns: Mr. President, Tarver, Jordan, Thomas.

The Chair declared the amendments proposed by the House were concurred in. Senator Thomas moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

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.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

June 8, 1999

Conforming Amendments proposed by Representative Johns to Engrossed Senate Bill No. 832 by Senator Romero (Duplicate of H.B. No. 544)

AMENDMENT NO. 1

On page 2, delete lines 13 and 14 in their entirety

Senator Romero moved to concur in the amendments proposed by the House.

Senator Landry moved as substitute motion that the Senate reject the amendments proposed by the House.

Senator Romero objected.

Motion

Senator Jones moved the previous question on the substitute motion to reject the House amendments.

Without objection, so ordered.

ROLL CALL

The roll was called on the substitute motion with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dyess, Total—31; Ellington, Fields C, Fields W, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert; Landry, Lentini, Malone, Robichaux, Schedler, Siracusa, Smith, Thomas, Ullo

NAYS

Table with 3 columns of names: Branch, Dean, Total—6; Greene, Hainkel; Romero, Theunissen

ABSENT

Table with 2 columns of names: Mr. President, Total—2; Tarver

The Chair declared the House amendment was rejected.

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.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Thompson to Engrossed Senate Bill No. 936 by Senator Thomas (Duplicate of H.B. No. 1885)

AMENDMENT NO. 1

On page 1, line 3, after "1553(4)(b)," delete the remainder of the line

AMENDMENT NO. 2

On page 1, line 4, after "1554(A)" delete "and 1554(A)(2) through (6)"

AMENDMENT NO. 3

On page 1, line 5, after "1553" delete "(4)(c) and (d) and" and after "(6)," delete the remainder of the line and delete lines 6 through 12 and insert the following:

"relative to professions and occupations; to provide relative to certain veterinary practices and technicians; to provide relative to the Louisiana Veterinary Practice Law, veterinary technicians, and certified euthanasia technicians; to provide for definitions and duties; to provide for board powers and duties; to provide grounds and procedures for disciplinary actions; to provide for applications and for fee schedules; to provide for rules and regulations; to provide"

AMENDMENT NO. 4

On page 1, line 16, after "1553(4)(b)," delete "the introductory paragraph of" and at the end of the line delete "and"

AMENDMENT NO. 5

On page 2, line 1, delete "1554(A)(2) through (6),"

AMENDMENT NO. 6

On page 2, line 2, after "1552(5)" delete the remainder of the line and on line 3, delete "(14)" and insert "and 1553(6)"

AMENDMENT NO. 7

On page 2, at the end of line 10 and the beginning of line 11, delete "of this Chapter" and insert "relative to the practice of veterinary medicine."

AMENDMENT NO. 8

On page 3, at the beginning of line 5, change "1." to "(1)"

AMENDMENT NO. 9

On page 3, at the beginning of line 9, change "2." to "(2)"

AMENDMENT NO. 10

On page 3, at the beginning of line 12, change "These" to "The"

AMENDMENT NO. 11

On page 3, delete lines 15 through 21 in their entirety and insert the following:

"(a) Application fee not to exceed one hundred dollars.

(b) Examination fee, per examination, state or national(s) exclusive of vendor's cost, not to exceed one hundred dollars.

(c) Original certificate of approval fee not to exceed one hundred fifty dollars.

(d) Annual renewal of certificate of approval fee not to exceed one hundred fifty dollars.

(e) Late fee for delinquent certificate of approval renewals not to exceed one hundred dollars."

AMENDMENT NO. 12

On page 4, line 15, after "who" delete the remainder of the line and delete line 16 in its entirety and insert "is;" and the following:

"(a) Designated in documents submitted to the board as the CAET at a designated site responsible for maintaining the security of those controlled substances in accordance with rules adopted by the board for the sole purpose of restraining, capturing and euthanizing animals, including records relating to controlled substances and drugs, in accordance with applicable state and federal laws; and

(b) Licensed and in good standing with the state controlled dangerous substances program and registered and in good standing with the United States Drug Enforcement Administration; and

(c) Trained in a board-approved chemical capture training course."

AMENDMENT NO. 13

On page 5, line 3, after "the board," insert "in proper"

AMENDMENT NO. 14

On page 5, line 4, after "precautions," delete the remainder of the line and delete line 5 in its entirety and insert "in proper recordkeeping, and"

AMENDMENT NO. 15

On page 5, delete lines 8 through 13 in their entirety

AMENDMENT NO. 16

On page 5, delete line 19 and insert "Discipline of CAETS"

AMENDMENT NO. 17

On page 5, delete line 27 and insert "(1) Failed to carry out his duties."

AMENDMENT NO. 18

On page 6, at the end of line 13, after "court" insert "of law"

AMENDMENT NO. 19

On page 6, line 15, after "shown to" delete the remainder of the line and insert "suffer from chronic inebriation or habitual use of drugs."

AMENDMENT NO. 20

On page 6, delete lines 17 and 18 in their entirety and insert the following:

"(9) Been subject to a conviction, plea of no contest, or compromise of a felony or other public offense involving moral turpitude or a crime involving controlled"

AMENDMENT NO. 21

On page 6, line 22, after "animals in" delete "a" and insert "an incompetent or"

AMENDMENT NO. 22

On page 8, line 4 after "substances" insert "prescribed"

AMENDMENT NO. 23

On page 8, delete lines 12 through 14 in their entirety

AMENDMENT NO. 24

On page 8, line 25, after "shall" and before the colon ":" insert "have the power to"

AMENDMENT NO. 25

On page 9, delete lines 10 through 17 in their entirety and insert the following:

"(a) Course fee not to exceed two hundred dollars.

(b) Application fee not to exceed one hundred dollars.

(c) Examination fee not to exceed one hundred dollars.

(d) Original certificate of approval fee not to exceed one hundred fifty dollars.

(e) Annual renewal of certificate of approval not to exceed one hundred dollars.

(f) Late fee for delinquent certificate of approval renewals not to exceed one hundred dollars.

(g) Temporary certificate of approval fee not to exceed one hundred dollars."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed Senate Bill No. 936 by Senator Thomas

AMENDMENT NO. 1

On page 1, line 5, after "enact" and before "1553(4)(c)" delete "R.S. 37:1552(5)," and insert in lieu thereof "R.S. 37:1518(D), 1552(5),"

AMENDMENT NO. 2

On page 2, line 2, after "and" and before "1553(4)(c)" delete "R.S. 37:1552(5)," and insert in lieu thereof "R.S. 37:1518(D), 1552(5),"

AMENDMENT NO. 3

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

"D. Notwithstanding any other provision of law to the contrary, no rule, regulation, or policy governing veterinarians shall be adopted, amended, or repealed unless the legislative committees with oversight authority and with jurisdiction over matters regarding veterinarians, as provided by the Administrative Procedure Act and legislative rule, affirmatively approve the adoption of such rules, regulations, or policies."

Senator Thomas 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, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Total—37; 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

Mr. President Total—2

Tarver

June 8, 1999

The Chair declared the amendments proposed by the House were rejected. Senator Thomas moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

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.

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 Reengrossed Senate Bill No. 1048 by Senator Johnson

AMENDMENT NO. 1

On page 2, line 19, after "race" and before "gender" delete the comma "," and insert "or"

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 of names: Bajoie, Barham, Bean, Boissiere, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Total—37

NAYS

Total—0

ABSENT

Mr. President Tarver Total—2

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. 142—

BY SENATOR THEUNISSEN AND REPRESENTATIVE MORRISH AN ACT

To amend and reenact R.S. 17:1994(B)(16), relative to postsecondary vocational-technical education; to rename the Louisiana Technical College-Jefferson Davis Campus as the Louisiana Technical College-Morgan Smith Campus; 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 Education to Engrossed Senate Bill No. 142 by Senator Theunissen and Representative Morrish

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 17:1994(B)(16)" and before "relative" delete the comma "," and insert "and (35),"

AMENDMENT NO. 2

On page 1, line 5, after "Campus;" and before "and" insert "to rename the Louisiana Technical College - South Louisiana Campus as the Louisiana Technical College - L. E. Fletcher Campus;"

AMENDMENT NO. 3

On page 1, line 7, after "R.S. 17:1994(B)(16)" and before "hereby" delete "is" and insert "and (35) are"

AMENDMENT NO. 4

On page 2, between lines 3 and 4 insert the following:

"(35) Louisiana Technical College - ~~South Louisiana~~ Campus L. E. Fletcher Campus

* * *

Senator Theunissen 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, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Total—37

NAYS

Total—0

ABSENT

Mr. President Tarver Total—2

The Chair declared the amendments proposed by the House were concurred in. Senator Theunissen moved to reconsider the vote by

which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 379— BY SENATOR DYESS

AN ACT

To amend and reenact R.S. 40:1501(A) relative to fire protection districts; to authorize elections to levy ad valorem taxes for the purpose of paying for the cost of fire protection services and emergency medical services; to define "emergency medical service"; 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. 379 by Senator Dyess

AMENDMENT NO. 1

On page 3, at the end of line 10, insert the following:

"Any district which provides such service shall have all authority granted to ambulance service districts by R.S. 33:9053 et seq. and any other provision of law."

AMENDMENT NO. 2

On page 3, line 23, after "Section 2." delete "This" and insert "Except as provided by Section 3 of this Act, this"

AMENDMENT NO. 3

On page 4, after line 1, insert the following:

"Section 3. In any fire protection district in which, prior to the date as provided in Section 2 of this Act, the voters have approved a proposition providing for the levy of an ad valorem tax the proceeds of which are to be used in accordance with the provisions of this Act, this Act shall be effective on the date of the promulgation of the results of the election authorizing such tax, and the levy of such tax is ratified, validated, and confirmed."

Senator Dyess 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, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Total—36; Dyess, Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones; Jordan, Lambert, Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Theunissen, Thomas, Ullo

NAYS

Landry Total—1

ABSENT

Mr. President Tarver Total—2

The Chair declared the amendments proposed by the House were concurred in. Senator Dyess moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 535— BY SENATOR ROBICHAUX

AN ACT

To amend and reenact R.S. 56:495.1(F)(1), relative to wildlife and fisheries; to provide relative to shrimping vessels and nets; to provide certain total maximums per vessel; 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. 535 by Representative Robichaux

AMENDMENT NO. 1

On page 1, line 10, after "(1)" insert "(a)"

AMENDMENT NO. 2

On page 1, line 11, after the word "in" insert "zone 1 and zone 2 of the"

AMENDMENT NO. 3

On page 1, line 12, delete "Texas state line" and insert in lieu thereof "western shore of Vermilion Bay"

AMENDMENT NO. 4

On page 2, between lines 3 and 4, add the following:

"(b) In zone 3 of the Louisiana offshore territorial waters extending from the Texas state line to the western shore of Vermilion Bay, each shrimping vessel shall, in addition to one test trawl, only use nets that do not exceed a total maximum per vessel of one hundred feet of corkline and one hundred-thirty feet of lead line."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Flavin to Engrossed Senate Bill No. 535 by Senator Robichaux and Representative Dupre

AMENDMENT NO. 1

Delete the amendments proposed by the House Committee on Natural Resources and adopted by the House on April 29, 1999

Senator Robichaux 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, Campbell, Casanova; Dyess, Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines; Jordan, Lambert, Landry, Robichaux, Schedler, Siracusa, Smith

June 8, 1999

Cox	Hollis	Theunissen
Cravins	Irons	Thomas
Dardenne	Johnson	Ullo
Dean	Jones	

Total—35

NAYS

Total—0

ABSENT

Mr. President	Romero
Malone	Tarver

Total—4

The Chair declared the amendments proposed by the House were concurred in. Senator Robichaux moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 537—
BY SENATOR ROBICHAUX

AN ACT

To amend and reenact R.S. 56:332(C)(1), (E), (G) and (H), and to enact R.S. 56:8(28.1) and (28.2), relative to fishing; to provide relative to methods and requirements for the taking of crabs; to provide relative to crab traps and disposal of crab traps; to provide requirements and penalties; to provide definitions; to provide for effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 537 by Senator Robichaux

AMENDMENT NO. 1

On page 1, between lines 14 and 15, add asterisks "*" * *

Senator Robichaux moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—37

NAYS

Total—0

ABSENT

Mr. President	Tarver
---------------	--------

Total—2

The Chair declared the amendments proposed by the House were concurred in. Senator Robichaux moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 550—
BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 56:322(I), relative to crawfish traps; to reduce the minimum mesh size for commercial crawfish traps; 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. 550 by Senator Romero

AMENDMENT NO. 1

On page 1, line 2, change "reduce" to "provide for"

AMENDMENT NO. 2

On page 1, line 11, after "I." insert "Until June 30, 2003." and decapitalize "The"

AMENDMENT NO. 3

On page 1, line 11, change "nets" to "traps"

AMENDMENT NO. 4

On page 1, line 12, delete "eleven-" and on line 13, delete "sixteenths" and insert in lieu thereof "three-quarters"

AMENDMENT NO. 5

On page 2, line 1, before "This" insert the following:

"Beginning July 1, 2003 and thereafter, the minimum mesh size for traps used to harvest wild crawfish for commercial purposes shall be a hexagon of three-quarters by three-quarters of one inch."

AMENDMENT NO. 6

On page 2, line 5, after "inches." delete the remainder of the line and delete lines 6 through 8 in their entirety

Senator Romero moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—37

NAYS

Total—0
 ABSENT
 Mr. President Tarver
 Total—2

The Chair declared the amendments proposed by the House were concurred in. Senator Romero moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 604—
 BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 30:2363(12) and 2369(E)(3), relative to hazardous materials information, preparedness, and response; to provide for definitions, terms, reporting requirements, and exemptions under the Right-to-Know Law; 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 Martiny to Engrossed Senate Bill No. 604 by Senator Bean

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 30:2363(12)" delete the remainder of the line and insert ", (13), (14), and (15) and 2369(E)(3) and to enact R.S. 30:2363(16), relative to hazardous"

AMENDMENT NO. 2

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

"Section 1. R.S. 30:2363(12), (13), (14), and (15) and 2369(E)(3) are hereby amended and reenacted and R.S. 30:2363(16) is hereby enacted to read as follows:"

AMENDMENT NO. 3

On page 1, delete lines 13 through 16 and insert the following:

"(12) "Release" means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment (including the abandonment or discarding of barrels, containers, and other closed receptacles) of any hazardous material or substance ~~where the reportable quantity of the material or substance (RQ), as defined pursuant to rule promulgated by the deputy secretary, has the potential to escape beyond the site of the facility.~~ However, the term release as used in this Paragraph shall not include federal or state permitted releases.

(13) "Reportable release" means a release of a regulated hazardous material or substance which causes any injury requiring hospitalization or any fatality, results in a fire or explosion which could reasonably be expected to affect the public safety beyond the boundaries of the facility, or exceeds the reportable quantity when that reportable quantity, as defined pursuant to rules promulgated by the deputy secretary, could be reasonably expected to escape beyond the site of the facility. A reportable release as defined herein shall be based upon the quantity of hazardous material or substance discharged continuously, intermittently, or as a one-time discharge, within any continuous twenty-four hour period.

~~(13)~~ (14) "Repository" means the local entity designated pursuant to R.S. 30:2368 to house and record information on hazardous materials received from the department, regulated facilities, and other state agencies for public dissemination and inspection.

~~(14)~~ (15) "Small business" means a single business establishment employing not more than nine full-time employees and having not more than two million dollars in average annual

gross receipts. Any business employing more than nine persons shall not be considered a small business regardless of the average annual gross receipts. Any business with average annual gross receipts of over two million dollars shall not be considered a small business regardless of the number of employees.

~~(15)~~ (16) "Trade secret" means any confidential formula, pattern, process, device, information, or compilation of information, including chemical name or other unique identifier, that is used in an employer's business, and that gives the employer an opportunity to obtain an advantage over competitors who do not know or use it.

* * *

AMENDMENT NO. 4

On page 2, delete lines 1 through 10

Senator Bean moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President Tarver
 Total—2

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. 739—
 BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 33:385.1, relative to municipal powers; to provide for the qualifications of an elected chief of police of a village; 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 Engrossed Senate Bill No. 739 by Senator Ellington

AMENDMENT NO. 1

June 8, 1999

On page 1, line 2, between "reenact" and "relative" change "R.S. 33:385.1," to R.S. 33:1(A)(introductory paragraph), 3(A), and 385.1,"

AMENDMENT NO. 2

On page 1, line 2, after "relative to" delete "municipal powers;" and insert "municipalities; to provide relative to the incorporation of municipalities;"

AMENDMENT NO. 3

On page 1, line 6, between "Section 1." and "hereby" change "R.S. 33:385.1 is" to "R.S. 33:1(A)(introductory paragraph), 3(A), and 385.1 are"

AMENDMENT NO. 4

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

"§1. Petition for incorporation; contents; circulation; required signatures

A. Residents of any unincorporated area with a population in excess of ~~three~~ two hundred inhabitants may propose the incorporation of the area as provided in this Subpart. A petition proposing the incorporation of the area shall be prepared and shall contain the following:

* * *

§3. Governor's determination; special election

A. Upon receipt of the certificate from the registrar of voters, the governor shall determine if the petition complies with the provisions of this Subpart, including the requirement that in excess of ~~three~~ two hundred inhabitants reside in the area proposed for incorporation. If the governor finds that there has been compliance with the provisions of this Subpart, he shall call a special election to be held on the next possible date for special elections specified in R.S. 18:402.

* * *

Senator Ellington 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, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Total—36; Dyess, Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hollis, Irons, Johnson, Jones, Jordan; Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Theunissen, Thomas, Ullo

NAYS

Total—0

ABSENT

Table with 3 columns: Mr. President, Total—3; Hines; Tarver

The Chair declared the amendments proposed by the House were concurred in. Senator Ellington moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 879—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 27:306(E)(2) and the introductory paragraph of 311(A), relative to video draw poker device operations; to provide relative to the term of such license; to remove a sixty day limitation on operations under an existing license when licensed establishments are sold; 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 Windhorst to Reengrossed Senate Bill No. 879 by Senator Ellington (Duplicate of H.B. No. 784)

AMENDMENT NO. 1

On page 1, line 4, delete "relative to the term of such license;" and insert "for a license term of five years;" and change "sixty day" to "sixty-day"

AMENDMENT NO. 2

On page 1, line 5, delete "under an existing license"

AMENDMENT NO. 3

On page 1, line 16, after "owner," delete "or"

AMENDMENT NO. 4

On page 2, line 5, after "hundred" delete "and"

AMENDMENT NO. 5

On page 2, line 10, after "division" insert "or the Louisiana Gaming Board"

AMENDMENT NO. 6

On page 2, line 11, after "licenses" delete "shall be issued" and insert the following:

"to operate video draw poker devices in parishes in which a majority of the electors voted against the operation of video draw poker devices in a valid election provided for by R.S. 18:1300.21 expired on June 30, 1999, and shall not be renewed. In any parish which, after June 30, 1999, withdraws such authority as the result of an election held in the parish on the question of the operation of video draw poker devices in the parish, the term of any licenses issued for the operation of video draw poker devices shall terminate on the date of termination of such authority in such parish regardless of when the license was issued or for what term. If the state terminates the authority to operate video draw poker devices in the entire state or any part of the state the term of any licenses issued for the operation of video draw poker devices shall terminate on the date of termination of such authority regardless of when the license was issued or for what term. Except as provided in this Section, all licenses to operate video draw poker devices in parishes which have not voted against the operation of video draw poker devices shall be"

AMENDMENT NO. 7

On page 2, lines 13 and 14, after "July" change "1" to "first"

AMENDMENT NO. 8

On page 2, line 15, change "and/or" to "or"

AMENDMENT NO. 9

On page 2, line 17, after "devices," delete the remainder of the line and delete lines 18 through 23 in their entirety and insert "The Gaming Control"

AMENDMENT NO. 10

On page 2, line 25, after "2004" insert a comma "," and change "such" to "so"

AMENDMENT NO. 11

On page 2, line 27, change "Such" to "The"

AMENDMENT NO. 12

On page 3, line 1, change "five year" to "five-year"

Senator Ellington 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	Hainkel	Malone
Bean	Heitmeier	Robichaux
Boissiere	Hines	Romero
Branch	Hollis	Siracusa
Cox	Irons	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones	Ulló
Ellington	Jordan	
Fields C	Lambert	
Total—28		

NAYS

Cain	Dyess	Schedler
Casanova	Greene	Smith
Dean	Landry	
Total—8		

ABSENT

Mr. President	Campbell	Tarver
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Ellington moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1060—
BY SENATOR BARHAM

AN ACT

To authorize and empower the secretary of the Department of Wildlife and Fisheries to exchange title to certain described property in Ouachita Parish; to provide for property descriptions; to provide for terms and conditions; 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.

SENATE BILL NO. 1069—
BY SENATOR DYESS

AN ACT

To amend and reenact R.S. 33:4574.1-A(A)(1)(b) and 4574.5, relative to recreational facilities; to increase the percentage of rent or fee charged for hotel occupancy to fund the Alexandria/Pineville Area Convention and Visitors Bureau; to increase membership on said bureau; 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 Engrossed Senate Bill No. 1069 by Senator Dyess

AMENDMENT NO. 1

On page 1, line 2, between "and" and "relative" change "4574.5," to "4574.5(A),"

AMENDMENT NO. 2

On page 1, line 9, between "and" and "are" change "4574.5" to "4574.5(A)"

AMENDMENT NO. 3

On page 2, at the end of line 12, delete "Greater Alexandria-" and at the beginning of line 13, delete "Pineville" and insert "Central Louisiana"

AMENDMENT NO. 4

On page 2, line 20, after "Management" delete the semicolon ";" and delete the remainder of the line and delete lines 21 through 23 and insert the following:

"and three of whom shall be residents of that part of the parish which lies outside of any municipality."

AMENDMENT NO. 5

On page 2, line 26, between "(6)" and "appointed" change "Two members" to "One member"

AMENDMENT NO. 6

On page 3, line 1, between "(7)" and "appointed" change "Two members" to "One member"

AMENDMENT NO. 7

On page 3, between lines 5 and 6, insert the following:

"(9) Two members appointed by the Central Louisiana Business League."

Senator Dyess moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Ellington	Lambert
Barham	Fields C	Landry
Boissiere	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	Ulló
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Bean	Tarver
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June 8, 1999

Total—3

The Chair declared the amendments proposed by the House were concurred in. Senator Dyess moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1076— BY SENATOR DEAN

AN ACT

To amend and reenact Section 1 of Act No. 233 of the 1984 Regular Session, as amended by Act No. 847 of the 1992 Regular Session, and as amended by Act No. 1364 of the 1997 Regular Session, relative to the Bohemia Spillway; to provide for the return of certain lands and certain revenues derived therefrom; to provide for ownership of certain lands; to provide for judicial review; to provide for certain transfers of title; to provide for suspension of certain funds; to provide for surveys; to provide for reports; 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. 1076 by Representative Dean

AMENDMENT NO. 1

On page 1, line 9, after "reports;" and before "and" insert "to provide for attorney's fees;"

AMENDMENT NO. 2

On page 5, between lines 6 and 7 insert the following"

"(C) Payment of attorney's fees subsequent to this Act becoming law shall be limited to twenty five percent of invoice amount, until such time as payment to the owners or successors of owners commence."

Senator Dean moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members voting YEAS: Bajoie, Barham, Bean, Boissiere, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Fields C, Fields W, Greene, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Theunissen, Thomas, Ullo.

Total—36

NAYS

Total—0

ABSENT

Mr. President Total—3 Hainkel Tarver

The Chair declared the amendments proposed by the House were rejected. Senator Dean moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments, Subject to Call

The following Senate Bills and Joint Resolutions returned from the House of Representatives subject to call with amendments were taken up and acted upon as follows:

Called from the Calendar

Senator Thomas asked that Senate Bill No. 492 be called from the Calendar at this time.

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.

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. 492 by Senator Thomas

AMENDMENT NO. 1

On page 2, line 2, change "legal size slat trap" to "hoop net not greater than eighteen feet by eight feet,"

AMENDMENT NO. 2

On page 2, line 11, change "hoop net not greater than eighteen feet by eight feet," to "legal size slat trap"

Senator Thomas moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members voting YEAS: Bajoie, Barham, Bean, Boissiere, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Theunissen, Thomas, Ullo.

Total—36

NAYS

Total—0

ABSENT

Mr. President Total—0 Hines Tarver

Total—3

The Chair declared the amendments proposed by the House were concurred in. Senator Thomas moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Called from the Calendar

Senator Hollis asked that Senate Bill No. 768 be called from the Calendar at this time.

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.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Travis to Reengrossed Senate Bill No. 768 by Senator Hollis (Duplicate of H.B. No. 1761)

AMENDMENT NO. 1

On page 1, line 2, after "3176" delete "(A)(1), (3), and"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, delete "(B)" and after "3179" insert "(A)(1) and (B) through (H)" and at the beginning of line 4, delete "introductory paragraph, (A)"

AMENDMENT NO. 3

On page 1, line 5, after "3184," insert "and"

AMENDMENT NO. 4

On page 1, line 6, after "3185," delete the remainder of the line, delete lines 7 and 8 in their entirety, and on line 9, delete "to provide for enforcement;" and insert the following:

"relative to the regulation of interior designers; to provide for a statement of purpose; to provide for definitions; to provide for membership of the board; to provide for use of certain terms; to provide for examinations; to provide for certificates of registration without examination; to provide for the issuance, renewal, denial, suspension or revocation of certificates of registration; to provide for seals and display of registration number; to provide for firm practice; to provide for board powers to revoke, rescind, or suspend registration; to provide for exemptions; to provide for prohibited acts and penalties; to provide for cease and desist orders and injunctive relief;"

AMENDMENT NO. 5

On page 1, line 11, after "3176" delete "(A)(1), (3), and, (B)"

AMENDMENT NO. 6

On page 1, line 12, after "3179" insert "(A)(1) and (B) through (H)" and at the end of the line delete "introductory" and at the beginning of line 13, delete "paragraph, (A)"

AMENDMENT NO. 7

On page 1, line 14, after "3184" delete the comma "," and on line 15, after "enacted" delete the comma "," and "all"

AMENDMENT NO. 8

On page 2, lines 7 and 8, after "Chapter" delete "herein"

AMENDMENT NO. 9

On page 2, between lines 20 and 21, insert the following:

"(2) "Decorator services" includes:

(a) The selection or assistance in selection of surface materials, window treatments, wall coverings, paint, floor coverings, surface-mounted lighting, surface-mounted fixtures, and loose furnishings that do not affect the safety, health, or welfare of the public, as defined by applicable residential and commercial laws and codes.

(b) The retail installation or delivery services by any individual, partnership, corporation, or other business entity, pursuant to selling, selecting, or assisting in selecting personal property used in connection with furnishing of interior spaces or fixtures, including but not limited to furnishings, decorative accessories, furniture, paint, wall coverings, window treatments, floor coverings, surface-mounted lighting, or decorative materials, or the installation or coordination of installation as part of prospective retail sale, by an individual, partnership, corporation, or other business entity, or the provision of computer-aided drawings by such person or entity for the purpose of retail sale, provided such drawings are for material lists, that do not affect the safety, health, or welfare of the public, as defined by applicable residential and commercial laws and codes.

(c) The rendering of interior decorator services for residential application by an individual, such residential application to affect all types of residences, that do not affect the safety, health, or welfare of the public, as defined by applicable residential and commercial laws and codes.

AMENDMENT NO. 10

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

AMENDMENT NO. 11

On page 3, line 4, delete the comma "," after "includes" and on line 5, delete the comma after "limited to" and change "and/or" to "and"

AMENDMENT NO. 12

On page 3, between lines 16 and 17, insert the following:

"(4) "Nonstructural element" means an element which does not require structural bracing and which is something other than a load-bearing wall, load-bearing column, or other load-bearing element of a building or structure which is essential to the structural integrity of the building."

AMENDMENT NO. 13

On page 3, at the beginning of line 18, change "(4)" to "(5)"

AMENDMENT NO. 14

On page 3, at the end of line 21, delete the colon ":" and at the beginning of line 22, delete "(i) A" and insert "a"

AMENDMENT NO. 15

On page 3, at the end of line 23, delete the period "." and insert "and" and at the beginning of line 24, delete "(ii) The" and insert "the"

AMENDMENT NO. 16

On page 4, line 4, after "collaboration" insert "with licensed professionals"

AMENDMENT NO. 17

On page 4, at the end of line 7, delete "with" and delete line 8 in its entirety and insert a period "."

AMENDMENT NO. 18

On page 4, line 9, after "collaboration" insert "with licensed professionals"

AMENDMENT NO. 19

On page 4, line 11, after "occupancy" delete the remainder of the line and insert a period "."

AMENDMENT NO. 20

On page 4, between lines 17 and 18, insert the following:

"(2) (6) "Licensed Registered interior designer" means a person who ~~is licensed~~ has received a certificate of registration pursuant to the provisions of this Chapter.

(7) "Space planning" means the analysis, programming, or preparation of design to meet special requirements, including preliminary space layouts, placement of partitions, furniture and equipment, and final planning."

AMENDMENT NO. 21

On page 4, delete lines 19 through 27 in their entirety, and on page 5, delete lines 1 through 26 in their entirety

AMENDMENT NO. 22

On page 6, line 9, after "2000," delete the remainder of the line and delete lines 10 through 17 in their entirety and insert the following:

"the terms of members shall be for a period of four years or until the members' successors have been appointed and have taken office. No appointee shall serve more than two consecutive terms."

AMENDMENT NO. 23

On page 6, line 19, delete ""licensed" and after "designer"" insert a semicolon ";" and delete "or "registered interior" and on line 20, delete "designer";"

AMENDMENT NO. 24

On page 6, at the beginning of line 22, insert "the provisions of" and after "shall" delete "be authorized to"

AMENDMENT NO. 25

On page 6, line 23, delete "as defined in R.S. 37:3172"

AMENDMENT NO. 26

On page 6, line 24, after "design"" insert "or "registered interior designer"""

AMENDMENT NO. 27

On page 6, line 25, delete "licensed"

AMENDMENT NO. 28

On page 6, delete line 26 in its entirety and insert the following:

"(2) The practice of interior design ~~within the meaning and intent of this Chapter~~ shall consist of rendering or offering to render interior design services ~~hereinafter described for a fee or compensation to another person in connection with the design, utilization, furnishing, or fabrication of elements in interior spaces in buildings and related structures.~~"

AMENDMENT NO. 29

On page 6, at the end of line 27, delete "a registered" and insert "an"

AMENDMENT NO. 30

On page 7, at the end of line 17 and beginning of line 18, delete "identified as being "decorator services" in R.S. 37:3172." and insert "decorator services."

AMENDMENT NO. 31

On page 7, line 22, after "Chapter or" delete "as"

AMENDMENT NO. 32

On page 7, line 25, delete "registration" and insert "licensure"

AMENDMENT NO. 33

On page 8, line 7, delete "registered" and insert "licensed"

AMENDMENT NO. 34

On page 8, line 10, after "this Chapter" insert "upon application to the board" and change "was" to "is" and on line 11, insert a comma "," after "suspended"

AMENDMENT NO. 35

On page 8, at the beginning of line 13, after "the" insert "required" and after "examination" delete "required by this Chapter"

AMENDMENT NO. 36

On page 8, line 15, delete "issued under this Subsection"

AMENDMENT NO. 37

On page 8, at the end of line 17, delete "(NCIDO)"

AMENDMENT NO. 38

On page 8, line 19, delete "Fifteen" and insert "Completion of fifteen"

AMENDMENT NO. 39

On page 9, at the end of line 1, delete "for herein" and insert "in this Subparagraph"

AMENDMENT NO. 40

On page 9, line 2, change "2003," to "2000."

AMENDMENT NO. 41

On page 9, line 5, after "designers" delete "pursuant to this Chapter"

AMENDMENT NO. 42

On page 9, line 6, after "designer" delete "abiding by" and insert "complying with"

AMENDMENT NO. 43

On page 9, line 8, delete "of age or older" and insert "old"

AMENDMENT NO. 44

On page 9, line 9, change "designer" to "design" and on line 10, insert a comma after "2000"

AMENDMENT NO. 45

On page 9, at the beginning of line 11, insert "required" and after "examination" delete "required by this Chapter"

AMENDMENT NO. 46

On page 9, line 12, after "Subsection" delete "(A)" and insert "A of this Section"

AMENDMENT NO. 47

On page 9, delete lines 21 and 22 in their entirety and insert asterisks "* *"

AMENDMENT NO. 48

On page 10, line 12, delete "certificate of"

AMENDMENT NO. 49

On page 11, line 13, after "design" and before the period "." insert "and which also concentrates on or addresses the subjects of health, safety, and welfare of both licensees and their clients and customers"

AMENDMENT NO. 50

On page 12, at the beginning of line 19, change "any" to "an"

AMENDMENT NO. 51

On page 12, line 21, delete "certificate of"

AMENDMENT NO. 52

On page 13, line 1, delete "seal and certificate of" and on line 2, after "number" insert a comma "," and "and seal"

AMENDMENT NO. 53

On page 13, line 6, delete "seal, or signature or certificate of" and after "number" insert a comma "," and "his seal or signature"

AMENDMENT NO. 54

On page 13, at the end of line 9, delete "or seal" and at the beginning of line 10, delete "or certificate of" and after "registration" insert "number, or seal"

AMENDMENT NO. 55

On page 13, line 27, delete "registered"

AMENDMENT NO. 56

On page 14, line 4, delete "certificate of"

AMENDMENT NO. 57

On page 15, line 3, after "design" delete the comma "," and the remainder of the line and on line 4, delete ""interior designer,""

AMENDMENT NO. 58

On page 15, line 5, after "licensure" and before the comma ",", insert "or registration" and after "licensing" insert "or registering"

AMENDMENT NO. 59

On page 15, line 14, delete "an" and insert "a registered"

AMENDMENT NO. 60

On page 15, line 22, insert a comma "," after "rescind" and at the beginning of line 23, delete "certificate of"

AMENDMENT NO. 61

On page 16, delete lines 15 through 27 in their entirety and on page 17, delete lines 1 through 4 in their entirety

AMENDMENT NO. 62

On page 17, line 7, delete "certificate of registration" and insert "license"

AMENDMENT NO. 63

On page 17, line 16, delete "certificate of"

AMENDMENT NO. 64

On page 17, line 20, delete "certificate of"

AMENDMENT NO. 65

On page 18, lines 3 and 4, delete the comma "," before "et seq."

AMENDMENT NO. 66

On page 18, line 15, after "services" delete the comma "," and delete "as defined in R.S. 37:3172(7)"

AMENDMENT NO. 67

On page 18, line 20, delete "A registered" and insert "An"

AMENDMENT NO. 68

On page 18, line 21, after "nonregistered" and after "as that" change "individual" to "person"

AMENDMENT NO. 69

On page 18, line 23, delete "this individual" and insert "such person" and delete "be permitted to"

AMENDMENT NO. 70

On page 19, line 1, change "application" to "reactivation"

AMENDMENT NO. 71

On page 19, at the end of line 6, delete "certificate of"

AMENDMENT NO. 72

On page 19, line 14, delete "certificate of"

AMENDMENT NO. 73

On page 19, line 15, after "registrant at" delete "the" and at the end of the line delete "registrant's" and insert "his"

AMENDMENT NO. 74

On page 19, line 21, delete "order," and insert "orders:"

AMENDMENT NO. 75

On page 20, line 4, change "proscribed" to "prohibited"

AMENDMENT NO. 76

On page 20, line 7, after "pending" change "the" to "a" and after "hearing on" change "a" to "the" and delete the comma "," after "injunction"

AMENDMENT NO. 77

On page 20, line 8 after "issue after" insert "a"

AMENDMENT NO. 78

On page 20, line 10, after "without" delete "the necessity of the board having to give" and at the end of the line delete "as usually" and insert "being"

AMENDMENT NO. 79

On page 20, line 11, delete "in such cases. A" and insert "of the board. Such"

AMENDMENT NO. 80

On page 20, line 12, delete "hereunder"

AMENDMENT NO. 81

On page 20, line 13, delete "upon" and insert "on"

AMENDMENT NO. 82

On page 20, line 15, change "proscribed" to "prohibited"

AMENDMENT NO. 83

On page 20, line 16, delete "cease and desist"

AMENDMENT NO. 84

On page 20, line 17, insert a comma "," after "mail" and delete "to issue" and insert "a writ of injunction to be issued"

AMENDMENT NO. 85

On page 20, line 18, delete "a writ of injunction"

AMENDMENT NO. 86

On page 20, line 20, change "proscribed" to "prohibited"

AMENDMENT NO. 87

On page 20, delete lines 21 and 22 in their entirety

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 768 by Senator Hollis

AMENDMENT NO. 1

In Conforming House Floor Amendments by Representative Travis to Reengrossed Senate Bill No. 768 by Senator Hollis, in House Floor Amendment #54, on line 5, following "delete" and before "and" change "or seal" to "seal,"

June 8, 1999

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Travis to Reengrossed Senate Bill No. 768 by Senators Hollis and Heitmeier

AMENDMENT NO. 1

Delete Amendment No. 32 of the conforming amendments adopted by the House on April 20, 1999.

AMENDMENT NO. 2

Delete Amendment No. 33 of the conforming amendments adopted by the House on April 20, 1999.

AMENDMENT NO. 3

On page 8, line 7, after "registered" and before "to" insert "or licensed"

AMENDMENT NO. 4

Delete Amendment No. 43 of the conforming amendments adopted by the House on April 20, 1999.

AMENDMENT NO. 5

Delete Amendment No. 62 of the conforming amendments adopted by the House on April 20, 1999.

Senator Hollis moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Siracusa
Dean	Tarver
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator Hollis moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

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

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

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 by the Committee on Local and Municipal Affairs.

The resolution was read by title. On motion of Senator Boissiere, the resolution was adopted.

**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 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 by the Committee on Transportation, Highways, and Public Works.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Ellington	Landry
Barham	Fields C	Malone
Bean	Fields W	Robichaux
Boissiere	Greene	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Siracusa
Campbell	Hollis	Smith
Casanova	Irons	Theunissen
Cox	Johnson	Thomas
Cravins	Jones	Ullo
Dardenne	Jordan	
Dyess	Lambert	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Hines	Tarver
Dean	Lentini	
Total—5		

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

**Senate Concurrent Resolutions
to be Adopted, Subject to Call**

The following Senate Concurrent Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Jones asked that Senate Concurrent Resolution No. 50 be called from the Calendar at this time.

**SENATE CONCURRENT RESOLUTION NO. 50—
BY SENATOR JONES**

A CONCURRENT RESOLUTION

To create a special committee to study the constitutional power and authority of the three branches of government with respect to execution of clemency power.

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. 50 by Senator Jones

AMENDMENT NO. 1

On page 2, between lines 9 and 10 insert "(2) Paul M. Hebert Law Center at Louisiana State University."

AMENDMENT NO. 2

On page 2, line 10, change "2" to "3"

AMENDMENT NO. 3

On page 2, line 11, change "3" to "4"

AMENDMENT NO. 4

On page 2, line 12, change "4" to "5"

AMENDMENT NO. 5

On page 2, line 13, change "5" to "6"

AMENDMENT NO. 6

On page 2, line 14, change "6" to "7"

AMENDMENT NO. 7

On page 2, line 16, change "7" to "8"

AMENDMENT NO. 8

On page 2, line 17, change "8" to "9"

AMENDMENT NO. 9

On page 2, line 19, change "9" to "10"

AMENDMENT NO. 10

On page 2, line 21, change "10" to "11"

AMENDMENT NO. 11

On page 2, line 23, change "11" to "12"

AMENDMENT NO. 12

On page 2, line 25, change "12" to "13"

On page 2, line 26, change "13" to "14"

AMENDMENT NO. 13

On page 2, line 28, change "14" to "15"

AMENDMENT NO. 14

On page 3, line 9, after "Clinic," insert "the Paul M. Hebert Law Center at Louisiana State University,"

On motion of Senator Dardenne, the committee amendment was 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

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

NAYS

Total—0

ABSENT

Mr. President	Ellington	Tarver
Total—3		

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

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

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

Called from the Calendar

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

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

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

Senator W. Fields in the Chair

Floor Amendments Sent Up

Senator Robichaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

June 8, 1999

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

AMENDMENT NO. 1

On page 2, at the end of line 6, change "and" to "or"

AMENDMENT NO. 2

On page 2, line 20, after "Revenue" delete "and the Department of Labor"

AMENDMENT NO. 3

On page 2, line 20, after "shall" insert ", in a manner as not to permit the personal identification of any individual,"

AMENDMENT NO. 4

On page 2, line 22, delete "respective"

AMENDMENT NO. 5

On page 2, line 23, after "extensions." delete the remainder of the line and insert "The department"

AMENDMENT NO. 6

On page 2, at the beginning of line 24, delete "to"

AMENDMENT NO. 7

On page 3, line 2, change "departments" to "department"

AMENDMENT NO. 8

On page 3, at the end of line 2, delete "such" and on page 3, line 3, after "contract" delete "of" and insert "entered pursuant to Article VII, Section 21(F) of the Louisiana Constitution of 1974, regarding"

AMENDMENT NO. 9

On page 3, line 8, after "(4)" insert "(a)"

AMENDMENT NO. 10

On page 3, line 8, after "reports" delete "and," and insert the following:

"consideration by the board of whether a possible violation has occurred shall be conducted in executive session, unless an authorized representative of the business entity requests that consideration of that business entity be held in open session. No final and binding action by the board shall be taken in executive session."

AMENDMENT NO. 11

On page 3, line 8, change "if" to "(b) If"

On motion of Senator Robichaux, the amendments were adopted.

Floor Amendments Sent Up

Senator Jordan sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

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

AMENDMENT NO. 1

On page 2, line 6, after "state," change "and" to "or"

AMENDMENT NO. 2

On page 2, at the beginning of line 7, delete "further"

On motion of Senator Jordan, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie Irons Lentini
Cox Johnson Robichaux
Fields C Jordan
Fields W Landry
Total—10

NAYS

Barham Dean Jones
Bean Dyess Malone
Boissiere Ellington Schedler
Branch Greene Siracusa
Cain Hainkel Smith
Casanova Heitmeier Theunissen
Cravins Hines Thomas
Dardenne Hollis Ullo
Total—24

ABSENT

Mr. President Lambert Tarver
Campbell Romero
Total—5

Notice of Reconsideration

Senator Robichaux, 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.

Rules Suspended

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 51—

BY SENATOR THEUNISSEN

A RESOLUTION

To memorialize Congress to adopt legislation which would allow the sale of food and other humanitarian aid to the people of Cuba.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bean Dean Landry
Boissiere Dyess Robichaux
Cain Heitmeier Theunissen
Campbell Hines Thomas
Cox Irons Ullo
Cravins Jordan
Total—17

NAYS

Barham	Hainkel	Schedler
Casanova	Hollis	Siracusa
Dardenne	Lentini	Smith
Ellington	Malone	
Greene	Romero	
Total—13		

ABSENT

Mr. President	Fields C	Jones
Bajoie	Fields W	Lambert
Branch	Johnson	Tarver
Total—9		

The Chair declared the Senate had failed to adopt the Senate Resolution.

Notice of Reconsideration

Senator Theunissen, 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 resolution failed to pass.

SENATE RESOLUTION NO. 52—
BY SENATOR BARHAM

A RESOLUTION

To urge and request the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, the Board of Supervisors for the University of Louisiana System, and the Board of Supervisors of Community and Technical Colleges to adopt policies to prohibit the naming of any permanently constructed building, facility, structure or any identifiable area at any college, university or institution under its respective jurisdiction after a corporate or commercial entity.

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

Rules Suspended

Senator Bean 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. 2117—
BY REPRESENTATIVES WADDELL AND WALSWORTH
AN ACT

To enact R.S. 18:451.2, relative to candidates for office; to provide for qualifications for candidates for certain offices; and to provide for related matters.

Senator Ellington in the Chair

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. 2117 by Representative Waddell

AMENDMENT NO. 1

On page 1, line 7, after "office of" delete "sheriff," and on line 8, after "assessor" delete the comma ","

AMENDMENT NO. 2

On page 1, line 10, after "office of" delete "sheriff," and after "assessor" delete the comma ","

Senator Bean moved adoption of the amendments.

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Jones
Bajoie	Ellington	Jordan
Barham	Greene	Malone
Bean	Hainkel	Romero
Boissiere	Heitmeier	Siracusa
Casanova	Hines	Smith
Cox	Hollis	Theunissen
Dardenne	Johnson	Ullo
Total—24		

NAYS

Branch	Fields C	Lentini
Cain	Fields W	Robichaux
Campbell	Irons	Schedler
Cravins	Landry	Thomas
Total—12		

ABSENT

Dean	Lambert	Tarver
Total—3		

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Smith sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Smith to Engrossed House Bill No. 2117 by Representative Waddell

AMENDMENT NO. 1

On page 1, at the beginning of line 11, change "parish" to "state"

On motion of Senator Smith, the amendments were adopted.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Engrossed House Bill No. 2117 by Representative Waddell

AMENDMENT NO. 1

On page 1, delete lines 14 through 17, and on page 2, delete lines 1 and 2, and insert the following:

"Section 2. This Act shall become effective January 1, 2000."

Senator Cravins moved adoption of the amendments.

June 8, 1999

Senator Hainkel objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Jones
Bajoie	Ellington	Jordan
Barham	Fields C	Lambert
Bean	Fields W	Landry
Boissiere	Greene	Lentini
Cain	Heitmeier	Malone
Campbell	Hines	Theunissen
Cox	Hollis	Ullo
Cravins	Irons	
Dardenne	Johnson	
Total—28		

NAYS

Branch	Robichaux	Smith
Casanova	Romero	Thomas
Dean	Schedler	
Hainkel	Siracusa	
Total—10		

ABSENT

Tarver
Total—1

The Chair declared the amendments were adopted.

Motion

Senator Cravins moved to return the amended bill to the Involuntary Calendar.

Senator Bean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Dyess	Jones
Barham	Ellington	Jordan
Boissiere	Fields C	Lentini
Branch	Fields W	Malone
Cain	Greene	Robichaux
Campbell	Hainkel	Romero
Casanova	Heitmeier	Schedler
Cox	Hines	Siracusa
Cravins	Hollis	Theunissen
Dardenne	Irons	Thomas
Dean	Johnson	Ullo
Total—33		

NAYS

Bean	Landry	Smith
Total—3		

ABSENT

Mr. President	Lambert	Tarver
Total—3		

The Chair declared the Senate refused to return the amended bill to the Involuntary Calendar.

HOUSE BILL NO. 2153—

BY REPRESENTATIVE ALARIO

AN ACT

To enact Chapter 26 of Title 42 of the Louisiana Revised Statutes of 1950, comprised of R.S. 42:1481 through 1485, to create the Compensation Review Commission; to provide for the membership of the commission; to provide for the powers, duties, and functions of the commission; to provide for reports on salaries of certain officials by the commission; to provide for the implementation and effectiveness of such salaries; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 2153 by Representative Alario

AMENDMENT NO. 1

Delete Amendment No. 5 proposed by the Senate and Governmental Affairs Committee and adopted by the Senate on May 27, 1999

AMENDMENT NO. 2

On page 3, delete lines 8 through 12, and insert:

"approved by the legislature through the amendment or enactment of a statute containing the salary recommendations."

Motion

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

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Ellington	Robichaux
Barham	Fields C	Romero
Bean	Fields W	Schedler
Boissiere	Heitmeier	Siracusa
Cain	Hines	Theunissen
Campbell	Irons	Thomas
Cox	Jones	
Dyess	Jordan	
Total—22		

NAYS

Branch	Greene	Lentini
Casanova	Hainkel	Malone
Cravins	Hollis	Smith
Dardenne	Lambert	Ullo
Dean	Landry	
Total—14		

ABSENT

Mr. President	Johnson	Tarver
Total—3		

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

Senator Dardenne moved adoption of the amendments.

Senator Jordan objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Greene	Lentini
Casanova	Hainkel	Malone
Dardenne	Hollis	Ullo
Dean	Lambert	
Total—11		

NAYS

Mr. President	Ellington	Landry
Bajoie	Fields C	Robichaux
Bean	Fields W	Romero
Boissiere	Heitmeier	Schedler
Branch	Hines	Siracusa
Cain	Irons	Smith
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Dyess	Jordan	
Total—26		

ABSENT

Campbell	Tarver
Total—2	

The Chair declared the amendments were rejected.

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	Jordan
Bajoie	Ellington	Landry
Bean	Fields C	Robichaux
Boissiere	Fields W	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Siracusa
Casanova	Irons	Smith
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Total—27		

NAYS

Barham	Greene	Lentini
Campbell	Hainkel	Malone
Dardenne	Hollis	Ullo
Dean	Lambert	
Total—11		

ABSENT

Tarver
Total—1

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. 554—

BY REPRESENTATIVES CRANE, DEWITT, AND MURRAY AND SENATOR JONES

AN ACT

To amend and reenact R.S. 23:161(10), relative to laws regulating the employment of minors; to prohibit minors who are sixteen years of age or younger from driving on public roads as part of their employment; to provide relative to restrictions on driving during employment for other minors; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Fields C	Fields W	Jordan
Total—3		

ABSENT

Dean	Tarver
Total—2	

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.

Senator Casanova in the Chair

HOUSE BILL NO. 963—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 47:463(A)(3) and 463.57, relative to license plates; to provide for the design of special prestige license plates; to provide for handling charges on special prestige license plates; to provide for a Jaycees prestige license plate; to provide for eligibility; to provide for the charge; to provide for the disbursement of a donation; to provide for the promulgation of rules; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

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Boissiere	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones	Ulló
Dean	Jordan	
Total—38		

NAYS

Total—0

ABSENT

Tarver
Total—1

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. 1171—
BY REPRESENTATIVES CRANE, DEWITT, AND MURRAY
AN ACT

To amend and reenact R.S. 46:236.14(E)(3)(a), relative to the employer reporting program; to require employers to report a new hire's occupation when submitting new hire information to the Department of Social Services; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean
Total—2

Landry

ABSENT

Cravins
Total—2

Tarver

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. 1218—
BY REPRESENTATIVES BAYLOR AND PIERRE
AN ACT

To amend and reenact R.S. 33:2476(B) and 2536(B)(2)(a), relative to fire and police civil service; to provide relative to persons ineligible

to serve on local civil service boards due to their rank; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Tarver
Total—1

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

HOUSE BILL NO. 1219—
BY REPRESENTATIVES BAYLOR, DUPRE, AND PIERRE
AN ACT

To amend and reenact R.S. 33:2536(M), relative to fire and police civil service; to provide relative to the number of persons required for a quorum of and for decisions by certain local civil service boards; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Tarver
Total—1

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

HOUSE BILL NO. 1220—
BY REPRESENTATIVES BAYLOR, DUPRE, AND PIERRE
AN ACT

To amend and reenact and as amended to arrange in proper statutory form and incorporate into the statutes the provisions of Article XIV, Section 15.1(9)(j) of the Constitution of 1921, continued as statute by Article X, Section 18 of the Constitution of 1974, by amending and reenacting R.S. 33:2479(G) and to amend and reenact R.S. 33:2539, relative to fire and police civil service; to remove requirements that the state examiner act as secretary for civil service boards when requested; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—38

NAYS

Total—0

ABSENT

Tarver
Total—1

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

HOUSE BILL NO. 1221—
BY REPRESENTATIVES BAYLOR, DUPRE, AND PIERRE
AN ACT

To amend and reenact R.S. 33:2553(3), relative to fire and police civil service; to provide relative to qualifications for admission to certain competitive employment tests for such service; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—38

NAYS

Total—0

ABSENT

Tarver
Total—1

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

HOUSE BILL NO. 1222—
BY REPRESENTATIVES BAYLOR, DUPRE, AND PIERRE
AN ACT

To amend and reenact and as amended to arrange in proper statutory form and incorporate into the statutes the provisions of Article XIV, Section 15.1(24)(a) of the Constitution of 1921, continued as statute by Article X, Section 18 of the Constitution of 1974, by amending and reenacting R.S. 33:2494(A) and to amend and reenact R.S. 33:2554(A), relative to fire and police civil service; to provide relative to the certification of names of persons eligible for appointment; specifically to remove the time limitation on the validity of such certification; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—38

NAYS

Total—0

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ABSENT

Tarver
Total—1

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

HOUSE BILL NO. 1223—
BY REPRESENTATIVES BAYLOR, DUPRE, AND PIERRE
AN ACT

To amend and reenact R.S. 33:2501(D) and 2561, relative to fire and police civil service; to require recusal of certain members of local civil service boards from voting on appeals of disciplinary actions; to provide relative to appeals of board decisions on questions related to recusal; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Tarver
Total—1

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

HOUSE BILL NO. 1224—
BY REPRESENTATIVE DANIEL
AN ACT

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

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

NAYS

Total—0

ABSENT

Tarver
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.

HOUSE BILL NO. 1238—
BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 32:402(A) and (B), 408(A)(1) and (4), and 408.2 and R.S. 47:532.1(A)(7), relative to drivers' licenses, relative to public license tag agents; to authorize the department to enter into contracts with public license tag agents for the issuance of certain drivers' licenses; to provide for minimum qualifications; to provide for the costs of licenses; to provide for the maximum fee which can be charged by a public license tag agent for a driver's license; to provide for penalties for violations; to provide for the promulgation of rules and regulations; to authorize public license tag agents to administer written knowledge and skills tests to applicants for issuance of certain drivers' licenses; to provide for limitation of liability; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Campbell
Tarver

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. 1311—
BY REPRESENTATIVE DAMICO
AN ACT

To enact R.S. 33:1236.25, relative to Jefferson Parish; to authorize the governing authority of the parish to create a special district for the purposes of enhancing the security of residents of the Plantation Estates subdivision; to provide for the creation and governance of the district as provided by the parish home rule charter; to require voter approval of a district tax; and to provide for related matters.

Floor Amendments Sent Up

Senator Ullo sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ullo to Engrossed House Bill No. 1311 by Representative Damico

AMENDMENT NO. 1

On page 2, line 15, after "those" insert "qualified electors living in the district and"

On motion of Senator Ullo, the amendments were adopted.

The bill was read by title. Senator Ullo 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
Casanova	Hollis	Smith
Cox	Irons	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones	Ullo
Dean	Jordan	
Dyess	Lambert	
Total—37		

NAYS

Total—0

ABSENT

Campbell	Tarver
Total—2	

The Chair declared the amended 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. 1326—
BY REPRESENTATIVES DOWNER AND DONELON AND SENATOR BRANCH

AN ACT

To amend and reenact R.S. 23:1034(C), relative to workers' compensation for public officials; to clarify that where a political subdivision elects to provide workers' compensation coverage for its public officials, workers' compensation shall be the injured official's exclusive remedy; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Campbell	Tarver
Total—2	

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

HOUSE BILL NO. 1327—
BY REPRESENTATIVE CARTER
AN ACT

To authorize and provide for the lease of certain state property in East Feliciana Parish to the F.T. Baptist Church from the Department of Health and Hospitals; and to provide for related matters.

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	Lambert
Bajoie	Fields C	Landry
Barham	Fields W	Lentini
Bean	Greene	Malone
Branch	Hainkel	Robichaux
Cain	Heitmeier	Romero
Casanova	Hines	Schedler
Cox	Hollis	Siracusa
Cravins	Irons	Smith
Dardenne	Johnson	Theunissen

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Dean	Jones	Thomas
Dyess	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Boissiere	Campbell	Tarver
Total—3		

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. 1347—

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

AN ACT

To amend and reenact R.S. 32:414.2(B)(1), relative to commercial motor vehicle drivers; to provide for a definition of out-of-service order; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Bajoie	Fields 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
Dean	Jordan	
Dyess	Lambert	
Total—37		

NAYS

Total—0

ABSENT

Boissiere	Tarver
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. 1348—

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

AN ACT

To enact R.S. 47:511.2, relative to registration of trucks; to provide for a temporary permit for unregistered trucks in certain situations; to provide for the duration of the permit; to provide for restrictions on the type of vehicle eligible to receive the permit; to provide for penalties for not possessing the permit; and to provide for related matters.

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

NAYS

Total—0

ABSENT

Dardenne	Lambert	Tarver
Total—3		

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. 1351—

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

AN ACT

To amend and reenact R.S. 47:511, relative to motor vehicles; to provide relative to the International Registration Plan; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Tarver
Total—1

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. 1428—

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

AN ACT

To amend and reenact R.S. 32:364, relative to equipment on motor vehicles; to provide for the use of devices to minimize the spray or splash of materials; and to provide for related matters.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Barham, Cain, Bean and Lambert to Engrossed House Bill No. 1428 by Representative Diez

AMENDMENT NO. 1

On page 1, line 2, between "R.S. 32:364" and the comma "," insert "and to enact R.S. 32:1304(H)"

AMENDMENT NO. 2

On page 1, line 4, after "materials;" insert "to provide for certain exemptions from inspections;"

AMENDMENT NO. 3

On page 1, line 6, between "reenacted" and "to" insert "and R.S. 32:1304(H) is hereby enacted"

AMENDMENT NO. 4

On page 2, after line 4 insert the following:

"§1304. Secretary to require periodical inspection
* * *

H. Notwithstanding the provisions of this Section, no motor vehicle registered in Louisiana shall be required to be inspected or to obtain and display upon such vehicle an official certificate of inspection until five years from the year of production of such vehicle or upon registering fifty thousand miles on the odometer of such vehicle, whichever occurs first."

Senator Barham moved adoption of the amendments.

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dean	Lambert
Barham	Ellington	Robichaux
Bean	Fields C	Romero
Branch	Fields W	Siracusa
Cain	Greene	Theunissen
Casanova	Hollis	Ullo
Cox	Jones	
Dardenne	Jordan	
Total—22		

NAYS

Bajoie	Irons	Schedler
--------	-------	----------

Boissiere
Hainkel
Heitmeier
Hines
Total—13

Johnson
Landry
Lentini
Malone
Smith
Thomas

ABSENT

Campbell
Cravins
Total—4

Dyess
Tarver

The Chair declared the amendments were adopted.

Motion

Senator Cain moved to the previous question on the entire subject matter.

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields C	Jordan
Barham	Fields W	Lambert
Bean	Greene	Lentini
Boissiere	Heitmeier	Robichaux
Cain	Hines	Theunissen
Cox	Irons	Thomas
Ellington	Jones	
Total—20		

NAYS

Branch	Hollis	Schedler
Casanova	Johnson	Siracusa
Dardenne	Landry	Smith
Dean	Malone	Ullo
Hainkel	Romero	
Total—14		

ABSENT

Mr. President	Cravins	Tarver
Campbell	Dyess	
Total—5		

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

Motion

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

Senator C. Fields objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Hines	Malone
Boissiere	Hollis	Robichaux
Dardenne	Irons	Schedler
Ellington	Johnson	Smith
Hainkel	Landry	Thomas
Heitmeier	Lentini	Ullo
Total—18		

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NAYS

Barham	Cox	Jones
Bean	Dean	Lambert
Branch	Fields C	Romero
Cain	Fields W	Siracusa
Casanova	Greene	Theunissen
Total—15		

ABSENT

Mr. President	Cravins	Jordan
Campbell	Dyess	Tarver
Total—6		

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

Mr. President in the Chair

Rules Suspended

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

Messages from the Governor

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

State of Louisiana
OFFICE OF THE GOVERNOR
Baton Rouge

June 8, 1999

To the Honorable President and members of the Senate

Ladies and Gentlemen:

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

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

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

LSU Board of Supervisors

Ogden, Roger H.
Williams, John R.

Appointment of Conference Committee on Senate Bill No. 832

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 832: Senators Ullo, Romero, and Cox.

Messages from the House

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

House Bills and Joint Resolutions

Senator Bean asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just

received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

June 8, 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. 336—
BY REPRESENTATIVE TOOMY AND SENATOR LENTINI
AN ACT

To amend and reenact R.S. 13:717(D), (E), and (F), and 718(G), to enact R.S. 13:717(G) and (H), relative to commissioners for the Twenty-fourth Judicial District Court; to provide for the powers of the commissioners hearing criminal matters; to provide for written reports of the commissioner's findings; to repeal the termination date of the office of commissioner; to provide for service of orders; to provide for notice; to provide for filing of exceptions and objections; and to provide for related matters.

HOUSE BILL NO. 1773—
BY REPRESENTATIVES THORNHILL, BOWLER, AND DONELON
AN ACT

To amend and reenact R.S. 6:958(B), R.S. 22:1382(A)(3)(a)(iv), 1404.1, 1405(A), (C), (D)(2) and (5), (G), and (I), 1406.2(1) and (2)(introductory paragraph), 1406.3(B) and (C), 1406.6(A), 1406.7, 1406.8(A) and (D), 1406.10, 1406.11, 1406.12, 1407, 1409(A), (B), (D), (E), and (G)(1), 1412(B), 1417(A) and (B), 1417.1(C), 1422.1, 1423(A), (B), and (E), 1432(1), (2)(introductory paragraph), and (6), 1436(A) and (B), 1437(A)(1) and (2)(g) and (B), 1438(A)(1) and (C), 1440, 1441, 1442, 1443, 1444, 1446, 1447, 1450.3(4) and (5), 1459(A), and 2092.5(C)(2), R.S. 23:1392(A)(1) and (8), R.S. 32:430(M) and 1043(A), R.S. 36:686, 688(B), and 921(A), R.S. 40:1299.44(A)(2)(b), (c), and (f) and (6)(a) and 1308(C)(6), to enact R.S. 22:1351.1, and to repeal R.S. 22:15(B)(1)(h), 636.2(A)(3), 636.4(E)(2)(a), 1401, 1402, and 1404.2 and R.S. 23:1395(A), relative to insurance rate regulation; to provide for hearings; to abolish the Louisiana Insurance Rating Commission; to provide for transition of certain functions, duties, and obligations from the commission to the Department of Insurance; to limit the authority of the department; to replace the commission with the department for receipt of certain reports, plans, and revenues; to permit the department to review and approve certain filings; to permit the department to assess and collect certain penalties; to eliminate the rate making requirements for certain property and casualty insurers; to permit the department to enforce certain rate reductions; to permit the attorney general to represent the citizens of the state before the department; and to provide for related matters.

HOUSE BILL NO. 2090—
BY REPRESENTATIVES FONTENOT, DANIEL, DURAND, AND WILKERSON
AN ACT

To amend and reenact R.S. 11:153(B), relative to all state and statewide public retirement systems; to provide with respect to the purchase of credit for certain military service; and to provide for related matters.

HOUSE BILL NO. 1138—
BY REPRESENTATIVES MCMAINS AND ANSARDI
AN ACT

To amend and reenact Title IX of Book I of the Civil Code, presently composed of Articles 389 through 426, to comprise Articles 389 through 399, Civil Code Articles 1482 and 2319, Title VIII of Book VII of the Code of Civil Procedure, presently composed of Articles 4541 through 4557, to comprise Articles 4541 through 4556 and Articles 4561 through 4569, and to repeal R.S. 9:1001 through 1004; all relative to interdiction and curatorship; to provide for full interdiction, limited interdiction, temporary interdiction, preliminary interdiction, curatorship, curators, undercurators, the effects of interdiction, the modification of interdiction, the termination of interdiction, the wrongful filing of a petition for interdiction, the proof of the incapacity of a person to donate, the responsibility of a curator or an undercurator for the delictual obligations of an interdict, the petition for interdiction, the venue for an interdiction proceeding, the service of citation upon the defendant and notice to interested persons, the appointment of an attorney for the defendant, the appointment of an examiner for the defendant, the fixing of a hearing or a trial, the hearing, the burden of proof in an interdiction proceeding, the judgment of interdiction, the recordation of a notice of suit for interdiction and of the judgment of interdiction, the inventory and security of a curator, the oath of a curator and of an undercurator, the letters of curatorship, the costs of an interdiction proceeding and attorney fees, the appeal of a judgment or order relative to interdiction or curatorship, the management of an interdict's affairs, the expenses of an interdict and his legal dependents, the modification and termination of the appointment of a curator or an undercurator, the post-judgment monitoring and reporting, the procedures relative to an ancillary proceeding, the repeal of special statutes for the interdiction of inebriates, an effective date for this Act, and for other related matters.

HOUSE BILL NO. 1360—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 27:301(B)(13), 306(A)(3) and (7)(a), 309(B), and 313(A), to enact R.S. 27:301(B)(16) and (17), 310(F) and (G), and 311(J), and to repeal R.S. 27:306(A)(6)(a) and (b)(i) and (ii) and (7)(b), relative to video draw poker device operations; to provide for the definition of a slot machine; to provide for minimum wagers on certain video draw poker devices; to add the definition of a slot machine to video draw poker crimes and penalties; to repeal obsolete provisions of law; to define institutional investor; to provide with respect to institutional investors and suitability requirements; to provide with respect to interest holders in corporations holding licenses; to provide that within one hundred twenty days of receipt of license application the Louisiana Gaming Control Board shall either issue the license or provide explanation why license has not been issued within that time period; to add to the definition of a service entity; and to provide for related matters.

HOUSE BILL NO. 1500—
BY REPRESENTATIVE JETSON
AN ACT

To amend and reenact R.S. 17:14(C) and (D), relative to adult and community education; to permit eligible community-based organizations to operate certain state-funded adult and community education programs; to provide for establishing eligibility criteria; to provide for overall supervision of such programs by the state Department of Education; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 2022—
BY REPRESENTATIVES ANSARDI, ALARIO, MCMAINS, AND MURRAY
AN ACT

To amend and reenact R.S. 22:1114(K)(2)(f) and (M)(2) and to enact R.S. 22:1113(A)(2)(a)(xx), relative to home service life insurance;

to provide for licensing; to provide for marketing; to provide for requirements; and to provide for related matters.

HOUSE BILL NO. 2281 (Substitute for House Bill 1825 by Representative Johns)—
BY REPRESENTATIVES DURAND, JOHNS, AND ILES
AN ACT

To amend and reenact R.S. 46:2625(C)(2) and to enact R.S. 46:2625(E), relative to pharmacy reports and fees; to provide for suspension by the Louisiana Board of Pharmacy of a pharmacy's registration and permit for failure to timely submit reports and fees; and to provide for related matters.

HOUSE BILL NO. 934—
BY REPRESENTATIVES MCMAINS, ANSARDI, AND CARTER
AN ACT

To amend and reenact Civil Code Articles 2028, 2522, 2532, 2545, and 2548 and to enact Civil Code Articles 2533 and 2547, relative to contracts; to provide for the effects of recordation of certain contracts; to provide for notice of redhibitory defects; to provide for return and destruction of things after discovery of a redhibitory defect; to provide for liability of certain sellers; to provide relative to false declarations of quality; and to provide for related matters.

HOUSE BILL NO. 1256—
BY REPRESENTATIVE RIDDLE
AN ACT

To amend and reenact Civil Code Articles 189 and 190, relative to paternity; to provide for an exception to the time period for bringing a disavowal action in certain circumstances; and to provide for related matters.

HOUSE BILL NO. 1576—
BY REPRESENTATIVES TRAVIS, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

To enact R.S. 40:1578.7, relative to fire safety and prevention; to adopt a State Uniform Fire Prevention Code; to provide for adoption of the same code by political subdivisions of the state; to authorize the promulgation of rules and regulations by the state fire marshal; and to provide for related matters.

HOUSE BILL NO. 1299—
BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 18:1505.2 (H)(1)(a), (2)(a) and (b), and (7)(a) and to repeal R.S. 18:1505.2(H)(2)(c), relative to limits on campaign contributions; to provide for the maximum amount of certain contributions; and to provide for related matters.

HOUSE BILL NO. 123—
BY REPRESENTATIVES MCMAINS AND DEWITT
AN ACT

To amend and reenact R.S. 42:872(E), relative to the composition of the Board of Trustees of the State Employees Group Benefits Program; to provide for attendance requirements relative to removal of members; and to provide for related matters.

HOUSE BILL NO. 932—
BY REPRESENTATIVES MCMAINS AND ANSARDI
AN ACT

To amend and reenact Civil Code Articles 946, 965, 1416, 1575, 1577, 1597, and R.S. 9:2440 all as amended by Act No. 1421 of 1997 Regular Session and 1617 through 1624 and 1710, and to enact Civil Code Article 1580.1, relative to successions; to provide relative to the devolution of succession rights of a successor declared unworthy; to provide relative to accretion upon renunciation in testate successions; to provide relative to liability of universal successors to creditors; to provide relative to olographic testaments and requirements of form; to provide relative to notarial testament of testator unable to hear and read; to provide relative to loss, extinction, or destruction of property given; to provide

grounds for revocation of testamentary dispositions; to provide for disinheriton of forced heirs; and to provide for related matters.

HOUSE BILL NO. 975—

BY REPRESENTATIVES GLOVER, BAUDOIN, BAYLOR, BRUCE, CLARKSON, COPELIN, CURTIS, DANIEL, DURAND, FLAVIN, FRITH, GULLORY, HUDSON, HUNTER, ILES, JETSON, JOHNS, KENNEY, MCCAIN, MORRELL, MURRAY, PIERRE, PINAC, PRATT, SCHWEGMANN, JACK SMITH, THOMPSON, THORNHILL, AND TRAVIS
AN ACT

To amend and reenact R.S. 46:2136(F), relative to protective orders in domestic abuse cases; to provide that protective orders shall last for a period not to exceed eighteen months; and to provide for related matters.

HOUSE BILL NO. 1227—

BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 32:407(A)(2), relative to drivers' licenses; to provide relative to the Class "E" learner's license; to authorize the holder of a Class "E" learner's license to drive while being accompanied by a licensed parent, guardian, or adult at least age twenty-one or older, or a sibling at least eighteen or older; and to provide for related matters.

HOUSE BILL NO. 2068—

BY REPRESENTATIVE ANSARDI
AN ACT

To repeal R.S. 22:1407(J), (K)(1), and (L), to delete provisions relative to workers' compensation insurance rates and the rating commission.

HOUSE BILL NO. 2248—

BY REPRESENTATIVE HEBERT
AN ACT

To enact R.S. 17:100.6, relative to school closures and consolidations; to prohibit such closures and consolidations without parents' consent in certain parishes; to provide for effectiveness and applicability; to provide exceptions; and to provide for related matters.

HOUSE BILL NO. 434—

BY REPRESENTATIVE GREEN
AN ACT

To enact R.S. 14:67.16 and to repeal R.S. 27:100 and 264, relative to gaming; to repeal provisions of law with respect to cheating contained in the Louisiana Gaming Control Law; to create the crime of cheating and swindling; and to provide for related matters.

HOUSE BILL NO. 1368—

BY REPRESENTATIVES ANSARDI, CHAISSON, MARTINY, COPELIN, FONTENOT, MONTGOMERY, WELCH, AND WILLARD
AN ACT

To amend and reenact R.S. 18:424(E) and 425(E), to provide relative to the compensation of commissioners and commissioners-in-charge who serve at the polls on election day; and to provide for related matters.

HOUSE BILL NO. 1711—

BY REPRESENTATIVE GLOVER
AN ACT

To enact R.S. 33:2338, relative to the city of Shreveport; to require all peace officers employed by the city of Shreveport to complete a specified training course each calendar year; and to provide for related matters.

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

HOUSE BILL NO. 123—

BY REPRESENTATIVES MCMAINS AND DEWITT
AN ACT

To amend and reenact R.S. 42:872(E), relative to the composition of the Board of Trustees of the State Employees Group Benefits Program; to provide for attendance requirements relative to removal of members; and to provide for related matters.

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

HOUSE BILL NO. 336—

BY REPRESENTATIVE TOOMY AND SENATOR LENTINI
AN ACT

To amend and reenact R.S. 13:717(D), (E), and (F), and 718(G), to enact R.S. 13:717(G) and (H), relative to commissioners for the Twenty-fourth Judicial District Court; to provide for the powers of the commissioners hearing criminal matters; to provide for written reports of the commissioner's findings; to repeal the termination date of the office of commissioner; to provide for service of orders; to provide for notice; to provide for filing of exceptions and objections; 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. 434—

BY REPRESENTATIVE GREEN
AN ACT

To enact R.S. 14:67.16 and to repeal R.S. 27:100 and 264, relative to gaming; to repeal provisions of law with respect to cheating contained in the Louisiana Gaming Control Law; to create the crime of cheating and swindling; 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. 932—

BY REPRESENTATIVES MCMAINS AND ANSARDI
AN ACT

To amend and reenact Civil Code Articles 946, 965, 1416, 1575, 1577, 1597, and R.S. 9:2440 all as amended by Act No. 1421 of 1997 Regular Session and 1617 through 1624 and 1710, and to enact Civil Code Article 1580.1, relative to successions; to provide relative to the devolution of succession rights of a successor declared unworthy; to provide relative to accretion upon renunciation in testate successions; to provide relative to liability of universal successors to creditors; to provide relative to olographic testaments and requirements of form; to provide relative to notarial testament of testator unable to hear and read; to provide relative to loss, extinction, or destruction of property given; to provide grounds for revocation of testamentary dispositions; to provide for disinheriton of forced heirs; 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. 934—

BY REPRESENTATIVES MCMAINS, ANSARDI, AND CARTER
AN ACT

To amend and reenact Civil Code Articles 2028, 2522, 2532, 2545, and 2548 and to enact Civil Code Articles 2533 and 2547, relative to contracts; to provide for the effects of recordation of certain contracts; to provide for notice of redhibitory defects; to provide for return and destruction of things after discovery of a redhibitory defect; to provide for liability of certain sellers; to provide relative to false declarations of quality; 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. 975—

BY REPRESENTATIVES GLOVER, BAUDOIN, BAYLOR, BRUCE, CLARKSON, COPELIN, CURTIS, DANIEL, DURAND, FLAVIN, FRITH, GUILLORY, HUDSON, HUNTER, ILES, JETSON, JOHNS, KENNEY, MCCAIN, MORRELL, MURRAY, PIERRE, PINAC, PRATT, SCHWEGMANN, JACK SMITH, THOMPSON, THORNHILL, AND TRAVIS

AN ACT

To amend and reenact R.S. 46:2136(F), relative to protective orders in domestic abuse cases; to provide that protective orders shall last for a period not to exceed eighteen months; 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. 1138—

BY REPRESENTATIVES MCMAINS AND ANSARDI

AN ACT

To amend and reenact Title IX of Book I of the Civil Code, presently composed of Articles 389 through 426, to comprise Articles 389 through 399, Civil Code Articles 1482 and 2319, Title VIII of Book VII of the Code of Civil Procedure, presently composed of Articles 4541 through 4557, to comprise Articles 4541 through 4556 and Articles 4561 through 4569, and to repeal R.S. 9:1001 through 1004; all relative to interdiction and curatorship; to provide for full interdiction, limited interdiction, temporary interdiction, preliminary interdiction, curatorship, curators, undercurators, the effects of interdiction, the modification of interdiction, the termination of interdiction, the wrongful filing of a petition for interdiction, the proof of the incapacity of a person to donate, the responsibility of a curator or an undercurator for the delictual obligations of an interdict, the petition for interdiction, the venue for an interdiction proceeding, the service of citation upon the defendant and notice to interested persons, the appointment of an attorney for the defendant, the appointment of an examiner for the defendant, the fixing of a hearing or a trial, the hearing, the burden of proof in an interdiction proceeding, the judgment of interdiction, the recordation of a notice of suit for interdiction and of the judgment of interdiction, the inventory and security of a curator, the oath of a curator and of an undercurator, the letters of curatorship, the costs of an interdiction proceeding and attorney fees, the appeal of a judgment or order relative to interdiction or curatorship, the management of an interdict's affairs, the expenses of an interdict and his legal dependents, the modification and termination of the appointment of a curator or an undercurator, the post-judgment monitoring and reporting, the procedures relative to an ancillary proceeding, the repeal of special statutes for the interdiction of inebriates, an effective date for this Act, and for other related matters.

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

HOUSE BILL NO. 1227—

BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact R.S. 32:407(A)(2), relative to drivers' licenses; to provide relative to the Class "E" learner's license; to authorize the holder of a Class "E" learner's license to drive while being accompanied by a licensed parent, guardian, or adult at least age twenty-one or older, or a sibling at least eighteen or older; 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. 1256—

BY REPRESENTATIVE RIDDLE

AN ACT

To amend and reenact Civil Code Articles 189 and 190, relative to paternity; to provide for an exception to the time period for bringing a disavowal action in certain circumstances; 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. 1299—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 18:1505.2 (H)(1)(a), (2)(a) and (b), and (7)(a) and to repeal R.S. 18:1505.2(H)(2)(c), relative to limits on campaign contributions; to provide for the maximum amount of certain contributions; 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. 1360—

BY REPRESENTATIVE WINDHORST

AN ACT

To amend and reenact R.S. 27:301(B)(13), 306(A)(3) and (7)(a), 309(B), and 313(A), to enact R.S. 27:301(B)(16) and (17), 310(F) and (G), and 311(J), and to repeal R.S. 27:306(A)(6)(a) and (b)(i) and (ii) and (7)(b), relative to video draw poker device operations; to provide for the definition of a slot machine; to provide for minimum wagers on certain video draw poker devices; to add the definition of a slot machine to video draw poker crimes and penalties; to repeal obsolete provisions of law; to define institutional investor; to provide with respect to institutional investors and suitability requirements; to provide with respect to interest holders in corporations holding licenses; to provide that within one hundred twenty days of receipt of license application the Louisiana Gaming Control Board shall either issue the license or provide explanation why license has not been issued within that time period; to add to the definition of a service 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 B.

HOUSE BILL NO. 1368—

BY REPRESENTATIVES ANSARDI, CHAISSON, MARTINY, COPELIN, FONTENOT, MONTGOMERY, WELCH, AND WILLARD

AN ACT

To amend and reenact R.S. 18:424(E) and 425(E), to provide relative to the compensation of commissioners and commissioners-in-charge who serve at the polls on election day; 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. 1500—

BY REPRESENTATIVE JETSON

AN ACT

To amend and reenact R.S. 17:14(C) and (D), relative to adult and community education; to permit eligible community-based organizations to operate certain state-funded adult and community education programs; to provide for establishing eligibility criteria; to provide for overall supervision of such programs by the state Department of Education; 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. 1576—

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

AN ACT

To enact R.S. 40:1578.7, relative to fire safety and prevention; to adopt a State Uniform Fire Prevention Code; to provide for adoption of the same code by political subdivisions of the state; to authorize the promulgation of rules and regulations by the state fire marshal; and to provide for related matters.

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

HOUSE BILL NO. 1711—
BY REPRESENTATIVE GLOVER
AN ACT

To enact R.S. 33:2338, relative to the city of Shreveport; to require all peace officers employed by the city of Shreveport to complete a specified training course each calendar year; 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. 1773—
BY REPRESENTATIVES THORNHILL, BOWLER, AND DONELON
AN ACT

To amend and reenact R.S. 6:958(B), R.S. 22:1382(A)(3)(a)(iv), 1404, 1404.1, 1405(A), (C), (D)(2) and (5), (G), and (I), 1406.2(1) and (2)(introductory paragraph), 1406.3(B) and (C), 1406.6(A), 1406.7, 1406.8(A) and (D), 1406.10, 1406.11, 1406.12, 1407, 1409(A), (B), (D), (E), and (G)(1), 1412(B), 1417(A) and (B), 1417.1(C), 1422.1, 1423(A), (B), and (E), 1432(1), (2)(introductory paragraph), and (6), 1436(A) and (B), 1437(A)(1) and (2)(g) and (B), 1438(A)(1) and (C), 1440, 1441, 1442, 1443, 1444, 1446, 1447, 1450.3(4) and (5), 1459(A), and 2092.5(C)(2), R.S. 23:1392(A)(1) and (8), R.S. 32:430(M) and 1043(A), R.S. 36:686, 688(B), and 921(A), R.S. 40:1299.44(A)(2)(b), (c), and (f) and (6)(a) and 1308(C)(6), to enact R.S. 22:1351.1, and to repeal R.S. 22:15(B)(1)(h), 636.2(A)(3), 636.4(E)(2)(a), 1401, 1402, and 1404.2 and R.S. 23:1395(A), relative to insurance rate regulation; to provide for hearings; to abolish the Louisiana Insurance Rating Commission; to provide for transition of certain functions, duties, and obligations from the commission to the Department of Insurance; to limit the authority of the department; to replace the commission with the department for receipt of certain reports, plans, and revenues; to permit the department to review and approve certain filings; to permit the department to assess and collect certain penalties; to eliminate the rate making requirements for certain property and casualty insurers; to permit the department to enforce certain rate reductions; to permit the attorney general to represent the citizens of the state before the department; and to provide for related matters.

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

HOUSE BILL NO. 2022—
BY REPRESENTATIVES ANSARDI, ALARIO, MCMAINS, AND MURRAY
AN ACT

To amend and reenact R.S. 22:1114(K)(2)(f) and (M)(2) and to enact R.S. 22:1113(A)(2)(a)(xx), relative to home service life insurance; to provide for licensing; to provide for marketing; to provide for requirements; and to provide for related matters.

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

HOUSE BILL NO. 2068—
BY REPRESENTATIVE ANSARDI
AN ACT

To repeal R.S. 22:1407(J), (K)(1), and (L), to delete provisions relative to workers' compensation insurance rates and the rating commission.

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

HOUSE BILL NO. 2090—
BY REPRESENTATIVES FONTENOT, DANIEL, DURAND, AND WILKERSON
AN ACT

To amend and reenact R.S. 11:153(B), relative to all state and statewide public retirement systems; to provide with respect to the purchase of credit for certain military service; and to provide for related matters.

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

HOUSE BILL NO. 2248—
BY REPRESENTATIVE HEBERT
AN ACT

To enact R.S. 17:100.6, relative to school closures and consolidations; to prohibit such closures and consolidations without parents' consent in certain parishes; to provide for effectiveness and applicability; to provide exceptions; 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. 2281 (Substitute for House Bill 1825 by Representative Johns)—
BY REPRESENTATIVES DURAND, JOHNS, AND ILES
AN ACT

To amend and reenact R.S. 46:2625(C)(2) and to enact R.S. 46:2625(E), relative to pharmacy reports and fees; to provide for suspension by the Louisiana Board of Pharmacy of a pharmacy's registration and permit for failure to timely submit reports and fees; and to provide for related matters.

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

Messages from the House

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

June 8, 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. 283—
BY REPRESENTATIVE ANSARDI
A CONCURRENT RESOLUTION

To recognize Tuesday, June 8, 1999, as Certified Registered Nurse Anesthetist Day in the state of Louisiana and to commend certified registered nurse anesthetists around the state for their outstanding contributions to the patient care of the citizens of the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 286—
BY REPRESENTATIVE JOHNS
A CONCURRENT RESOLUTION

To express the condolences of the legislature to the family of Mrs. Norma L. Stinson on the occasion of her death.

HOUSE CONCURRENT RESOLUTION NO. 287—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To commend and congratulate the Louisiana High School Rodeo Association upon its fiftieth anniversary, and for sponsoring the fiftieth annual high school state finals rodeo and its first annual Alumni Benefit Rodeo.

HOUSE CONCURRENT RESOLUTION NO. 288—

BY REPRESENTATIVES WIGGINS AND DOWNER

A CONCURRENT RESOLUTION

To proclaim December thirteenth, the birthday of the National Guard in this nation, as Louisiana National Guard Day in Louisiana, in order to recognize and express appreciation to the Louisiana National Guard for its service to the state, the nation, and around the world, and to urge and request the governor as commander-in-chief to coordinate appropriate observances of such day.

HOUSE CONCURRENT RESOLUTION NO. 289—

BY REPRESENTATIVE FARVE

A CONCURRENT RESOLUTION

To commend and congratulate the Sisters of the Holy Family on their Jubilee Celebration.

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

House Concurrent Resolutions

Senator Bean asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 283—

BY REPRESENTATIVE ANSARDI

A CONCURRENT RESOLUTION

To recognize Tuesday, June 8, 1999, as Certified Registered Nurse Anesthetist Day in the state of Louisiana and to commend certified registered nurse anesthetists around the state for their outstanding contributions to the patient care of the citizens of the state of Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Boissiere	Dyess	Tarver
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Campbell	Johnson	Thomas
Cravins	Jordan	
Total—8		

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

HOUSE CONCURRENT RESOLUTION NO. 286—

BY REPRESENTATIVE JOHNS

A CONCURRENT RESOLUTION

To express the condolences of the legislature to the family of Mrs. Norma L. Stinson on the occasion of her death.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Landry
Bajoie	Fields W	Lentini
Barham	Greene	Malone
Boissiere	Hainkel	Robichaux
Branch	Hines	Romero
Cain	Hollis	Schedler
Casanova	Irons	Siracusa
Cox	Johnson	Smith
Dardenne	Jones	Theunissen
Dean	Jordan	Thomas
Ellington	Lambert	Ullo
Total—33		

NAYS

Total—0

ABSENT

Bean	Cravins	Heitmeier
Campbell	Dyess	Tarver
Total—6		

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

HOUSE CONCURRENT RESOLUTION NO. 287—

BY REPRESENTATIVE DURAND

A CONCURRENT RESOLUTION

To commend and congratulate the Louisiana High School Rodeo Association upon its fiftieth anniversary, and for sponsoring the fiftieth annual high school state finals rodeo and its first annual Alumni Benefit Rodeo.

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	Lentini
Bajoie	Fields W	Malone
Barham	Greene	Robichaux
Boissiere	Hainkel	Romero
Branch	Hines	Schedler
Cain	Hollis	Siracusa
Casanova	Johnson	Smith
Cox	Jones	Theunissen

June 8, 1999

Dardenne Dean Ellington Total—32	Jordan Lambert Landry	Thomas Ullo
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NAYS

Total—0

ABSENT

Bean Campbell Cravins Total—7	Dyess Heitmeier Irons	Tarver
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The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 288—
BY REPRESENTATIVES WIGGINS AND DOWNER
A CONCURRENT RESOLUTION

To proclaim December thirteenth, the birthday of the National Guard in this nation, as Louisiana National Guard Day in Louisiana, in order to recognize and express appreciation to the Louisiana National Guard for its service to the state, the nation, and around the world, and to urge and request the governor as commander-in-chief to coordinate appropriate observances of such day.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—0

ABSENT

Campbell Cravins Total—5	Dyess Irons	Tarver
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The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 289—
BY REPRESENTATIVE FARVE
A CONCURRENT RESOLUTION

To commend and congratulate the Sisters of the Holy Family on their Jubilee Celebration.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Barham Bean Boissiere Branch Cain Casanova Cox Dardenne Dean Ellington Total—33	Fields C Fields W Greene Hainkel Heitmeier Hines Hollis Johnson Jones Jordan Lambert	Landry Lentini Malone Robichaux Romero Schedler Siracusa Smith Theunissen Thomas Ullo
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NAYS

Total—0

ABSENT

Bajoie Campbell Total—6	Cravins Dyess	Irons Tarver
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The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY C

Senator Jordan, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

June 8, 1999

To the President and Members of the Senate:

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

HOUSE BILL NO. 67 (Duplicate of Senate Bill No. 716)—

BY REPRESENTATIVE HUNTER AND SENATOR W. FIELDS AND COAUTHORED BY REPRESENTATIVES ANSARDI, WALSWORTH, DOWNER, ALEXANDER, BARTON, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUNEAU, CLARKSON, COPELIN, CURTIS, DAMICO, DANIEL, DEVILLE, DIEZ, DONELON, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREAU, GLOVER, GUILLORY, HEATON, HEBERT, HILL, HOPKINS, HUDSON, ILES, JENKINS, JOHNS, KENNARD, KENNEY, LANCASTER, LEBLANC, LONG, MCCAIN, MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MURRAY, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, STELLY, THERIOT, THOMPSON, THORNHILL, TRAVIS, TRICHE, WADDELL, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD, WINDHORST, WINSTON, WOOTON, AND WRIGHT

AN ACT

To enact R.S. 14:283, relative to offenses affecting public morals; to create the crime of video voyeurism; to provide for penalties; to provide for exceptions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 95—

BY REPRESENTATIVE DUPRE

AN ACT

To enact R.S. 32:670, relative to chemical test results for persons under the age of twenty-one; to prohibit certain test results from being included on the official driving record of that person; to provide that those results may be used for administrative purposes; to provide that convictions based upon those results may be used for other purposes allowed by law; and to provide for related matters.

Reported with amendments.

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.

Reported with amendments.

HOUSE BILL NO. 340—

BY REPRESENTATIVE WESTON

AN ACT

To amend and reenact R.S. 14:70.4(D)(1), (E), and (F) and to enact R.S. 14:70.4(G), relative to the crime of access device fraud; to provide for certain definitions; to provide for increased penalties; to provide with regard to restitution to victims; to provide for aggregation of offenses; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 351—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 14:67(B)(3) and 69(B)(3) and to repeal R.S. 14:67(B)(2) and 69(B)(2), relative to misappropriations without violence; to provide for the value of the taking necessary to constitute certain levels of theft; to increase penalties for subsequent convictions; to provide penalties for illegal possession of stolen things; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 371—

BY REPRESENTATIVE MCCAIN

AN ACT

To amend and reenact R.S. 13:352(A)(5) and to enact R.S. 15:874(4)(g), relative to payment of fees in certain criminal appeals; to provide for payment of costs; to require certain costs to be paid from a state inmate's compensation account; to provide for procedures for withdrawal of funds; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 561—

BY REPRESENTATIVES JOHNS, FLAVIN, STELLY, CLARKSON, AND SCHNEIDER

AN ACT

To amend and reenact R.S. 14:40.2(B)(1) and (2) and (E) and Code of Criminal Procedure Article 335.1(A) and to enact R.S. 15:571.3(C)(5), all relative to the criminal offense of stalking; to provide for enhanced sentences when committed against certain victims; to provide for certain written notices of convictions; to prohibit diminution of sentence in certain cases; to provide for conditions of release on bail; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 590—

BY REPRESENTATIVES MCCAIN AND MARIONNEAUX

AN ACT

To amend and reenact R.S. 14:93(D), relative to the crime of cruelty to juveniles; to provide for additional penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 791—

BY REPRESENTATIVE MCCAIN

AN ACT

To amend and reenact R.S. 40:2616(A), relative to allocation of forfeited property derived from asset forfeiture sales; to provide that in parishes having a population of less than fifty thousand handguns seized may be retained for official use; to provide that in parishes having a population of less than fifty thousand motor vehicles may be retained for official use for a period of six months; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1005—

BY REPRESENTATIVE WESTON

AN ACT

To amend and reenact R.S. 14:34.2(A)(2), relative to the crime of battery of a police officer; to provide with regard to the definition of a "police officer"; and to provide for related matters.

Reported favorably.

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.

Reported with amendments.

HOUSE BILL NO. 1664—

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. 15:569.1 and 570(D), relative to execution of death sentences; to provide for the times during which death sentences may be executed; to provide with regard to victim notification; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2063—

BY REPRESENTATIVE MITCHELL

AN ACT

To enact R.S. 15:1403.1, relative to criminal street gangs; to create the crime of solicitation of membership of a criminal street gang; to provide for penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2064—

BY REPRESENTATIVE MITCHELL

AN ACT

To enact R.S. 15:1405.3, relative to release from custody of a criminal street gang member; to require the Department of Public Safety and Corrections to notify law enforcement agencies upon release from custody of a member of a criminal street gang; and to provide for related matters.

Reported favorably.

Respectfully submitted,

J. LOMAX JORDAN, JR.
Chairman

REPORT OF COMMITTEE ON

JUDICIARY A

Senator Ullo, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

June 8, 1999

To the President and Members of the Senate:

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

HOUSE BILL NO. 37—
BY REPRESENTATIVES DEWITT, CLARKSON, AND MCMAINS
AN ACT

To amend and reenact R.S. 9:2798(A), (B), and (C), relative to offenses and quasi offenses; to provide with respect to the limitation of civil liability of any sports team officials; to specifically provide that the receipt of compensation for services does not exclude the sports team official from statutory limitation of liability; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 92—
BY REPRESENTATIVES SCHNEIDER, BAYLOR, COPELIN, CRANE, DANIEL, DUPRE, DURAND, FARVE, FAUCHEUX, FRITH, FRUGE, GAUTREAU, HAMMETT, HEBERT, ILES, JOHNS, KENNEY, LONG, MCDONALD, MORRISH, NEVERS, ODINET, PIERRE, PINAC, POWELL, PRATT, ROMERO, SALTER, SCALISE, SHAW, SNEED, THERIOT, THOMPSON, THORNHILL, WARNER, WELCH, WESTON, WINDHORST, WINSTON, AND WRIGHT
AN ACT

To enact R.S. 45:1166.1 and to repeal R.S. 45:1166(F), relative to telephone services; to provide for suits for damages against long distance companies which have illegally transferred long distance services; to provide for exceptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 591—
BY REPRESENTATIVE MCCALLUM
AN ACT

To enact R.S. 9:334(A)(4) and 4106(A)(3), relative to the qualifications of mediators; to provide that a person who has served as a state district, appellate, or supreme court judge for at least ten years and has retired shall qualify as a mediator; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 708—
BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact Civil Code Article 2366, relative to community property; to provide with respect to the compensation which is due to one spouse when community property is used for the benefit of the other spouse; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 721—
BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact Children's Code Article 412(B)(7), relative to confidentiality of juvenile records; to allow for disclosure of delinquency adjudications for certain juveniles; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 986—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact Code of Civil Procedure Article 3753, relative to judgments; to provide relative to cancellation of notices of pendency; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1055—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 9:5383, relative to immovable property; to provide relative to transfers involving in globo assumption of vendors' privileges and/or mortgages on more than one parcel of immovable property; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1139—
BY REPRESENTATIVE SALTER
AN ACT

To enact R.S. 32:866(G), relative to compulsory liability security; to provide for recovery of civil damages; to provide for defenses; to provide for court costs; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1352—
BY REPRESENTATIVES CLARKSON, JOHNS, AND WALSWORTH
AN ACT

To amend and reenact Children's Code Articles 1125(B)(3) and 1127(A) through (C), relative to adoptions; to provide for disclosure of genetic information; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1390—
BY REPRESENTATIVES MCMAINS, DEWITT, DOWNER, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

To amend and reenact Code of Civil Procedure Articles 2412 and 2413, relative to garnishment; to provide for service of certain garnishment petitions on judgment debtors employed by the executive branch of state government; to provide for delays for answering; to require that notice of certain motions be made by certified mail; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1393—
BY REPRESENTATIVES MCMAINS, DEWITT, DOWNER, DIEZ, CRANE, AND MORRELL AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

To amend and reenact Code of Civil Procedure Article 2411(C) and R.S. 13:3913, relative to garnishment; to provide that a garnishment, other than of wages of an employee, is not continuing in nature; and to provide for related matters.

Reported favorably.

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.

Reported favorably.

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.

Reported with amendments.

HOUSE BILL NO. 1784—
BY REPRESENTATIVE MCMAINS
AN ACT

To amend and reenact Civil Code Article 2315, relative to damages; to provide for compensable damages; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1798—
BY REPRESENTATIVES LANDRIEU AND PRATT
AN ACT

To amend and reenact Children's Code Article 405(C) and to enact Chapter 6 of Title IV of the Louisiana Children's Code, to be comprised of Articles 435 through 445, and Children's Code Article 603(13)(f), relative to mediation; to provide for the use of mediation in juvenile courts; to provide definitions; to provide for referral to mediation, selection and appointment of mediators, disclosure by mediators, and revocation of mediators; to provide qualifications of mediators, stay of proceedings, confidentiality, and termination of mediation; to provide for mediation agreements, judicial oversight, evaluation of mediators, and adoption of local rules; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1889—
BY REPRESENTATIVES JETSON AND MCMAINS
AN ACT

To amend and reenact Children's Code Arts. 606(A)(1) and 610(A) and (E), relative to Child In Need Of Care proceedings; to provide relative to grounds in Child In Need of Care proceedings; to provide relative to child abuse reporting procedures; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2033—
BY REPRESENTATIVE MCDONALD
AN ACT

To amend and reenact R.S. 9:5701, relative to prescription; to provide for a thirty-year prescriptive period to apply to certain educational obligations owed to the state or its agencies; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 221—
BY REPRESENTATIVE MCCALLUM
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study a successor's rights relative to transfers of succession interests in immovable property prior to the judicial opening of the succession, the effect of creating a preemptive period for actions arising out of transfers of succession interests in immovable property which occurred prior to the judicial opening of the succession, and to

report its findings and recommendations to the Legislature of Louisiana no later than January 1, 2001.

Reported favorably.

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.

Reported favorably.

Respectfully submitted,
CHRIS ULLO
Chairman

**REPORT OF COMMITTEE ON
JUDICIARY B**

Senator Ellington, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

June 8, 1999

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 64—
BY REPRESENTATIVES DOWNER, BARTON, BAUDOIN, CRANE, DOERGE, KENNEY, LONG, MCDONALD, POWELL, PRATT, SALTER, SHAW, WINSTON, WRIGHT, AND JETSON
A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections and the Department of Labor to work together to develop a comprehensive prison education, vocation, and rehabilitation program which encourages industry-based training with competent transferable skills.

Reported with amendments.

HOUSE BILL NO. 18—
BY REPRESENTATIVE FARVE
AN ACT

To enact R.S. 15:827(A)(5), relative to the duties of the Department of Public Safety and Corrections; to require the department to devise and offer a comprehensive program of released offender transition services; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 80—
BY REPRESENTATIVE RIDDLE
AN ACT

To enact R.S. 15:705(D), relative to the collection of certain restitution from inmates incarcerated in parish prisons; to authorize the parish governing authority to obtain restitution for damaged property; to provide for determination of the amount of restitution; to provide for the adoption of ordinances by the parish governing authority regarding collection by the sheriff; to provide for liability of transferred inmates; to provide for limitations on withdrawals from an inmate's drawing account; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 168—

BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 27:91(A)(5) and (6) and to enact R.S. 27:91(A)(7) and (8), relative to riverboat gaming permit and license fees; to reduce the fee for gaming employee permit renewals; to provide for other permit fees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 381—

BY REPRESENTATIVE CRANE
AN ACT

To enact Code of Criminal Procedure Article 914(C), relative to appeals from criminal convictions; to provide with regard to time period for appeal; to provide with regard to method for making untimely appeals; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 451—

BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact Code of Criminal Procedure Articles 915(A) and 919(A) and (B), relative to the preparation of transcripts of criminal court proceedings; to provide for time for delivery of record to the clerk of court; to provide with respect to motions for appeal; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 787—

BY REPRESENTATIVE DUPRE
AN ACT

To amend and reenact Code of Criminal Procedure Article 413(B), relative to the selection of grand jury foremen; to provide for method of selection; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 792—

BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact R.S. 27:44(11), 57(B)(3), 71, 75(B), 76, and 91(B)(1), relative to the licensing and regulation of riverboat gaming activities; to provide with respect to the powers and duties of the riverboat gaming division office of state police; to change the renewal terms for riverboat licenses; to provide with respect to disqualification criteria for licenses; to amend the definition of gaming activities or operations; to provide with respect to requirements for licensees or applicants; to provide for the timing of payment of fees for licenses and permits; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 873—

BY REPRESENTATIVE THORNHILL
AN ACT

To amend and reenact Code of Criminal Procedure Article 66, relative to service of subpoenas in certain matters; to provide for method of service; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 889—

BY REPRESENTATIVES TOOMY AND MORRELL
AN ACT

To enact R.S. 15:1228 through 1228.8, relative to the establishment of the Integrated Criminal Justice Information System Policy Board; to provide for its purposes; to provide for its membership; to

provide for its organization, domicile, and expenses; to provide for its component systems; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 902—

BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact Code of Criminal Procedure Article 433(A)(1)(b), relative to persons present at grand jury sessions; to allow more than one assistant attorney general to be present at grand jury sessions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1029—

BY REPRESENTATIVES PERKINS, BRUCE, DUPRE, JENKINS, MCCAIN, MORRELL, ROMERO, WINDHORST, AND WOOTON
AN ACT

To enact R.S. 15:828.2, relative to faith-based programs in correctional institutions; to provide for legislative intent; to provide for development of programs; to provide for monitoring of programs; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1091—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 27:306(A)(5)(b), relative to video draw poker license qualifications; to provide that the owner or lessor of a qualified truck stop facility may lease or sublease certain business operations located on his property; to provide exceptions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1093—

BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact R.S. 22:1065.1, relative to bail bond premium fees; to provide for payment requirements; to provide for collection and distribution; to provide for authority of sheriffs; and to provide for related matters.

Reported with amendments.

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.

Reported favorably.

HOUSE BILL NO. 1314—

BY REPRESENTATIVE ALARIO
AN ACT

To enact R.S. 27:93(A)(8), relative to allocation of riverboat boarding fees; to provide for the allocation of riverboat boarding fees in Jefferson Parish in certain cases; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1410—
 BY REPRESENTATIVES PIERRE, DEWITT, DOWNER, MCMAINS, DIEZ,
 AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM,
 AND SCHEDLER

AN ACT

To repeal R.S. 40:1395.1, relative to the Department of Public Safety and Corrections; to repeal provisions requiring the department to provide and administer a policy of insurance against liability for false arrest and other acts.

Reported favorably.

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

AN ACT

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

Reported with amendments.

HOUSE BILL NO. 1447—
 BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 13:761(A), (C), and (D), relative to the Clerks' Supplemental Compensation Fund; to provide that all clerks of district courts and criminal district courts in the state shall participate in the fund; to provide which funds will be used to pay the fees in the Civil District Court for the parish of Orleans and the Criminal District Court for the parish of Orleans; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1509—
 BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact R.S. 13:1952(4)(d), relative to courts created by special legislative act; to provide for the assignment of annexations in the city of Baton Rouge to elections sections of the City Court of Baton Rouge; to remove the termination date on the authority to provide for such assignments; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1706—
 BY REPRESENTATIVE MCCAIN

AN ACT

To enact R.S. 33:1448(G), relative to group insurance for sheriffs and deputy sheriffs; to require the sheriff of Assumption Parish to pay certain premium costs of specified group insurance for certain retired employees; to provide limitations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1808—
 BY REPRESENTATIVE DURAND

AN ACT

To enact Code of Criminal Procedure Article 162.1(D), relative to the issuance of search warrants; to provide for methods for issuance by judges; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1906—
 BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 27:92(C)(2), relative to the expenses of the Louisiana Gaming Control Board; to provide for use of funds by the board for the expenses of regulation of gaming activities authorized by Title 27; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1924—
 BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 33:1426 and to enact R.S. 15:708(A)(5) and F, relative to inmate labor; to authorize a sheriff to contract with the United States government to provide certain services; to authorize a sheriff to use inmate labor to work on flood gates or locks situated on a waterway within a parish; to prohibit inmate labor for private contractors; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1981—
 BY REPRESENTATIVES LONG, DEWITT, DOWNER, MCMAINS, DIEZ, AND
 CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND
 SCHEDLER

AN ACT

To amend and reenact R.S. 15:574.2(A)(3), relative to the Board of Parole; to provide for salaries of board members; to provide that salaries are set by executive order of the governor; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2024—
 BY REPRESENTATIVE PERKINS

AN ACT

To amend and reenact R.S. 27:21(A)(2), relative to records of the Louisiana Gaming Control Board; to provide that certain records of an applicant are deemed to be public records; to delete provisions providing for confidentiality of certain information relating to an applicant's background; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2035—
 BY REPRESENTATIVES WINDHORST AND LANDRIEU

AN ACT

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

Reported favorably.

HOUSE BILL NO. 2053—
 BY REPRESENTATIVES DUPRE, DOWNER, AND GAUTREAU

AN ACT

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

Reported favorably.

HOUSE BILL NO. 2128—

BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact R.S. 27:15(B)(2)(a) and to enact R.S. 27:24(F), relative to the Louisiana Gaming Control Board; to provide with respect to the authority of the Louisiana Gaming Control Board; to provide with respect to rulemaking; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2255—

BY REPRESENTATIVES KENNARD AND THOMPSON
AN ACT

To enact R.S. 11:592 and 1307(B), relative to commissioned members of the Louisiana Department of Wildlife and Fisheries law enforcement division and state police officers; to allow certain retiring members of the Louisiana Department of Wildlife and Fisheries law enforcement division to purchase their firearm; to allow retiring state police officers to purchase their firearm from the office of state police; to provide for a valuation of the firearms; to provide for length of service requirements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2265 (Substitute for House Bill No. 180 by Representative Wiggins)—

BY REPRESENTATIVE WIGGINS
AN ACT

To enact Chapter 8 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:401, to provide for the development and implementation of a program for educating students in public and nonpublic elementary and secondary schools about the potential problems associated with gaming and gambling; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2266 (Substitute for House Bill No. 2240 by Representative Marionneau)—

BY REPRESENTATIVE MARIONNEAUX
AN ACT

To enact R.S. 13:996.36.1, relative to judicial expense funds; to authorize a certain judicial district to assess additional fees or costs; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2272 (Substitute for House Bill No. 535 by Representative Copelin)—

BY REPRESENTATIVE COPELIN
AN ACT

To amend and reenact R.S. 43:202(B), relative to the publication of judicial advertisements and legal notices in New Orleans; to provide relative to the journal in which such advertisements and notices may be published; and to provide for related matters.

Reported favorably.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

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

Senator Ullo asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 18—

BY REPRESENTATIVE FARVE
AN ACT

To enact R.S. 15:827(A)(5), relative to the duties of the Department of Public Safety and Corrections; to require the department to devise and offer a comprehensive program of released offender transition services; and to provide for related matters.

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

HOUSE BILL NO. 37—

BY REPRESENTATIVES DEWITT, CLARKSON, AND MCMAINS
AN ACT

To amend and reenact R.S. 9:2798(A), (B), and (C), relative to offenses and quasi offenses; to provide with respect to the limitation of civil liability of any sports team officials; to specifically provide that the receipt of compensation for services does not exclude the sports team official from statutory limitation of liability; and to provide for related matters.

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

HOUSE BILL NO. 67 (Duplicate of Senate Bill No. 716)—

BY REPRESENTATIVE HUNTER AND SENATOR W. FIELDS AND COAUTHORED BY REPRESENTATIVES ANSARDI, WALSWORTH, DOWNER, ALEXANDER, BARTON, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUNEAU, CLARKSON, COPELIN, CURTIS, DAMICO, DANIEL, DEVILLE, DIEZ, DONELON, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREAU, GLOVER, GUILLORY, HEATON, HEBERT, HILL, HOPKINS, HUDSON, ILES, JENKINS, JOHNS, KENNARD, KENNEY, LANCASTER, LEBLANC, LONG, MCCAIN, MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MURRAY, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, STELLY, THERIOT, THOMPSON, THORNHILL, TRAVIS, TRICHE, WADDELL, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD, WINDHORST, WINSTON, WOOTON, AND WRIGHT
AN ACT

To enact R.S. 14:283, relative to offenses affecting public morals; to create the crime of video voyeurism; to provide for penalties; to provide for exceptions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 67 by Representative Hunter

AMENDMENT NO. 1

On page 1, line 8, after "A," delete the remainder of the line and insert "(1) Video voyeurism is prohibited.
(2) "Video voyeurism" is:
(a) The use of any camera, videotape, photo-"

AMENDMENT NO. 2

On page 2, line 3, between "where" and "that" insert "(1)"

AMENDMENT NO. 3

On page 2, line 4, change "observation" to "observing, viewing, photographing, filming, or videotaping or (2) for a lewd or lascivious purpose"

AMENDMENT NO. 4

On page 2, between lines 4 and 5, insert the following:

"(b) The transfer of an image obtained by activity described in (a) by live or recorded telephone message, electronic mail, the Internet, or a commercial online service."

AMENDMENT NO. 5

On page 3, at the end of line 3, add "Lack of knowledge of the child's age shall not be a defense."

AMENDMENT NO. 6

On page 3, line 4, delete "following activities are excepted from the"

AMENDMENT NO. 7

On page 3, line 5, change "unless conducted for a lewd or lascivious purpose" to "shall not apply to any of the following:"

AMENDMENT NO. 8

On page 3, line 9, change "a" to "the occupant's"

AMENDMENT NO. 9

On page 3, delete lines 10 through 20

AMENDMENT NO. 10

On page 3, line 21, change "(7)" to "(3)" and between "monitoring" and "conducted" insert "lawfully"

AMENDMENT NO. 11

On page 3, line 22, between "agency" and "pursuant" insert "or law enforcement officer"

AMENDMENT NO. 12

On page 3, between lines 22 and 23, insert the following:

"(4) Transference of such images by a telephone company, cable television company, or any of its affiliates, an Internet provider, or commercial online service provider, to carry, broadcast or perform related activities in providing telephone, cable television, Internet, or commercial online services."

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

HOUSE BILL NO. 80—

BY REPRESENTATIVE RIDDLE

AN ACT

To enact R.S. 15:705(D), relative to the collection of certain restitution from inmates incarcerated in parish prisons; to authorize the parish governing authority to obtain restitution for damaged property; to provide for determination of the amount of restitution; to provide for the adoption of ordinances by the parish governing authority regarding collection by the sheriff; to provide for liability of transferred inmates; to provide for limitations on withdrawals from an inmate's drawing account; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 80 by Representative Riddle

AMENDMENT NO. 1

On page 1, line 16, change "governing authority of any parish" to "chief law enforcement officer of the law enforcement district"

AMENDMENT NO. 2

On page 2, line 2, change "sheriff" to "chief law enforcement officer of the district"

AMENDMENT NO. 3

On page 2, line 6, change "governing authority" to "law enforcement district"

AMENDMENT NO. 4

On page 2, line 7, change "sheriff" to "chief law enforcement officer of the district"

AMENDMENT NO. 5

On page 2, line 15, change "sheriff" to "chief law enforcement officer of the district"

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

HOUSE BILL NO. 92—

BY REPRESENTATIVES SCHNEIDER, BAYLOR, COPELIN, CRANE, DANIEL, DUPRE, DURAND, FARVE, FAUCHEUX, FRITH, FRUGE, GAUTREAU, HAMMETT, HEBERT, ILES, JOHNS, KENNEY, LONG, MCDONALD, MORRISH, NEVERS, ODINET, PIERRE, PINAC, POWELL, PRATT, ROMERO, SALTER, SCALISE, SHAW, SNEED, THERIOT, THOMPSON, THORNHILL, WARNER, WELCH, WESTON, WINDHORST, WINSTON, AND WRIGHT

AN ACT

To enact R.S. 45:1166.1 and to repeal R.S. 45:1166(F), relative to telephone services; to provide for suits for damages against long distance companies which have illegally transferred long distance services; to provide for exceptions; and to provide for related matters.

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

HOUSE BILL NO. 95—

BY REPRESENTATIVE DUPRE

AN ACT

To enact R.S. 32:670, relative to chemical test results for persons under the age of twenty-one; to prohibit certain test results from being included on the official driving record of that person; to provide that those results may be used for administrative purposes; to provide that convictions based upon those results may be used for other purposes allowed by law; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 95 by Representative Dupre

AMENDMENT NO. 1

On page 1, line 12, after "The" insert "submission to a" and change "results of" to "by"

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

HOUSE BILL NO. 168—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 27:91(A)(5) and (6) and to enact R.S. 27:91(A)(7) and (8), relative to riverboat gaming permit and license fees; to reduce the fee for gaming employee permit renewals; to provide for other permit fees; and to provide for related matters.

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

June 8, 1999

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.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 223 by Representative Morrish

AMENDMENT NO. 1
On page 1, line 3, between "for" and "infectious" insert "serious"

AMENDMENT NO. 2
On page 1, line 12, change "an" to "a serious"

AMENDMENT NO. 3
On page 2, line 2, between "other" and "infectious" insert "serious"

AMENDMENT NO. 4
On page 2, at the end of line 3, add "the victim of an act which has"

AMENDMENT NO. 5
On page 2, line 4, between "exposed" and "to" insert "him" and change "an" to "a serious"

AMENDMENT NO. 6
On page 2, line 7, change "shall" to "may"

AMENDMENT NO. 7
On page 2, line 25, delete "alleged"

AMENDMENT NO. 8
On page 3, line 4, between "other" and "infectious" insert "serious"

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

HOUSE BILL NO. 340—
BY REPRESENTATIVE WESTON
AN ACT

To amend and reenact R.S. 14:70.4(D)(1), (E), and (F) and to enact R.S. 14:70.4(G), relative to the crime of access device fraud; to provide for certain definitions; to provide for increased penalties; to provide with regard to restitution to victims; to provide for aggregation of offenses; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 340 by Representative Weston

AMENDMENT NO. 1
On page 1, line 16, between "number," and "checking" insert "birth date, mother's maiden name,"

AMENDMENT NO. 2
On page 2, line 20, change "Subsection" to "Paragraph"

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

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

HOUSE BILL NO. 351—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 14:67(B)(3) and 69(B)(3) and to repeal R.S. 14:67(B)(2) and 69(B)(2), relative to misappropriations without violence; to provide for the value of the taking necessary to constitute certain levels of theft; to increase penalties for subsequent convictions; to provide penalties for illegal possession of stolen things; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 351 by Representative Travis

AMENDMENT NO. 1
On page 1, line 16, and on page 2, line 11, change "five" to "three"

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

HOUSE BILL NO. 371—
BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact R.S. 13:352(A)(5) and to enact R.S. 15:874(4)(g), relative to payment of fees in certain criminal appeals; to provide for payment of costs; to require certain costs to be paid from a state inmate's compensation account; to provide for procedures for withdrawal of funds; and to provide for related matters.

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

HOUSE BILL NO. 381—
BY REPRESENTATIVE CRANE
AN ACT

To enact Code of Criminal Procedure Article 914(C), relative to appeals from criminal convictions; to provide with regard to time period for appeal; to provide with regard to method for making untimely appeals; and to provide for related matters.

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

HOUSE BILL NO. 451—
BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact Code of Criminal Procedure Articles 915(A) and 919(A) and (B), relative to the preparation of transcripts of criminal court proceedings; to provide for time for delivery of record to the clerk of court; to provide with respect to motions for appeal; and to provide for related matters.

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

HOUSE BILL NO. 561—
BY REPRESENTATIVES JOHNS, FLAVIN, STELLY, CLARKSON, AND SCHNEIDER

AN ACT

To amend and reenact R.S. 14:40.2(B)(1) and (2) and (E) and Code of Criminal Procedure Article 335.1(A) and to enact R.S. 15:571.3(C)(5), all relative to the criminal offense of stalking; to provide for enhanced sentences when committed against certain victims; to provide for certain written notices of convictions; to prohibit diminution of sentence in certain cases; to provide for conditions of release on bail; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 561 by Representative Johns

AMENDMENT NO. 1

On page 1, line 2 and 10, delete "and (E)"

AMENDMENT NO. 2

On page 1, lines 5 and 6, delete "to provide for certain written notices of convictions;"

AMENDMENT NO. 3

On page 2, delete lines 23 through 26

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

HOUSE BILL NO. 590—
BY REPRESENTATIVES MCCAIN AND MARIONNEAUX

AN ACT

To amend and reenact R.S. 14:93(D), relative to the crime of cruelty to juveniles; to provide for additional penalties; and to provide for related matters.

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

HOUSE BILL NO. 591—
BY REPRESENTATIVE MCCALLUM

AN ACT

To enact R.S. 9:334(A)(4) and 4106(A)(3), relative to the qualifications of mediators; to provide that a person who has served as a state district, appellate, or supreme court judge for at least ten years and has retired shall qualify as a mediator; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 591 by Representative McCallum

AMENDMENT NO. 1

On page 1, line 14 after "judge" insert "and have completed at least twenty hours of specialized mediation training in child custody disputes"

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

HOUSE BILL NO. 708—
BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact Civil Code Article 2366, relative to community property; to provide with respect to the compensation which is due to one spouse when community property is used for the benefit of the other spouse; and to provide for related matters.

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

HOUSE BILL NO. 721—
BY REPRESENTATIVE HEBERT

AN ACT

To amend and reenact Children's Code Article 412(B)(7), relative to confidentiality of juvenile records; to allow for disclosure of delinquency adjudications for certain juveniles; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 721 by Representative Hebert

AMENDMENT NO. 1

On page 2, line 1, after "person" insert "who is at least fourteen years old"

AMENDMENT NO. 2

On page 2, line 3, after "Law" insert "where such violation is for distribution or the intent to distribute a controlled dangerous substance"

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

HOUSE BILL NO. 787—
BY REPRESENTATIVE DUPRE

AN ACT

To amend and reenact Code of Criminal Procedure Article 413(B), relative to the selection of grand jury foremen; to provide for method of selection; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 787 by Representative Dupre

AMENDMENT NO. 1

On page 1, line 16, after "Article 415." delete the remainder of the line and delete line 17 and 18 and insert:

"The court shall cause a random selection to be made of one person from the impaneled grand jury to serve as foreman of the grand jury."

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

HOUSE BILL NO. 791—

BY REPRESENTATIVE MCCAIN

AN ACT

To amend and reenact R.S. 40:2616(A), relative to allocation of forfeited property derived from asset forfeiture sales; to provide that in parishes having a population of less than fifty thousand handguns seized may be retained for official use; to provide that in parishes having a population of less than fifty thousand motor vehicles may be retained for official use for a period of six months; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 791 by Representative McCain

AMENDMENT NO. 1

On page 1, line 3, after "that" delete the remainder of the line, delete lines 4 and 5, and on line 6, delete "of less than fifty thousand"

AMENDMENT NO. 2

On page 2, delete lines 3 through 7 and insert "(2) If the property"

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

HOUSE BILL NO. 792—

BY REPRESENTATIVE MCCAIN

AN ACT

To amend and reenact R.S. 27:44(11), 57(B)(3), 71, 75(B), 76, and 91(B)(1), relative to the licensing and regulation of riverboat gaming activities; to provide with respect to the powers and duties of the riverboat gaming division office of state police; to change the renewal terms for riverboat licenses; to provide with respect to disqualification criteria for licenses; to amend the definition of gaming activities or operations; to provide with respect to requirements for licensees or applicants; to provide for the timing of payment of fees for licenses and permits; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 792 by Representative McCain

AMENDMENT NO. 1

On page 1, at the end of line 2 after "91(B)(1)" insert "and to enact R.S. 27:91(E)"

AMENDMENT NO. 2

On page 1, line 10, after "permits;" insert "to provide relative to the granting of extended uses for certain permits;"

AMENDMENT NO. 3

On page 7, after line 6, insert the following:
"Section 2. R.S. 27:91(E) is hereby enacted to read as follows:

§91. Fees for issuance of licenses and permits

* * *

(E) The holder of a permit issued under this Chapter to manufacture, repair or sell gaming supplies, gaming devices and slot machines or to sell non-gaming services or goods shall be authorized to manufacture, repair or sell the product for which the permit is issued to a "licensed establishment", as defined by R.S. 27:301(B)(8), the "casino operator", as defined by R.S. 27:205(5), or to an "eligible facility", as defined by R.S. 27:353(4), without having to obtain a separate permit

from any other department of the office of the state police, Department of Public Safety and Corrections or the gaming board. The office of the state police, Department of Public Safety and Corrections and the gaming board shall grant reciprocity for permits issued by one of its departments related to the manufacture, repair or sale of gaming supplies, gaming devices and slot machines as well as to permits related to the sale of non-gaming services or goods which are issued for sale to video poker operators, racetracks, the land-based casino or riverboats. If a vendor seeks to have such a permit extended to uses other than that for which it was originally issued, the vendor shall pay the fee required for each additional use as authorized in this Subsection prior to acting under the authority of such extension.

Section 3. The provisions in Section 1 of this Act shall become effective on August 15, 1999. The provisions of Section 2 of this Act and this Section of 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."

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

HOUSE BILL NO. 873—

BY REPRESENTATIVE THORNHILL

AN ACT

To amend and reenact Code of Criminal Procedure Article 66, relative to service of subpoenas in certain matters; to provide for method of service; and to provide for related matters.

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

HOUSE BILL NO. 889—

BY REPRESENTATIVES TOOMY AND MORRELL

AN ACT

To enact R.S. 15:1228 through 1228.8, relative to the establishment of the Integrated Criminal Justice Information System Policy Board; to provide for its purposes; to provide for its membership; to provide for its organization, domicile, and expenses; to provide for its component systems; and to provide for related matters.

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

HOUSE BILL NO. 902—

BY REPRESENTATIVE MCCAIN

AN ACT

To amend and reenact Code of Criminal Procedure Article 433(A)(1)(b), relative to persons present at grand jury sessions; to allow more than one assistant attorney general to be present at grand jury sessions; and to provide for related matters.

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

HOUSE BILL NO. 986—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact Code of Civil Procedure Article 3753, relative to judgments; to provide relative to cancellation of notices of pendency; and to provide for related matters.

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

HOUSE BILL NO. 1005—

BY REPRESENTATIVE WESTON
AN ACT

To amend and reenact R.S. 14:34.2(A)(2), relative to the crime of battery of a police officer; to provide with regard to the definition of a "police officer"; and to provide for related matters.

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

HOUSE BILL NO. 1029—

BY REPRESENTATIVES PERKINS, BRUCE, DUPRE, JENKINS, MCCAIN, MORRELL, ROMERO, WINDHORST, AND WOOTON
AN ACT

To enact R.S. 15:828.2, relative to faith-based programs in correctional institutions; to provide for legislative intent; to provide for development of programs; to provide for monitoring of programs; and to provide for related matters.

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

HOUSE BILL NO. 1055—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 9:5383, relative to immovable property; to provide relative to transfers involving in globo assumption of vendors' privileges and/or mortgages on more than one parcel of immovable property; and to provide for related matters.

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

HOUSE BILL NO. 1091—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 27:306(A)(5)(b), relative to video draw poker license qualifications; to provide that the owner or lessor of a qualified truck stop facility may lease or sublease certain business operations located on his property; to provide exceptions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 1091 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 27:" insert "301(B)(13)" and after "306(A)" and before "(5)(b)" insert "(3) and" and after "(5)(b)" insert "and (7)(a), 309(B), and 313(A) and to enact R.S. 27:301(B)(16) and (17), 310(F) and (G), and 311(J) and to repeal R.S. 27:306(A)(6)(a), (b)(i) and (ii), (7)(b)"

AMENDMENT NO. 2

On page 1, line 5, after "exceptions;" insert "to provide for the definition of a slot machine; to provide for minimum wagers on certain video draw poker devices; to add the definition of a slot machine to video draw poker crimes and penalties; to repeal obsolete provisions of law; to define institutional investor; to provide with respect to institutional investors and suitability requirements; to provide with respect to interest holders in corporations holding licenses; to provide that within one hundred twenty days of receipt of license application the Louisiana Gaming Control Board shall either issue the license or provide explanation why license has not been issued within that time period;"

AMENDMENT NO. 3

On page 1, delete lines 8 and 9, insert the following "Section 1. R.S. 27:301(B)(13), 306(A)(3) and (5)(b) and (7)(a), 309(B), and 313(A) are hereby amended and reenacted and R.S. 27:301(B)(16) and (17), 310(F) and (G), and 311(J) are hereby enacted to read as follows:

AMENDMENT NO. 4

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

" §301. Short title and definitions

* * *

B. As used in this Chapter, the following words and phrases shall have the following meanings unless the context clearly indicates otherwise:

* * *

(13) "Service entity" means any person other than a distributor or device owner who repairs, services, inspects, or examines video draw poker devices in the presence of a device owner or owner's employee. A service entity shall not perform any accounting functions including but not limited to recording meter readings or handling or transporting funds procured from the video draw poker device. A service entity shall not perform any actions which would fulfill state reporting requirements other than those directly related to the physical repair of video draw poker devices.

* * *

(16) "Slot machine" means any mechanical, electrical, or other device, contrivance, or machine which, upon insertion of a coin, token, or similar object therein or upon payment of any consideration whatsoever, is available to play or operate, the play or operation of which, solely by application of the element of chance, may deliver or entitle the person playing or operating the machine to receive cash, premiums, merchandise, tokens, or anything of value, whether the payoff is made automatically from the machine or in any other manner.

(17) "Institutional investor" means a person that is: (a) a plan or trust established and maintained by the United States Government, a state, a political subdivision of a state for the benefit of their respective employees; (b) an investment company that is registered under the Investment Company Act of 1940; (c) a collective investment trust organized by a bank under Part Nine of the rules of the Comptroller of the Currency; (d) a closed end investment trust registered with the United States Securities and Exchange Commission; (e) a mutual fund; (f) a life insurance company or property and casualty insurance company; (g) a federal or state bank; or (h) an investment advisor registered under the Investment Advisors Act of 1940.

* * *

AMENDMENT NO. 5

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

"(3) A person owning a Louisiana State Racing Commission licensed pari-mutuel wagering facility or an offtrack wagering facility may be granted a license for the placement of video draw poker devices in his facility if all other requirements of this Chapter are met. There shall be no limit on the number of video draw poker devices which may be placed at the facility. Notwithstanding any provision of law to the contrary, video draw poker devices in these facilities may schedule games with no minimum wager.

* * *

AMENDMENT NO. 6

On page 1, line 17, delete "excluding the fuel facility,"

AMENDMENT NO. 7

On page 2, at the end of line 14, insert "Nothing herein shall prohibit the placement of automatic teller machines on the premises of a qualifies truck stop."

AMENDMENT NO. 8

On page 2, after line 15, insert the following:

"(7)(a) Any person not issued a truck stop facility license prior to July 1, 1994, before being eligible to receive a license, applying for a truck stop facility license must meet all requirements provided by this Chapter and must have fuel sales reports and verifiable fuel tickets which indicate average fuel sales of sufficient gallons, as required by this Chapter, for the ninety days immediately prior to licensing.

§309. Video draw poker crimes and penalties; unauthorized devices

B. Any person who manufactures, distributes, sells, possesses, or operates a gambling device as described in R.S. 15:31, a slot machine as defined in this Part without the license required by Louisiana law, or a video draw poker device as described in this Chapter without the license required by this Chapter or at a location or on premises not authorized by the division shall, upon conviction, be imprisoned with or without hard labor for not more than ten years or be fined not more than ten thousand dollars, or both.

§310. Suitability requirements

E. Notwithstanding the provisions of Subsection D of this Section, if any person required to be found qualified or suitable pursuant to Subsection D of this Section fails to provide all or part of the documents or information required by the Louisiana Gaming Control Board or the division, and if, as a result, any person holding a license issued pursuant to the provisions of this Chapter is not or may no longer be qualified or suitable, the board shall issue, under penalty of revocation of the license, a condition naming the person who failed to provide all or part of the documents or information required by the board or the division, and declaring that such person may not:

(1) Receive dividends or interest on securities of a corporation holding a license, if the person has or controls directly or indirectly more than a five percent ownership, income, or profit interest in such corporation; or

(2) Exercise directly, or through a trustee or nominee, a right conferred by securities of a corporation holding a license, if the person has or controls directly or indirectly more than a five percent ownership, income, or profit interest in such corporation; or

(3) Receive remuneration or other economic benefit from any person holding a license issued pursuant to the provisions of this Chapter; or

(4) Exercise significant influence over the activities of a person holding a license issued pursuant to the provisions of this Chapter; or

(5) Continue owning or holding a security of a corporation holding a license if the person has or controls directly or indirectly more than a five percent ownership, income, or profit interest in such corporation.

G.(1) An institutional investor otherwise required to be found suitable or qualified pursuant to the provisions of this Chapter and the rules adopted pursuant thereto shall be presumed suitable or qualified upon submitting documentation sufficient to establish qualifications as an institutional investor as provided herein, and upon certifying that:

(a) It owns, holds or controls publicly traded securities issued by a licensee, permittee or holding, intermediate or parent company of a licensee or permittee in the ordinary course of business for investment purposes only.

(b) It does not exercise influence over the affairs of the issuer of such securities nor over any licensed or permitted subsidiary of the issuer of such securities.

(c) It does not intend to exercise influence over the affairs of the issuer of such securities, nor over any licensed or permitted subsidiary of the issuer of such securities, in the future, and that it agrees to notify the Board in writing within thirty days if such intent should change.

(2) The exercise of voting privileges with regard to publicly traded securities shall not be deemed to constitute the exercise of influence over the affairs of a licensee.

(3) This Section shall not be construed to preclude the Louisiana Gaming Control Board or the division from investigating the suitability or qualifications of an institutional investor should the Louisiana Gaming Control Board or division become aware of facts or information which may result in such institutional investor being found unsuitable or disqualified.

§311. Licensing by division; fees; franchise payments; enforcement activities

J. Within a maximum period of one hundred twenty days from receipt of the license application, the Louisiana Gaming Control Board shall either issue the license or send a detailed explanation as to why the license has not been issued to the license applicant.

§313. Investigations and violations

A. The division shall conduct such investigations, hearings, and inquiries as it deems necessary to fulfill its responsibilities under the provisions of this Chapter. A permit license may be suspended prior to a hearing upon a written finding of danger to public health and welfare.

Section 2. R.S. 27:306(A)(6)(a), (b)(i) and (ii), (7)(b) are hereby repealed in their entirety."

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

HOUSE BILL NO. 1093— BY REPRESENTATIVE MCCAIN AN ACT

To amend and reenact R.S. 22:1065.1, relative to bail bond premium fees; to provide for payment requirements; to provide for collection and distribution; to provide for authority of sheriffs; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 1093 by Representative McCain

AMENDMENT NO. 1

On page 2, line 6, delete "simultaneously"

AMENDMENT NO. 2

On page 2, line 9, after "bail" insert "on a monthly basis"

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

HOUSE BILL NO. 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.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 1119 by Representative Johns

AMENDMENT NO. 1

On page 2, line 3, change "normally" to "otherwise"

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

HOUSE BILL NO. 1139—

BY REPRESENTATIVE SALTER

AN ACT

To enact R.S. 32:866(G), relative to compulsory liability security; to provide for recovery of civil damages; to provide for defenses; to provide for court costs; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 1139 by Representative Salter

AMENDMENT NO. 1

On page 1, line 2, after "enact" insert "R.S. 22:1474 and " and after "security" insert "and homeowner's insurance policies"

AMENDMENT NO. 2

On page 1, line 4, after "costs;" insert "to authorize a rebate of premium to insureds under certain circumstances; to provide for subsequent premium discounts; to provide for an effective date;"

AMENDMENT NO. 3

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

"Section 1. R.S. 22:1474 is hereby enacted to read as follows:

§1474. Motor vehicle and homeowner's insurance; premium rebate by single insurer

R.S. 22:1474 is all proposed new law.

A.(1) Every insurer who issues or delivers to the same individual insured a personal motor vehicle liability insurance policy and a homeowner's insurance policy shall rebate a portion of the combined premium paid for coverage under both policies to the insured provided no claim or loss is filed or incurred under either policy during a period of three consecutive years.

(2) In addition to the three year period provided in Paragraph (1) of this Subsection, in order to qualify for the rebate provided in this Section, the following requirements shall be met:

(a) The spouse and any dependent of the insured living at the home of the insured shall not have been involved in any motor vehicle accident during the three year period.

(b) The insured shall maintain owner occupied homeowner's insurance coverage on his or her residence.

(c) The insured shall maintain comprehensive and collision insurance coverage on at least one personal motor vehicle owned by the insured.

B. The rebate required under this Section shall be computed on the basis of the total premium paid for coverage under both the personal motor vehicle liability insurance policy and the homeowner's insurance policy during the last year of the three year period and shall equal at least ten percent of the total annual premium paid in such year on both policies of insurance.

C.(1) The rebate shall be paid at the beginning of the first year after completion of the three year period provided in Subsection A of this Section. The total annual premium due thereafter on both policies shall be discounted in an amount equal to the rebate until coverage is terminated under either policy or a

claim or loss is filed or incurred under either policy. The discount in premium required under this Subsection shall be in addition to any other premium discount available to the policyholder and the provisions of this Section shall not be construed to deny or prohibit other premium discounts which may be available to the policyholder.

(2) The premium discount provided in this Subsection shall cease when a claim or loss is filed or incurred under either the personal motor vehicle liability insurance policy or the homeowner's insurance policy and thereafter the insured shall re-qualify for the rebate and premium discount provided in this Section."

AMENDMENT NO. 4

On page 1, line 6, change "Section 1." to "Section 2."

AMENDMENT NO. 5

On page 2, after line 7, insert the following:

"Section 3. This Act shall become effective on January 1, 2000 and shall apply to all applicable policies issued or renewed in this state on or after January 1, 2000."

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 1314—

BY REPRESENTATIVE ALARIO

AN ACT

To enact R.S. 27:93(A)(8), relative to allocation of riverboat boarding fees; to provide for the allocation of riverboat boarding fees in Jefferson Parish in certain cases; and to provide for related matters.

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

HOUSE BILL NO. 1352—

BY REPRESENTATIVES CLARKSON, JOHNS, AND WALSWORTH

AN ACT

To amend and reenact Children's Code Articles 1125(B)(3) and 1127(A) through (C), relative to adoptions; to provide for disclosure of genetic information; and to provide for related matters.

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

HOUSE BILL NO. 1390—

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

AN ACT

To amend and reenact Code of Civil Procedure Articles 2412 and 2413, relative to garnishment; to provide for service of certain garnishment petitions on judgment debtors employed by the executive branch of state government; to provide for delays for answering; to require that notice of certain motions be made by certified mail; and to provide for related matters.

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

HOUSE BILL NO. 1393—

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

AN ACT

To amend and reenact Code of Civil Procedure Article 2411(C) and R.S. 13:3913, relative to garnishment; to provide that a garnishment, other than of wages of an employee, is not continuing in nature; and to provide for related matters.

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

HOUSE BILL NO. 1410—

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

AN ACT

To repeal R.S. 40:1395.1, relative to the Department of Public Safety and Corrections; to repeal provisions requiring the department to provide and administer a policy of insurance against liability for false arrest and other acts.

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

HOUSE BILL NO. 1411—

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

AN ACT

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

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 1411 by Representative Pierre

AMENDMENT NO. 1

On page 3, line 16, after "law," insert "The assistant secretary cannot act on behalf of the agency on any matters for which representation has been designated to another state agency."

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

HOUSE BILL NO. 1447—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 13:761(A), (C), and (D), relative to the Clerks' Supplemental Compensation Fund; to provide that all clerks of district courts and criminal district courts in the state shall participate in the fund; to provide which funds will be used to pay the fees in the Civil District Court for the parish of Orleans and the Criminal District Court for the parish of Orleans; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 1509—

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact R.S. 13:1952(4)(d), relative to courts created by special legislative act; to provide for the assignment of annexations in the city of Baton Rouge to elections sections of the City Court of Baton Rouge; to remove the termination date on the authority to provide for such assignments; and to provide for related matters.

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

HOUSE BILL NO. 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.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 1536 by Representative Bowler

AMENDMENT NO. 1

On page 2, line 5 and 21, after "hereof" insert "or no later than the statutory lien period, which ever comes first"

AMENDMENT NO. 2

On page 2, line 15, change "seller" to "materialman"

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

HOUSE BILL NO. 1664—

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. 15:569.1 and 570(D), relative to execution of death sentences; to provide for the times during which death sentences may be executed; to provide with regard to victim notification; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 1664 by Representative Windhorst

AMENDMENT NO. 1

On page 2, line 2, change "give written" to "either give written notice"

AMENDMENT NO. 2

On page 2, line 3, between "notice" and "of" insert ", followed by written notice placed in the United States mail within five days thereafter,"

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

HOUSE BILL NO. 1706—

BY REPRESENTATIVE MCCAIN

AN ACT

To enact R.S. 33:1448(G), relative to group insurance for sheriffs and deputy sheriffs; to require the sheriff of Assumption Parish to pay certain premium costs of specified group insurance for certain retired employees; to provide limitations; and to provide for related matters.

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

HOUSE BILL NO. 1784—

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact Civil Code Article 2315, relative to damages; to provide for compensable damages; and to provide for related matters.

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

HOUSE BILL NO. 1798—

BY REPRESENTATIVES LANDRIEU AND PRATT

AN ACT

To amend and reenact Children's Code Article 405(C) and to enact Chapter 6 of Title IV of the Louisiana Children's Code, to be comprised of Articles 435 through 445, and Children's Code Article 603(13)(f), relative to mediation; to provide for the use of mediation in juvenile courts; to provide definitions; to provide for referral to mediation, selection and appointment of mediators, disclosure by mediators, and revocation of mediators; to provide qualifications of mediators, stay of proceedings, confidentiality, and termination of mediation; to provide for mediation agreements, judicial oversight, evaluation of mediators, and adoption of local rules; and to provide for related matters.

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

HOUSE BILL NO. 1808—

BY REPRESENTATIVE DURAND

AN ACT

To enact Code of Criminal Procedure Article 162.1(D), relative to the issuance of search warrants; to provide for methods for issuance by judges; and to provide for related matters.

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

HOUSE BILL NO. 1889—

BY REPRESENTATIVES JETSON AND MCMAINS

AN ACT

To amend and reenact Children's Code Arts. 606(A)(1) and 610(A) and (E), relative to Child In Need Of Care proceedings; to provide relative to grounds in Child In Need of Care proceedings; to provide relative to child abuse reporting procedures; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 1889 by Representative Jetson

AMENDMENT NO. 1

On page 1, line 13, after "caretaker" change "or" to "by" and after "person" insert "who maintains an interpersonal dating or engagement relationship with the parent or caretaker, or by a person"

AMENDMENT NO. 2

On page 2, lines 4, and 14, after "caretaker" change "or" to "by" and after "person" insert "who maintains an interpersonal dating or engagement relationship with the parent or caretaker, or by a person"

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

HOUSE BILL NO. 1906—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 27:92(C)(2), relative to the expenses of the Louisiana Gaming Control Board; to provide for use of funds by the board for the expenses of regulation of gaming activities authorized by Title 27; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 1906 by Representative Montgomery

AMENDMENT NO. 1

On page 1, line 2, after "92(C)(2)," insert "and to enact R.S. 27:81(C),"

AMENDMENT NO. 2

On page 1, line 2, after "relative to" insert "Riverboat Gaming to provide relative to"

AMENDMENT NO. 3

On page 1, line 5, after "Title 27;" insert "to provide for issuing certain permits; to provide qualifications to obtain certain permits;"

AMENDMENT NO. 4

On page 1, line 7, after "reenacted" insert "and R.S. 27:81(C) is hereby enacted"

AMENDMENT NO. 5

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

"§81. Issuance of permits to certain persons furnishing services or goods * * *

C. In addition to issuing permits as provided for in R.S. 27:82 and 83 and Subsection A, of this Section, the division shall issue a permit to any person who furnishes any services, including consulting services, in connection with the maintenance or operation of a riverboat in compliance with United States Coast Guard regulations. The person, or if the person is a corporation or firm, an officer, director or managerial employee of the corporation or firm furnishing such services, shall possess an unlimited master, mate, or pilot license issued by the United States Coast Guard before such person is issued a permit. Any person offering such services after October 1, 1999, shall be issued a permit in accordance with the provisions of this Chapter, prior to providing such services to a riverboat. * * *

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

HOUSE BILL NO. 1924—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 33:1426 and to enact R.S. 15:708(A)(5) and F, relative to inmate labor; to authorize a sheriff to contract with the United States government to provide certain services; to authorize a sheriff to use inmate labor to work on flood gates or locks situated on a waterway within a parish; to prohibit inmate labor for private contractors; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 1924 by Representative Durand

AMENDMENT NO. 1

On page 1, line 4, after "services" insert "under certain circumstances"

AMENDMENT NO. 2

On page 1, line 15, after "Whenever" insert "any local governing authority is notified by the Corp of Engineers of the United States of the possible closure of a flood gate or lock and"

AMENDMENT NO. 3

On page 2, line 2, change "any" to "such"

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

HOUSE BILL NO. 1981—

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

AN ACT

To amend and reenact R.S. 15:574.2(A)(3), relative to the Board of Parole; to provide for salaries of board members; to provide that salaries are set by executive order of the governor; and to provide for related matters.

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

HOUSE BILL NO. 2024—

BY REPRESENTATIVE PERKINS
AN ACT

To amend and reenact R.S. 27:21(A)(2), relative to records of the Louisiana Gaming Control Board; to provide that certain records of an applicant are deemed to be public records; to delete provisions providing for confidentiality of certain information relating to an applicant's background; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 2024 by Representative Perkins

AMENDMENT NO. 1

On page 1, line 2, change "amend and reenact R.S. 27:21(A)(2)" to "enact R.S. 27:21(A)(2)(i) and (3), (4), (5), and (6)"

AMENDMENT NO. 2

On page 1, line 4, after "records" delete the remainder of the line, delete line 5 and on line 6, delete "background" and insert "under certain circumstances"

AMENDMENT NO. 3

On page 1, delete line 8 and insert;

"Section 1. R.S. 27:21(A)(2)(i), (3), (4), (5), and (6) are hereby enacted to read"

AMENDMENT NO. 4

On page 1, delete line 13 and insert "(2) Subject to R.S. 27:21(A) (3) through (6), a record of the board shall be confidential when the record:"

AMENDMENT NO. 5

On page 1, delete lines 14 through 17 and on page 2, delete lines 1 through 16 and insert:

* * *

AMENDMENT NO. 6

On page 2, line 17, change "(g)" to "(i)"

AMENDMENT NO. 7

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

"(3) Notwithstanding Subsections (A)(2)(c) and (i), in the event that any information obtained by the division or board reveals that there is probable cause that an applicant or holder of any license or permit has committed a criminal offense that is punishable by more than one year imprisonment, even if not charged, or if there is a division recommendation that a permit or license be denied or revoked, the board shall determine whether the information related to the conduct of the criminal offense or related to the recommendation of denial or revocation shall be made available to the public for inspection unless such information is obtained pursuant to a written or recorded restricted use agreement under R.S. 27:22 or is the subject of an ongoing investigation of the board or division into a possible violation by the licensee, permittee or applicant and the release of such information would impair the investigation.

(4) In determining whether to release the information, the board shall be governed by the provisions in Paragraphs (4) and (5) of this Subsection. If the board, upon balancing the considerations set forth in Paragraph (5) of this Subsection, determines that public confidence in the integrity of gaming will be enhanced with the disclosure of such information, it shall be released to the public. In connection with such a determination, the board shall give any affected person an opportunity to provide a written request for the sealing of materials which shall be

narrowly tailored to the specific information sought to be sealed and which shall provide a written analysis addressing the reasons why the material in question should be sealed with emphasis on the standards set forth in Paragraph (5) of this Subsection.

(5) In considering whether to remove the cloak of confidentiality for information identified in Paragraph (3) of this Subsection, the board shall consider and balance the following standards, to the extent applicable to the information under consideration:

(a) Constitutional and statutory standards relating to confidentiality of information.

(b) The board's obligation to foster public confidence in the casino industry.

(c) The need to protect against unwarranted disclosures of sensitive private, financial, proprietary or trade secret information.

(d) The need to protect parties or witnesses from undue embarrassment or deprivations of privacy.

(e) The extent to which the information at issue is disputed or contested by the Division or the board.

(f) The extent to which the information is credible and not based upon hearsay statements.

(g) The extent to which the information at issue is otherwise publicly available.

(h) The policy considerations relating to the reporting obligations of a public company under the Securities and Exchange Act of 1934.

(i) Other public policy considerations deemed relevant by the board.

(6) Information described in Paragraph (3) of this Subsection shall also be available to the members of the House and Senate committees with oversight over gaming matters. For the purposes of receiving or considering such information, such committees may conduct a meeting in an executive session. Such information shall remain confidential unless by a majority vote either committee determines that the information should be released to the public. Such a vote shall occur in a public meeting. In making that determination, the committee shall be governed by the provisions of Paragraphs (3) (4) and (5) of this Subsection."

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

HOUSE BILL NO. 2033—
BY REPRESENTATIVE MCDONALD
AN ACT

To amend and reenact R.S. 9:5701, relative to prescription; to provide for a thirty-year prescriptive period to apply to certain educational obligations owed to the state or its agencies; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 2033 by Representative McDonald

AMENDMENT NO. 1
On page 1, line 4, after "agencies;" insert "to provide for applicability;"

AMENDMENT NO. 2
On page 1, after line 15, insert:

"Section 2. The provisions of this Act shall be remedial and retroactive in nature, but shall not revive any obligation pursuant to this Section which has been adjudicated on the effective date of this Section."

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

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

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

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

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

HOUSE BILL NO. 2053—
BY REPRESENTATIVES DUPRE, DOWNER, AND GAUTREAUX
AN ACT

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

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

HOUSE BILL NO. 2063—
BY REPRESENTATIVE MITCHELL
AN ACT

To enact R.S. 15:1403.1, relative to criminal street gangs; to create the crime of solicitation of membership of a criminal street gang; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 2064—
BY REPRESENTATIVE MITCHELL
AN ACT

To enact R.S. 15:1405.3, relative to release from custody of a criminal street gang member; to require the Department of Public Safety and Corrections to notify law enforcement agencies upon release from custody of a member of a criminal street gang; and to provide for related matters.

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

HOUSE BILL NO. 2128—
BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact R.S. 27:15(B)(2)(a) and to enact R.S. 27:24(F), relative to the Louisiana Gaming Control Board; to provide with respect to the authority of the Louisiana Gaming Control Board; to provide with respect to rulemaking; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Engrossed House Bill No. 2128 by Representative McCain

AMENDMENT NO. 1

June 8, 1999

On page 1, line 2, after "To" delete the remainder of the line and delete lines 3 and 4 and insert "enact R.S. 27:3(8) and 27, relative to the rulemaking authority of the Louisiana Gaming Control Board; to define institutional investor; to provide with respect to institutional investors and suitability requirements"

AMENDMENT NO. 2

On page 1, line 5, delete "respect to rulemaking"

AMENDMENT NO. 3

On page 1, line 7, after "Section 1.R.S. 27:" delete the remainder of the line and delete line 8 and insert "3(8) and 27 are hereby enacted to read as follows:"

AMENDMENT NO. 4

On page 1, delete lines 9 through 15 and on page 2, delete lines 1 through 6 and insert:

§3. Definitions

For purposes of this Title, the following terms have the following meanings, unless the context clearly indicates otherwise:

(8) "Institutional investor" means a person that is (a) a plan or trust established and maintained by the United States Government, a state, or a political subdivision of a state for the benefit of their respective employees; (b) an investment company that is registered under the Investment Company Act of 1940; (c) a Collective Investment Trust organized by a bank under Part Nine of the rules of the Comptroller of the Currency; (d) a closed end investment trust registered with the United States Securities and Exchange Commission; (e) a mutual fund; (f) a life insurance company or property and casualty insurance company; (g) a federal or state bank; or (h) an investment advisor registered under the Investment Advisors Act of 1940.

§27. Institutional investors

A. An institutional investor otherwise required to be found suitable or qualified pursuant to the provisions of this Title and the rules adopted pursuant thereto shall be presumed suitable or qualified upon submitting documentation sufficient to establish qualifications as an institution investor as defined in R.S. 27:3(8), and upon certifying that:

(1) It owns, holds, or controls publicly traded securities issued by a licensee, permittee or holding, intermediate or parent company of a licensee or permittee in the ordinary course of business for investment purposes only.

(2) It does not exercise influence over the affairs of the issuer of such securities nor over any licensed or permitted subsidiary of the issuer of such securities.

(3) It does not intend to exercise influence over the affairs of the issuer of such securities, nor over any licensed or permitted subsidiary of the issuer of such securities, in the future, and that it agrees to notify the board in writing within thirty days if such intent should change.

B. The exercise of voting privileges with regard to publicly traded securities shall not be deemed to constitute the exercise of influence over the affairs of a licensee.

C. This Section shall not be construed to preclude the Louisiana Gaming Control Board from investigating the suitability or qualifications of an institutional investor should the Louisiana Gaming Control Board or division become aware of facts or information which may result in such institutional investor being found unsuitable or disqualified.

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."

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

HOUSE BILL NO. 2255—

BY REPRESENTATIVES KENNARD AND THOMPSON
AN ACT

To enact R.S. 11:592 and 1307(B), relative to commissioned members of the Louisiana Department of Wildlife and Fisheries law enforcement division and state police officers; to allow certain retiring members of the Louisiana Department of Wildlife and Fisheries law enforcement division to purchase their firearm; to allow retiring state police officers to purchase their firearm from the office of state police; to provide for a valuation of the firearms; to provide for length of service requirements; and to provide for related matters.

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

HOUSE BILL NO. 2265— (Substitute for House Bill No. 180 by Representative Wiggins)

BY REPRESENTATIVE WIGGINS
AN ACT

To enact Chapter 8 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:401, to provide for the development and implementation of a program for educating students in public and nonpublic elementary and secondary schools about the potential problems associated with gaming and gambling; and to provide for related matters.

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

HOUSE BILL NO. 2266— (Substitute for House Bill No. 2240 by Representative Marionneaux)

BY REPRESENTATIVE MARIONNEAUX
AN ACT

To enact R.S. 13:996.36.1, relative to judicial expense funds; to authorize a certain judicial district to assess additional fees or costs; and to provide for related matters.

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

HOUSE BILL NO. 2272— (Substitute for House Bill No. 535 by Representative Copelin)

BY REPRESENTATIVE COPELIN
AN ACT

To amend and reenact R.S. 43:202(B), relative to the publication of judicial advertisements and legal notices in New Orleans; to provide relative to the journal in which such advertisements and notices may be published; and to provide for related matters.

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

Rules Suspended

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 1265 from the Committee on Revenue and Fiscal Affairs.

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.

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.

Motion to Recommit

Senator Hines asked for a suspension of the rules and recommitted House Bill No. 2280 from the Committee on Local and Municipal Affairs to the Committee on Health and Welfare.

Senator Hollis objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bean Hines Smith
Cain Landry Theunissen
Casanova Romero
Hainkel Schedler
Total—10

NAYS

Barham Fields W Jones
Boissiere Greene Lentini
Dardenne Heitmeier Siracusa
Dean Hollis Ullo
Ellington Johnson
Total—14

ABSENT

Mr. President Cravins Lambert
Bajoie Dyess Malone
Branch Fields C Robichaux
Campbell Irons Tarver
Cox Jordan Thomas
Total—15

The Chair declared the Senate refused to suspend the rules.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

June 8, 1999

To the President and Members of the Senate:

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

The following Senate Resolution has been properly enrolled:

SENATE RESOLUTION NO. 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.

Respectfully submitted, JAY DARDENNE Chairman

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

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

June 8, 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 Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 150—

BY SENATORS JONES, BAJOE, 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, 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, GAUTREUX, 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 extend the condolences of the Louisiana Legislature on behalf of the members of the legislature, past and present, on behalf of the legions of elected officials who served under Governor McKeithen's leadership, and on behalf of all the citizens of the state to the family of Governor John Julian McKeithen.

Respectfully submitted, JAY DARDENNE Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

June 8, 1999

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 8, 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. 336— BY SENATORS BAJOE, C. FIELDS AND W. FIELDS AND REPRESENTATIVES BAYLOR, CLARKSON, COPELIN, CURTIS, FARVE, GLOVER, GREEN, GUILLORY, HOLDEN, HUDSON, HUNTER, JETSON, MITCHELL, MORRELL, MURRAY, PIERRE, PRATT, QUEZAIRE, WELCH, WESTON, WILKERSON AND WILLARD AN ACT

To enact Chapter 17-C of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:841 through 844, and R.S. 36:209(B)(3), relative to state museums; to provide for the creation of the Louisiana Civil Rights Museum; to establish this museum as part of the state museum system; to establish New Orleans as the place of domicile for the Louisiana Civil Rights Museum; to place the museum within the Department of Culture, Recreation and Tourism; and to provide for related matters.

SENATE BILL NO. 354— BY SENATORS JONES, DARDENNE, EWING, HAINKEL, BARHAM AND SCHEDLER AND REPRESENTATIVES DEWITT, DOWNER, MCMAINS, DIEZ AND CRANE AN ACT

To direct the Louisiana State Law Institute to change certain references in the law in matters of workforce development; and to provide for related matters.

SENATE BILL NO. 737— BY SENATOR ELLINGTON AN ACT

To amend and reenact R.S. 34:1904(C) and to enact R.S. 34:1903(F), relative to navigation and shipping; to provide relative to the debts and obligations of the Columbia Port Commission; and to provide for related matters.

SENATE BILL NO. 881— BY SENATOR SMITH AN ACT

To enact R.S. 23:1181, relative to workers' compensation; to require insurers to forward an insured's experience record and other statistical information to national rating organizations; and to provide for related matters.

SENATE BILL NO. 1013— BY SENATOR THOMAS AN ACT

To authorize and empower the secretary of the Department of Transportation and Development to transfer title to a certain described parcel of land in St. Tammany Parish to the St. Tammany Parish Police Jury; and to provide for related matters.

SENATE BILL NO. 1104— BY SENATORS MALONE AND SIRACUSA AN ACT

To authorize the secretary of the Department of Health and Hospitals, for and on behalf of the state of Louisiana, to negotiate and to enter into a contract of exchange, conveyance, renunciation of conditions, assignment, transfer or other appropriate contract

whereby all the heirs or legatees of the donor or donors of the parcel of ground upon which the Pines Treatment Center is located in Caddo Parish, Louisiana, will forever release the state of Louisiana and any of its ancestors in title from the conditions contained in the donation or donations through which the state of Louisiana acquired the parcel of ground for and in consideration of the transfer by the state of Louisiana of parts of the said parcel of ground to the said heirs or legatees of said donor or donors; to provide terms and conditions; and to provide for related matters.

SENATE BILL NO. 1107— BY SENATOR COX AN ACT

To amend and reenact R.S. 56:116(C)(2), relative to hunting; to provide for the use of scopes on muzzle loaders for certain hunters; and to provide for related matters.

Respectfully submitted, JAY DARDENNE Chairman

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

Message to the Secretary of State

SIGNED SENATE CONCURRENT RESOLUTIONS

June 8, 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. 5— BY SENATORS HINES, BAJOE, 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,
MICHAEL S. BAER, III
Secretary of the Senate

Message from the House

SIGNED HOUSE BILLS AND JOINT RESOLUTIONS

June 8, 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. 175—

BY REPRESENTATIVE JOHNS

AN ACT

To enact R.S. 33:447.2, relative to the mayor's court; to authorize an increase in court costs for the mayor's court in the town of Vinton, Louisiana; and to provide for related matters.

HOUSE BILL NO. 306—

BY REPRESENTATIVES HUNTER, MURRAY, POWELL, WESTON, AND FRITH

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 2744, relative to the regulation of commercial body art facilities; to provide definitions; to provide for the registration of such facilities; to provide for exceptions to the registration requirements; to provide for the imposition and collection of fees; to authorize the promulgation of rules; to provide for injunctive relief; and to provide for related matters.

HOUSE BILL NO. 326—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 33:4065.1(A) and 4065.2(A), (B), and (F), 4065.3(C) and (G), 4065.4(B) and (C), and 4065.5 and R.S. 40:1151, to repeal R.S. 33:4065.2(D) and (H) and to rename the title of Subpart F-1 of Part II of Chapter 9 of Title 33 of the Louisiana Revised Statutes of 1950, relative to water and sewerage systems; to provide for the regulation of water supply and

sewerage systems by the Department of Health and Hospitals; to provide for certain sewerage and water system districts and for the composition, boundaries, and functions of such districts to develop, monitor, and maintain sewerage and water systems and for the disposal or treatment of contaminated waters; to provide for exemption of certain systems from such regulation if the exemption is necessary to meet federal requirements; and to provide for related matters.

HOUSE BILL NO. 814—
BY REPRESENTATIVE MCCAIN

AN ACT

To amend and reenact R.S. 9:3424(B), R.S. 13:3204(A) and 3471(1), R.S. 18:1408(B) and (C), R.S. 22:504, 575(B), 985, and 1253(B) and (C)(3), R.S. 45:200.8(B), R.S. 51:718 and 2612(G), and Children's Code Articles 1202(A), 1224(A), and 1247(A), and to enact R.S. 13:3204(D), relative to service of process; to provide for alternative methods of service of process; to provide for service of process by commercial courier; and to provide for related matters.

HOUSE BILL NO. 1203—
BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 37:681, 682(2), (4), (6) and (8) through (11), 683(A), (B)(1), and (C), 684, 686, 687(A), 688(A) and (B), 689(B) and (C), 690(B) and (D), 691, 692, 693, 694(A)(1) and (B), 696(A), 697, 697.1, 698(A)(introductory paragraph), (1), (3), (7), and (9), (C), (E), and (F), 699, 700(A), (C)(2), and (D), 701(A) through (E), (G), and (I)(1), 702(2), and 703, to enact R.S. 37:688(E), 698(A)(14), and 702(6), and to repeal R.S. 37:698(B), relative to engineers and land surveyors; to provide relative to general provisions; to provide relative to definitions; to provide relative to the board, its appointment and powers, qualifications of members, terms, compensations and expenses, removal, organization, and meetings; to provide relative to corporations; to provide relative to receipts and disbursements; to provide relative to records and reports and rosters; to provide relative to requirements for licensure, applications, examinations, expiration and renewal, and fees; to provide relative to certificates and seals; to provide relative to continuing education; to provide relative to disciplinary actions, violations, and penalties; to provide relative to application of provisions to public and private works; to provide relative to a savings clause; to provide for transitional provisions; and to provide for related matters.

HOUSE BILL NO. 1206—
BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 37:693(B)(1)(b), relative to the regulation of engineers; to provide for the requirements for registration and certification of an engineer intern; and to provide for related matters.

HOUSE BILL NO. 1307—
BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 23:1221(3)(a) and (d)(iii), relative to supplemental earnings benefits; to provide relative to the calculation thereof; to remove the termination of supplemental earnings benefits when one begins to receive old age insurance benefits; and to provide for related matters.

HOUSE BILL NO. 1777—
BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 11:1732(33) through (36), 1767, 1768, and 1769 and Part VIII of Chapter 4 of Subtitle III of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:1881 through 1884, relative to the Municipal Employees' Retirement System; to provide with respect to definitions, contributions, benefits, and certain limitations applicable thereto, rollover of funds, and administration of system assets; to provide regarding the

creation of an excess benefit plan; and to provide for related matters.

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

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

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

BY REPRESENTATIVES ANSARDI, MURRAY, ALEXANDER, BARTON, BAYLOR, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DIEZ, DONELON, FAUCHEUX, FRITH, GLOVER, HUDSON, HUNTER, ILES, KENNARD, KENNEY, LEBLANC, MARTINY, MITCHELL, MORRELL, NEVERS, ODINET, PERKINS, PIERRE, PINAC, POWELL, ROMERO, SCALISE, SCHWEGMANN, JACK SMITH, SNEED, THOMPSON, THORNHILL, TRAVIS, TRICHE, WADDELL, WARNER, WILLARD, AND WOOTON AND SENATORS BEAN, CAIN, DEAN, ELLINGTON, W. FIELDS, HINES, HOLLIS, LAMBERT, LANDRY, LANTINI, SCHEDLER, SMITH, AND ULLO

AN ACT

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

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

AN ACT

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

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 Wednesday, June 9, 1999 at 4:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 4:00 o'clock P.M. on Wednesday, June 9, 1999.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk