

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

FORTY-THIRD DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, June 10, 1999

The Senate was called to order at 12:30 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 W. Fields, 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 W. Fields, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Appointment of Conference Committee
on House Bill No. 1103**

The President of the Senate appointed on the Conference Committee on House Bill No. 1103 the following members of the Senate: Senators Tarver, Heitmeier, and Bean.

**Privilege Report of the
Legislative Bureau**

June 10, 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. 1—
BY REPRESENTATIVE LEBLANC
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 36—
BY REPRESENTATIVES HUDSON AND JOHNS
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 47—
BY REPRESENTATIVE WRIGHT
AN ACT

To amend and reenact R.S. 19:133.1(A), relative to the authority of the Town of Colfax to expropriate property for the Aloha-Rigolette Area Louisiana Project; to extend for five years the time within which to expropriate and acquire such property; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 68—
BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact R.S. 33:4873(2) and to repeal R.S. 33:4873(3), relative to local government spending on advertising; to increase the maximum amount which some local governing authorities may spend for such purposes; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 156—
BY REPRESENTATIVE FARVE
AN ACT

To enact R.S. 17:7(24), relative to the powers and duties of the State Board of Elementary and Secondary Education; to require the State Board of Elementary and Secondary Education to develop and implement a pilot program to improve English and language arts instruction; to provide relative to program components; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 198—
BY REPRESENTATIVE BRUNEAU
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 228—

BY REPRESENTATIVE TOOMY
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 233—

BY REPRESENTATIVES DOWNER, BRUNEAU, LANCASTER, AND HUNTER AND SENATORS EWING, BARHAM, DARDENNE, AND HAINKEL
AN ACT

To appropriate the sum of Forty-two Million Seven Hundred Nineteen Thousand Two Hundred Eighty-six and No/100 (\$42,719,286.00) Dollars, or so much thereof as may be necessary, out of the state general fund and the sum of Three Hundred Fifty Thousand and No/100 (\$350,000.00) Dollars out of the state general fund to provide for the Legislative Auditor Ancillary Enterprise Fund, and the sum of Seven Million One Hundred Thousand and No/100 (\$7,100,000.00) Dollars out of self-generated funds, to defray the expenses of the Louisiana Legislature, including the expenses of the House of Representatives and the Senate, of legislative service agencies, and of the Louisiana State Law Institute; and otherwise to provide with respect to the appropriations and allocations herein made.

Reported without amendments.

HOUSE BILL NO. 265—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 39:80, relative to fiscal reporting; to provide for preparation of a narrative report on the annual financial position of the state; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 270—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 14:32(C), relative to the crime of negligent homicide; to provide for increased penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 369—

BY REPRESENTATIVE HOLDEN
AN ACT

To amend and reenact R.S. 26:78(A), relative to alcoholic beverage permits; to require the office of alcohol and tobacco control, upon the written request of an applicant for a permit, to obtain a certification from the Department of Revenue concerning the applicant's liability for delinquent sales taxes; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 438—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 23:1221(1)(d) and 1333, relative to workers' compensation; to provide relative to the cessation of an award of benefits based on temporary total disability; to delete the provision limiting the award of such benefits to a maximum of six months under certain conditions; to provide for acceleration of payments and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 460—

BY REPRESENTATIVE LEBLANC AND SENATOR HAINKEL
AN ACT

To enact R.S. 49:191(12) and to repeal R.S. 49:191(10)(e), relative to the Department of the Treasury, including provisions to provide for the re-creation of the Department of the Treasury and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 465—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 14:40.2(E), relative to the crime of stalking; to provide for certain written notices of convictions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 511—

BY REPRESENTATIVE JOHN SMITH
AN ACT

To enact Part IX of Chapter 10 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:2320, relative to surplus property; to provide for the donation or exchange of movable surplus property between or among political subdivisions whose functions include public safety; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 538—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 49:214.42, relative to coastal resources; to provide relative to mitigation of coastal wetlands losses; to create a Coastal Mitigation Account in the Wetlands Conservation and Restoration Fund and provide for the deposit of certain monies into the account and the uses of monies in such account; to provide terms and conditions; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 538 by Representative Faucheux

AMENDMENT NO. 1

On page 2, line 18, following "may" and before "accept" delete "only" and on line 19, following "mitigation" and before "when" insert "only"

AMENDMENT NO. 2

On page 2, line 19, following "in" and before "mitigation" change "Lieu of Compensatory" to "lieu of compensatory"

HOUSE BILL NO. 567—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 49:327(C)(1)(a), relative to investment of state funds; to provide for investment of funds not on deposit with the state treasury in certain financial institutions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 604—
BY REPRESENTATIVE THOMPSON
AN ACT

To enact R.S. 17:416.12, relative to student codes of conduct; to require city and parish school boards to adopt student codes of conduct; to require compliance with existing rules, regulations, policies, and laws; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 617—
BY REPRESENTATIVES MURRAY (BY REQUEST), HEATON, AND WILLARD

A JOINT RESOLUTION

Proposing to amend Article VII, Section 21(H) of the Constitution of Louisiana, relative to ad valorem property tax exemptions; to authorize the State Board of Commerce and Industry to enter into tax exemption contracts, with a property owner proposing expansion, restoration, improvement, or redevelopment of an existing residential structure that is at least forty years old, certified as a blighted property located in Orleans Parish by the New Orleans Redevelopment Authority; to provide conditions for termination of such contracts; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 635—
BY REPRESENTATIVES WESTON, LONG, AND THOMPSON
AN ACT

To enact R.S. 41:1605.1, relative to the archaeological resources of the state; to create the Archaeological Curation Fund in the state treasury; to provide for the deposit of certain monies into the fund; to provide for the use of monies in the fund; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 635 by Representative Weston

AMENDMENT NO. 1

On page 2, line 6, following "shall" and before "be" delete "only" and following "withdrawn" and before "pursuant" insert "only"

HOUSE BILL NO. 663—
BY REPRESENTATIVE LEBLANC
A JOINT RESOLUTION

Proposing to amend Article III, Section 16(A), Article IV, Section 5(G)(2), Article VII, Sections 10(B) and (C)(1), 10.1(C)(1), 10.4(A)(1), 10.5(C), 11(A) and (C), and 27(B), Article VIII, Sections 7.1(D) and 13(B), and Article X, Sections 13(A) and 51 of the Constitution of Louisiana and to repeal Act No. 1489 of the 1997 Regular Session of the Legislature, to remove limitations that exist on multiyear budgets; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 665—
BY REPRESENTATIVES BRUNEAU, LANCASTER, JOHN SMITH, HAMMETT, AND ROMERO
AN ACT

To amend and reenact R.S. 18:55(A)(2), 56, and 59(B)(2) and (4) and (C)(2) and (4), relative to registrars of voters; to provide for a salary increase for registrars of voters, chief deputy registrars, and confidential assistants to registrars of voters; to reduce the number of population ranges for such salaries; to provide for

implementation of the new salary and population ranges; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 694—
BY REPRESENTATIVES DEWITT AND WIGGINS
AN ACT

To enact R.S. 51:1420, relative to unfair trade practices and consumer protection; to prohibit deceptive trade practices through the use of listings in telephone directories or other directory databases; to limit the liability of providers of directories; to provide for violations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 743—
BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact Code of Criminal Procedure Article 930.8(A)(introductory paragraph) and (3), relative to the time limit for filing applications for post-conviction relief; to require the filing of those applications within one year after the judgment of conviction and sentence has become final; to provide with respect to certain applications for post-conviction relief filed on or before October 1, 2000; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 810 (Duplicate of Senate Bill No. 769)—
BY REPRESENTATIVE LANCASTER AND SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 18:1491.6(D) and 1495.4(D), relative to campaign finance disclosure; to require certain supplemental reports; to require certain reports in the case of deficits; to require certain reports in the case of surplus campaign funds; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 839—
BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 37:3084(B)(1)(a) and 3088(B), to enact R.S. 37:3092(C), 3093(C), and 3094, and to repeal R.S. 37:3093(A)(9), relative to the licensure and regulation of dietitians; to provide for annual license renewal; to provide for the collection of costs incurred in disciplinary actions; to provide for exemptions to licensure; to provide for representation of the board by the attorney general; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 844—
BY REPRESENTATIVES DURAND AND BRUCE
AN ACT

To enact R.S. 14:35.2, relative to crimes; to create the crime of simple battery of the infirm; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 881—
BY REPRESENTATIVE MCCAIN
AN ACT

To enact R.S. 17:416(I), relative to student discipline; to provide for the authority of school administrators and certain others to discipline pupils in specified circumstances; to provide limitations; to provide alternatives; to provide for effectiveness; to provide definitions; to provide for an effective date; and to provide for related matters.

Reported without amendments.

June 10, 1999

HOUSE BILL NO. 897—
BY REPRESENTATIVES FAUCHEUX AND DANIEL
AN ACT

To enact R.S. 47:315.4 and 1711, relative to local sales and use tax; to authorize certain tax credits for sales and use taxes paid if there is a waiver of the homestead exemption; to provide certain terms, conditions, procedures, and requirements; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1033—
BY REPRESENTATIVE SCALISE
AN ACT

To enact R.S. 48:1001, relative to ferries; to prohibit the appropriation of state funds for operation and maintenance of the Monkey Island Ferry located in Cameron Parish; to authorize transfer of the ferry by the Department of Transportation and Development to Cameron Parish; to provide for certain conditions for the transfer; to authorize compensation to residents for their land; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1054—
BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 18:1483(14)(b) and to enact R.S. 18:1491.9, relative to campaign finance disclosure; to provide that an out-of-state political committee file certain portions of reports to the Federal Elections Commission with the supervisory committee if any contribution is made to a Louisiana candidate; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1077—
BY REPRESENTATIVE DONELON
AN ACT

To enact Chapter 29 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9061, relative to neighborhood improvement districts; to authorize the governing authority of Jefferson Parish to create a special district for security purposes in the Elmwood Park Subdivision in Metairie; to provide for the creation and governance of the district as provided by the parish home rule charter; to require voter approval of any district tax; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1081—
BY REPRESENTATIVES DUPRE, FLAVIN, GAUTREAUX, HEBERT, JACK SMITH, ALARIO, DAMICO, DEWITT, DIEZ, DOWNER, DURAND, FAUCHEUX, FRITH, FRUGE, MARTINY, MCMAINS, MICHOT, RIDDLE, SCHWEGMANN, THERIOT, TRICHE, AND WOOTON AND SENATORS BARHAM, DARDENNE, EWING, HAINKEL, AND SCHEDLER
AN ACT

To amend and reenact R.S. 49:213.7(B)(2), relative to the Wetlands Conservation and Restoration Fund; to provide for the deposit and credit of certain mineral revenues in the fund; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1092—
BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact R.S. 33:4569.1(A)(2) and (D)(1) and 4569.3(1), relative to the Iberville Parish Parks and Recreation District; to authorize the payment of per diem to the citizen members of the board of commissioners; to provide relative to board membership; to provide relative to title to property of the district; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1106—
BY REPRESENTATIVE THORNHILL
AN ACT

To amend and reenact R.S. 51:2605(C)(1)(a), relative to the Louisiana Open Housing Act; to revise the definition of "housing for older persons"; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1112—
BY REPRESENTATIVE DIEZ
AN ACT

To enact R.S. 9:3530(F), relative to consumer credit; to provide for convenience fees; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1177—
BY REPRESENTATIVE HUNTER
AN ACT

To enact R.S. 33:2711.11.1, relative to municipal sales and use taxes; to authorize the governing body of the city of Monroe to levy and collect an additional sales and use tax, subject to voter approval; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1178—
BY REPRESENTATIVES MCDONALD AND WALSWORTH
AN ACT

To amend and reenact R.S. 46:1352(introductory paragraph) and (1) and 1353(A), (C), and (D) and to enact R.S. 46:1353(E), (F), and (G), relative to runaway youth; to provide notice to parents, guardians, or legal custodians of runaway youths admitted into an approved runaway and homeless youth residence program or facility; to provide reporting requirements to parents, guardians, or legal custodians; to provide for certain periods of safe harbor for runaway youths at certain licensed facilities; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1188—
BY REPRESENTATIVES SCHWEGMANN, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, SCHEDLER, AND LANDRY
AN ACT

To amend and reenact R.S. 43:111(A)(8) and to enact R.S. 43:111(A)(9), relative to state advertisements; to provide that the office of community services in the Department of Social Services may expend public funds to advertise for the recruitment of foster or adoptive parents; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1190—
BY REPRESENTATIVES MURRAY, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

To amend and reenact R.S. 46:236.1(A)(4)(a) and (B)(2) and to enact R.S. 46:236.2(D), relative to family and child support programs; to provide that services be made available through the Department of Social Services in non-TANF cases; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1198—

BY REPRESENTATIVES MCMAINS, FRITH, MICHOT, MURRAY, PINAC, NEVERS, POWELL, SCHNEIDER, SCHWEGMANN, TRAVIS, WESTON, AND WINSTON

AN ACT

To amend and reenact R.S. 33:9036, relative to cooperative economic development; to authorize the state or any agency or corporation acting on behalf of the state to undertake cooperative development projects in certain downtown development districts; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1217—

BY REPRESENTATIVES BAYLOR, DUPRE, AND PIERRE

AN ACT

To repeal R.S. 33:2556(1)(d), relative to fire and police civil service; to repeal provisions relative to provisional employees acquiring permanent status in the classified service.

Reported without amendments.

HOUSE BILL NO. 1242—

BY REPRESENTATIVE HOLDEN

AN ACT

To enact Part IV of Chapter 11 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:2251 through 2262, relative to the creation of an authority to provide certain financial assistance for public schools; to create the Louisiana Education Facilities Authority as a political subdivision of the state; to provide for the use of monies in the fund; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1244 (Duplicate of Senate Bill No. 929)—

BY REPRESENTATIVE SCHWEGMANN AND SENATOR JOHNSON AND COAUTHORED BY REPRESENTATIVES COPELIN AND MURRAY

AN ACT

To amend and reenact R.S. 47:1992(F)(2)(b) and (c), relative to the assessment of movable and immovable property in Orleans Parish; to change the time period for filing a complaint regarding an assessment with the board of review; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1262—

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

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 1275—

BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 39:33(B), relative to budgetary controls; to provide for the inclusion in the executive budget of budget requests prepared by the commissioner of administration on behalf of delinquent budget units; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1293—

BY REPRESENTATIVE KENNARD

AN ACT

To amend and reenact Code of Criminal Procedure Article 646, relative to examination of criminal defendants by experts; to provide for an independent examination by a physician or mental health expert; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1302—

BY REPRESENTATIVES STELLY AND FLAVIN

AN ACT

To amend and reenact R.S. 40:1501.4, relative to Calcasieu Parish fire protection districts; to provide that whenever an area served by a fire protection district is annexed into a municipality, if a portion of the ad valorem tax avails is pledged to the retirement of indebtedness, that portion of the ad valorem tax shall not be abated; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1340—

BY REPRESENTATIVE WIGGINS

AN ACT

To enact R.S. 40:2009.13(F), relative to abuse, neglect, and violations of laws, standards, rules, regulations, and orders relating to health care providers; to provide for information on complaints or allegations related to a health care provider; to require the Department of Health and Hospitals to refer certain reports to professional licensing boards; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1353—

BY REPRESENTATIVE WESTON

AN ACT

To enact Part XX of Chapter 2 of Code Title XII of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3578.1 through 3578.5, relative to credit cards; to provide for registration of credit card companies on college campuses; to prohibit certain debt collection actions; to provide for violations and penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1378—

BY REPRESENTATIVES KENNARD AND MORRELL

AN ACT

To amend and reenact R.S. 44:9(E) and (F) and to enact R.S. 44:9(G), relative to expungement or destruction of criminal records; to provide for the procedure for the expungement of records; to provide for maintenance of records for certain purposes; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1378 by Representative Kennard

AMENDMENT NO. 1

In Amendments proposed by the Senate Committee on Judiciary C to Reengrossed House Bill No. 1378 by Representative Kennard and adopted by the Senate on June 9, 1999, in Amendment No. 2, on line 10, following "Psychologists" delete the period "."

AMENDMENT NO. 2

On page 1, line 2, following "(G)." and before "relative" insert "(H), and (I)"

June 10, 1999

AMENDMENT NO. 3

On page 1, line 8, following "(G)" and before "hereby" change "is" to ", (H), and (I) are"

HOUSE BILL NO. 1391—

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

AN ACT

To amend and reenact R.S. 46:446(B), relative to Medicaid reimbursement; to provide for inclusion of certain information in notice to the Department of Health and Hospitals prior to compromise of any claim for damages or compensation involving Medicaid recipients; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1424—

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

AN ACT

To enact R.S. 49:200.1, relative to state agencies; to provide relative to the obligation of certain agencies in the executive branch of state government to respond to provide certain items under certain circumstances; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1480—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 9:3572.3(A)(1) and (2) and (B), relative to consumer loan brokers; to provide for an annual fee for licensure and renewal; to provide for a change of information and a fee; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1503—

BY REPRESENTATIVES THOMPSON, KENNEY, LONG, MCDONALD, ALARIO, ALEXANDER, ANSARDI, BARTON, BAYLOR, BRUCE, CARTER, COPELIN, CRANE, CURTIS, DAMICO, DEWITT, DIEZ, DUPRE, DURAND, FAUCHEUX, FONTENOT, FRITH, HILL, HOPKINS, HUDSON, HUNTER, ILES, JENKINS, KENNARD, LANDRIEU, MCCAIN, MCCALLUM, MCMAINS, MONTGOMERY, MURRAY, NEVERS, PERKINS, PRATT, RIDDLE, TRAVIS, TRICHE, WADDELL, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD, AND WRIGHT

AN ACT

To enact R.S. 17:10.2(D), to permit city and parish school boards to establish and implement incentive compensation programs for board employees providing for monetary awards; to provide for written policies and procedures; to provide for applicability; to provide guidelines for determining performance; to provide definitions; to provide relative to such monetary awards and other employee rights and benefits; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1505—

BY REPRESENTATIVES NEVERS AND POWELL AND SENATOR THOMAS

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 1506—

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 18:463(A)(3) and (D) and to enact R.S. 18:1472, relative to elections; to require that candidates be provided information regarding election offenses; to require that a summary of the laws relative to election offenses be given to each candidate who qualifies for election; to require the notice of candidacy to include a certification that the candidate is aware of the laws governing elections offenses; to remove the requirement relative to acknowledgment of receipt of certain informational packets; to provide for the preparation of informational packets concerning election offenses; to provide for the dissemination of certain informational packets to candidates; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1506 by Representative Lancaster

AMENDMENT NO. 1

On page 2, line 12, at the beginning of the line and before ", and" change "25:1118(A)" to "30:2544(A)"

AMENDMENT NO. 2

On page 2, line 12, following "R.S." and before the comma "," change "25:1118" to "30:2544"

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.

Reported without amendments.

HOUSE BILL NO. 1596—

BY REPRESENTATIVE WINDHORST

AN ACT

To amend and reenact R.S. 24:11, relative to legislative procedure; to provide for the form of a legislative petition for an extraordinary session of the legislature; to provide for the timing of such an extraordinary session; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1598—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 33:2495(B)(2) and 2555(B)(2), relative to fire and police civil service; to provide relative to the formal training required of certain entry level employees; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1599—

BY REPRESENTATIVE WINSTON

AN ACT

To enact R.S. 11:2218(J), relative to the Municipal Police Employees' Retirement System, but only applicable to members whose employing municipality elects coverage; to provide with respect to service credit and benefits; to provide an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1601—
BY REPRESENTATIVE MCDONALD
AN ACT

To enact R.S. 33:4574(A)(2)(oo) and 4574.1-A(A)(1)(oo), relative to the creation of tourist commissions for certain parishes; to create tourist commissions composed of all the territory in certain parishes as special districts to promote tourism within their jurisdictions; to provide for the authority to levy hotel occupancy taxes for the operation of the tourist commissions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1604—
BY REPRESENTATIVES JETSON, ODINET, PIERRE, AND GAUTREAUX
AN ACT

To enact R.S. 30:127(G) and 148.6(C), R.S. 41:1217(E), and R.S. 56:30.2, relative to leased state lands; to require the lessee to maintain public access to public waterways through leased state lands; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1634—
BY REPRESENTATIVE LANCASTER
AN ACT

To amend and reenact R.S. 18:1470, relative to political advertising; to authorize commissioners and commissioners-in-charge to remove political signs and advertising from public property located within six hundred feet of a polling place on election day; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1644—
BY REPRESENTATIVES BRUNEAU, WINDHORST, HUDSON, AND MURRAY
AN ACT

To enact R.S. 27:114, relative to riverboat gaming; to provide that electronic gaming devices on licensed riverboats shall be linked by telecommunication to a central computer system for purposes of monitoring and reading device activities; to provide for the assessment and collection of fees; to provide for the adoption of rules; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1660—
BY REPRESENTATIVE CARTER
AN ACT

To amend and reenact R.S. 41:1081(A) and 1089, to enact R.S. 36:409(K) and Chapter 23 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2501 through 2505, and to repeal R.S. 36:259(N), relative to the creation of the Interagency Recreation Board; to create the board in the Department of Public Safety and Corrections; to provide for the powers, duties, functions, authority, and responsibilities of the board and the power and authority of the department; to authorize the board to construct, maintain, and operate certain recreational facilities on state land to provide recreation for state employees, patients at state institutions in rural areas, and citizens of Louisiana; to provide training and rehabilitation for inmates under the jurisdiction of the Department of Public Safety and Corrections; to provide for planning for and monitoring of the effectiveness of the facilities by the board; to authorize the transfer of the supervision, management, and use of certain state-owned lands, including timber, to the board; to authorize the board to sell timber on lands under its jurisdiction and to provide procedures therefor, including provisions for the use of the proceeds thereof for board purposes; to create and provide for the Interagency Recreation Board fund;

to authorize the board to contract for maintenance and management of facilities as necessary or appropriate to implement its purposes and functions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1686—
BY REPRESENTATIVE GLOVER
AN ACT

To enact R.S. 38:2233.3, relative to the small business procurement act; to provide for certain set-asides for economically disadvantaged businesses providing goods and services to the city of Shreveport; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1691—
BY REPRESENTATIVES LANCASTER, FONTENOT, SCALISE, MONTGOMERY, WADDELL, WALSWORTH, AND JENKINS AND SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 44:31, 32(D), and 35(E)(2) and to enact R.S. 44:31.2 and 35(F), relative to public records; to declare the responsibility of a custodian to provide access to public records; to provide that the burden of proving a record cannot be disclosed rests with the custodian; to require the attorney general to establish a public records awareness program; to provide for the requirement of written notification to a requester; to limit the amount of attorney fees in certain actions involving access to records; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1708—
BY REPRESENTATIVE WIGGINS
AN ACT

To amend and reenact R.S. 37:1105(E), 1110(A), and 1112(A) and (B) and to repeal R.S. 37:1106(C), relative to the Louisiana Mental Health Counselor Licensing Act; to provide for investigations of violations by the Louisiana Licensed Professional Counselor Board of Examiners; to provide for grounds for said board to withhold, deny, revoke, or suspend a license issued by or applied for to said board or otherwise discipline a licensee or applicant; to provide for the vote required to withhold, deny, revoke, or suspend a license issued by or applied for to said board or otherwise discipline a licensee or applicant; to provide for grounds for said board to seek and for the courts to grant injunctions; to delete provisions related to the payment of costs associated with disciplinary actions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1715—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact Subpart D of Part II of Chapter 4 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:2101, relative to the provision of fire protection services; to authorize certain political subdivisions, subject to voter approval, to contract with private companies for the provision of such services; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1716—
BY REPRESENTATIVES LANCASTER, FONTENOT, WADDELL, AND WALSWORTH
AN ACT

To amend and reenact R.S. 24:522(H) and to repeal Part XIV of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, comprised of R.S. 39:366.1 through 366.6, relative to incentive plans for state employees; to repeal the Incentive Plans for Economy in State Government program; to

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provide for the incentive program to be used to encourage involvement in the Louisiana Performance Audit Program; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1724—
BY REPRESENTATIVE LEBLANC
AN ACT

To amend and reenact R.S. 36:312(A), R.S. 39:134(C) and 1484(4)(b), and R.S. 46:2664(E)(3) and to repeal Part V of Chapter 2 of Title 24 of the Louisiana Revised Statutes of 1950, comprised of R.S. 24:141, and R.S. 39:136 and 1554(G)(1) and R.S. 45:803, relative to the Joint Legislative Committee on the Budget; to delete certain obsolete and nonessential duties of the committee; and to provide for related matters. Be it enacted by the Legislature of Louisiana:

Reported without amendments.

HOUSE BILL NO. 1725—
BY REPRESENTATIVE MCDONALD
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 1734—
BY REPRESENTATIVE PIERRE
AN ACT

To amend and reenact R.S. 33:2586, relative to fire and police civil service; to provide relative to incentive pay; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1743—
BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 33:3953, 3956, 3965, 3982, 4043, and 4044 and to enact Subpart F of Part I of Chapter 9 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:3980.1, relative to the funding of sewerage systems; to express legislative findings and intent; to authorize the levy of ad valorem taxes or parcel fees to fund sewerage systems; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1752—
BY REPRESENTATIVE CHAISSON
AN ACT

To amend and reenact Code of Criminal Procedure Article 894(B) and to enact Code of Criminal Procedure Article 894(A)(5) and (D), relative to operating a vehicle while intoxicated; to provide for storage of records; to provide for a storage and retrieval fee of records; to require proof of retention of records before setting aside a conviction; to require the Department of Public Safety and Corrections, office of motor vehicles, to be the repository of the records and to maintain them for ten years; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1752 by Representative Chaisson

AMENDMENT NO. 1
On page 3, line 18, following "shall" and before "be" delete "only" and following "admissible" and before "in" insert "only"

HOUSE BILL NO. 1762—
BY REPRESENTATIVE LEBLANC
AN ACT

To amend and reenact R.S. 24:522(C)(introductory paragraph) and (10), R.S. 39:31(C)(8), 87.3(A) and (C), and 87.4(A)(3) and to enact R.S. 39:2(46) and (47), relative to performance-based budgeting; to provide relative to evaluation methods; to define certain terms; to provide with respect to certain reporting dates; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1793—
BY REPRESENTATIVE ALEXANDER
AN ACT

To enact R.S. 33:423.10, relative to certain municipalities; to provide with respect to the powers and duties of the chief of police; to authorize said officer to effect certain disciplinary actions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1801—
BY REPRESENTATIVE MCDONALD
AN ACT

To enact Children's Code Art. 672.1, relative to notification to local educational agencies regarding licensure of certain facilities for children of school age; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1851—
BY REPRESENTATIVE PIERRE
AN ACT

To enact R.S. 33:2494(G), relative to fire and police civil service; to require that certain vacancies in classified positions be filled within a specified time period; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1867—
BY REPRESENTATIVE ALEXANDER
AN ACT

To amend and reenact R.S. 40:2199(A)(1) and B(1) and to enact R.S. 40:2199(A)(3), relative to health care facilities; to provide for licensure enforcement; to provide for the application of certain civil penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1874—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 37:2165(A), 2166(A)(3), and 2170(A)(2) and to enact R.S. 37:2156.1(A)(10) and 2166(B), relative to the State Licensing Board for Contractors; to provide for new classifications of licenses; to provide relative to membership of certain committees; to provide relative to continuing education; to provide for certain exceptions; and to provide for related matters.

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Reported without amendments.

HOUSE BILL NO. 1877—

BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 24:522(B) and (G) and to enact Part I-A of Chapter 2 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:81 through 85, and R.S. 24:522(J), relative to judicial budget and performance accountability; to provide for the strategic planning process of the supreme court, appellate courts, district courts, and other courts; to provide for performance information provisions relative to the several courts; to provide for performance information reporting; to provide relative to certain budgetary requirements; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1880—

BY REPRESENTATIVE 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(21)(d) and (h), 24(c), and 28 of the Constitution of 1921, continued as statute by Article X, Section 18 of the Constitution of 1974, by amending and reenacting R.S. 33:2491(D) and (H), 2494(C), and 2498, to amend and reenact R.S. 33:2551(4) and (8), 2554(C), and 2558, and to repeal R.S. 33:2491.1, relative to fire and police civil service; to provide relative to promotions within the police service and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1883—

BY REPRESENTATIVES PIERRE AND DUPRE

AN ACT

To amend and reenact R.S. 33:2476(C)(2) and 2536(C)(2), relative to fire and police civil service; to provide relative to membership on local civil service boards; to provide relative to nominations made by the executive head of an institution of higher education; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1899—

BY REPRESENTATIVES TRAVIS AND THOMPSON

AN ACT

To amend and reenact R.S. 32:771(1) and (9) and to enact R.S. 32:771(19), (20), (21), and (22), 773.1(A)(2)(m) and (n), and 773.2(E), relative to the sale of certain marine and motorcycle products regulated by the Louisiana Used Motor Vehicle and Parts Commission; to provide for certain prohibited activities; to provide for certain appeals to the commission; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1901—

BY REPRESENTATIVES WESTON, DURAND, GLOVER, GUILLORY, MITCHELL, AND WILKERSON

AN ACT

To enact R.S. 46:237, relative to grandparent and kinship care; to establish the Grandparent Subsidy Program in the office of family support of the Department of Social Services; to establish eligibility requirements for the program; to authorize the office of family support to promulgate rules to implement the program; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1933—

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

AN ACT

To amend and reenact R.S. 34:962(B)(2), (3), and (4), 991.1(B)(4), and 1049(B)(1) through (4), and to enact R.S. 34:962(C), 991.1(C), and 1049(C), relative to river pilots; to provide for the submission of annual reports; to provide for submission of accident reports involving state property; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1955—

BY REPRESENTATIVES HUNTER AND MARIONNEAUX

AN ACT

To enact R.S. 17:164.2, relative to school buses used to transport students; to require that certain buses be equipped with occupant restraint systems; to provide relative to rules and regulations of the State Board of Elementary and Secondary Education; to provide relative to compliance and funding; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1976—

BY REPRESENTATIVE HUNTER

AN ACT

To enact R.S. 33:2212(G), relative to employees of a municipal police department; to provide for a salary increase for members of the police department of the city of Monroe; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2051—

BY REPRESENTATIVE HUDSON

AN ACT

To enact R.S. 40:1498(D), relative to fire protection districts; to provide relative to per diem paid to members of the governing boards of certain districts; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2055—

BY REPRESENTATIVE WINDHORST

AN ACT

To provide that the Jefferson Parish School Board may name an Air Force Junior Reserve Officer Training Corps program building at West Jefferson High School in honor of Colonel Louis B. Cole; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2056—

BY REPRESENTATIVE WINSTON

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 2076—

BY REPRESENTATIVE PERKINS

AN ACT

To amend and reenact R.S. 47:302.29(A), 322.9(A), and 332.2(A) and to enact R.S. 47:302.45, 322.39, and 332.45, relative to the state sales tax on hotel occupancy collected in certain political subdivisions within East Baton Rouge Parish; to revise the

dedication of a portion of such monies; to create the Baker Economic Development Fund; to provide for deposit of monies into the fund; to provide for uses of monies in the fund; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2084—

BY REPRESENTATIVES WINDHORST, BRUCE, DUPRE, DURAND, FAUCHEUX, FRITH, HEBERT, ILES, LONG, MONTGOMERY, NEVERS, POWELL, SALTER, THOMPSON, WADDELL, WESTON, WILKERSON, AND WILLARD

AN ACT

To enact Part V-B of Chapter 2 of Code Title XII of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3541.23 through 3541.25, relative to credit card solicitations; to provide relative to telephone solicitation of cardholders; to provide relative to the transmission of preprinted checks, cash advance checks, credit card checks, or any other similar instruments to cardholders; to provide for violations and penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2088—

BY REPRESENTATIVE STELLY

AN ACT

To enact R.S. 33:102.1, relative to the regulation of amateur radio antennas; to provide that no parish or municipality may enact or enforce an ordinance or regulation that is in conflict with the ruling of the Federal Communications Commission or other regulations related to amateur radio service adopted under federal law; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2098—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 17:3217.2(D), to provide relative to the operation of vending stands, vending machines, and other concessions at Delgado Community College, including limitations on fees, service charges, or other operating costs; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2106—

BY REPRESENTATIVES WALSWORTH, TRICHE, AND WELCH

AN ACT

To amend and reenact R.S. 29:288, relative to veterans affairs; to provide educational benefits for children of certain veterans; to provide conditions and for certain determinations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2119—

BY REPRESENTATIVES WADDELL AND WINSTON

AN ACT

To enact R.S. 46:56(F)(10), relative to records and reports concerning children; to provide access to certain such records to certain specified persons and entities; to require a hold harmless agreement; to provide for the effectiveness of such provisions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2121—

BY REPRESENTATIVE BAUDOIN

AN ACT

To enact R.S. 33:4875.1, relative to the exercise of police powers by local governmental subdivisions; to authorize parish and municipal governing authorities to adopt ordinances regulating the enclosure of swimming pools; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2125—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 33:4576(B)(3), relative to the West Calcasieu Parish Community Center Authority; to provide relative to the governance of the authority including the terms of members; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2126—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 37:1171(6) and 1192, relative to pharmacy personnel; to change the provisions related to qualified assistants; to provide for pharmacy technicians; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2135—

BY REPRESENTATIVES FARVE, WILLARD, BAUDOIN, CRANE, CURTIS, DOERGE, KENNEY, LONG, MCDONALD, SALTER, AND WRIGHT

AN ACT

Proposing to enact R.S. 17:2118, relative to school prayer; to provide for an opportunity for students and teachers to observe time each school day in prayer or meditation; to provide certain limitations; to provide that the electorate may adopt or reject such school prayer law by referendum; to provide for effectiveness; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2137—

BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 39:31(F), R.S. 51:2380(D), 2381(A), and 2382(B)(6) and to enact R.S. 39:31(A)(3) and R.S. 51:2383(A)(12), relative to executive branch strategic and operational plans; to provide for information used by departments to develop strategic and operational plans for budget development purposes; to provide for reporting requirements and submission deadlines of certain master plans; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2149—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 28:757 and R.S. 36:259(L), to provide with respect to personnel matters of the Louisiana State Planning Council on Developmental Disabilities; to provide for the appointing authority of the council; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2156—
 BY REPRESENTATIVES TRAVIS, ALEXANDER, CARTER, DAMICO, FRITH, HEBERT, MARIONNEAUX, MARTINY, MCCAIN, MICHOT, MONTGOMERY, MORRISH, PIERRE, PINAC, SCHWEGMANN, THERIOT, THOMPSON, AND WARNER

AN ACT

To amend and reenact R.S. 34:1121(B)(2)(introductory paragraph), relative to pilotage fee commissions; to provide relative to composition of the commissions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2161—
 BY REPRESENTATIVE JOHN SMITH
 AN ACT

To amend and reenact R.S. 56:797(C) and 798(B), relative to investment of certain special funds; to authorize investment of the Rockefeller Foundation Wildlife Refuge and Game Preserve Fund and the Russell Sage or Marsh Island Refuge Fund in stocks, bonds, and certain government securities; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2166—
 BY REPRESENTATIVE WELCH
 AN ACT

To amend and reenact R.S. 14:313, relative to offenses affecting the public generally; to provide an exception to wearing masks or hoods in public; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 2166 by Representative Welch

AMENDMENT NO. 1
 On page 2, line 5, following "room" change "; or," to a period "."

HOUSE BILL NO. 2167—
 BY REPRESENTATIVE WELCH
 AN ACT

To enact R.S. 14:93.4(C), relative to the crime of exploitation of the infirmed; to provide that a person convicted of the offense or who enters a plea agreement for the offense shall be prohibited from having access to any aged or disabled persons power of attorney, guardianship, assets, or property; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2205—
 BY REPRESENTATIVE LANCASTER
 AN ACT

To enact Chapter 29 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9061, relative to neighborhood improvement districts; to authorize the governing authority of Jefferson Parish to create a special district for security purposes in the Ferran Place-Courtland Heights area in Metairie; to provide for the creation and governance of the district as provided by the parish home rule charter; to require voter approval of any district tax or parcel fee; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2206—
 BY REPRESENTATIVES LANCASTER, MONTGOMERY, AND WALSWORTH
 AN ACT

To amend and reenact R.S. 49:964(A) and 992(B)(3), relative to administrative procedure; to provide that certain governmental agencies and other related persons shall not be entitled to judicial

review of certain adjudications; to provide for the effectiveness of the provisions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2208—
 BY REPRESENTATIVES COPELIN, CHAISSON, DANIEL, DURAND, FAUCHEUX, GLOVER, HEATON, HILL, LANDRIEU, MCCAIN, MONTGOMERY, ODINET, PIERRE, WARNER, AND WILLARD
 AN ACT

To amend and reenact Section 4.A. of Act No. 541 of the 1976 Regular Session of the Louisiana Legislature, as amended by Act No. 499 of the 1978 Regular Session of the Louisiana Legislature, Act No. 449 of the 1980 Regular Session of the Louisiana Legislature, Act No. 927 of the 1981 Regular Session of the Louisiana Legislature, Act No. 476 of the 1984 Regular Session of the Louisiana Legislature, Act No. 259 of the 1989 Regular Session of the Louisiana Legislature, and Act No. 640 of the 1993 Regular Session of the Louisiana Legislature, relative to the Louisiana Stadium and Exposition District; to require legislative approval of any amendment to the contract or lease with the New Orleans franchise of the National Football League and of any contract or lease of the multi-purpose facility with a professional sports franchise; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2213—
 BY REPRESENTATIVE MCDONALD
 AN ACT

To amend and reenact R.S. 15:587.1(B) and (D) and R.S. 17:15, relative to the provision of information to protect children; to authorize the State Board of Elementary and Secondary Education to establish certain requirements and procedures for the state Department of Education to request and obtain specified criminal history background information on applicants for or recipients of any certificate or license issued by the department or by the board in accordance with state law or board policy; to provide for the duties and responsibilities of the Louisiana Bureau of Criminal Identification and Information relative to requests required by law from educational entities for individual criminal history information; to provide for the payment of processing fees; to provide for the submission of certain records by school principals to the state superintendent of education regarding the placement of certain persons in any position of supervisory or disciplinary authority over school children; to provide for the submission of certain records by public school superintendents to the state superintendent of education regarding the dismissal of teachers and other school employees as required by law for specified reasons and any reemployment of such persons; to provide definitions; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2235—
 BY REPRESENTATIVE HOLDEN
 AN ACT

To enact R.S. 33:4574(G), relative to tourist commissions; to authorize tourist commissions to enter into contracts for the employment of an executive director; to provide the terms of the contract; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2256—
 BY REPRESENTATIVE WINSTON
 AN ACT

To enact Part L-IV of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.151, relative to child advocacy centers; to establish the Child Advocacy Center Support Fund; to provide for the deposit of monies into the fund;

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to provide for uses of monies in the fund; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2270 (Substitute for House Bill No. 2114 by Representative Montgomery)—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 44:3(A)(4)(b)(i), relative to public records; to provide with respect to the contents of initial reports of investigations of complaints; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2274 (Substitute for House Bill No. 1082 by Representative Glover)—
BY REPRESENTATIVE GLOVER
AN ACT

To enact R.S. 33:2476.1, relative to the municipal fire and police civil service board in Shreveport; to provide relative to the composition of such board; to provide relative to the terms of members and vacancies on such board; to provide relative to a quorum; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2275 (Substitute for House Bill No. 1086 by Representatives Martiny, Ansardi, Bowler, Green, and Lancaster and Senator Hollis)—
BY REPRESENTATIVES MARTINY, ANSARDI, BOWLER, GREEN, LANCASTER, AND DURAND AND SENATOR HOLLIS
AN ACT

To amend and reenact R.S. 15:571.11(A)(1)(c), R.S. 40:1742, and R.S. 46:2583(A) and to enact R.S. 40:1742.1 relative to parking for disabled persons; to provide relative to fines for violations of disabled person parking regulations and to the distribution of monies collected from such fines; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2276 (Substitute for House Bill No. 1966 by Representative Wiggins)—
BY REPRESENTATIVE WIGGINS
AN ACT

To enact R.S. 33:2740.46, relative to the city of Pineville; to create the Pineville Downtown Development District; to provide relative to the governance of such district; to provide for the authority of the district, including the preparation of redevelopment plans and the execution of redevelopment programs; to provide relative to funds for the district including funds from taxes, contributions, and the issuance of bonds; and to provide for related matters.

Reported 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.

**Introduction of Resolutions,
Senate and Concurrent**

Senator Bean asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Resolutions,

Senate and Concurrent, a first and second time and acting upon them as follows:

SENATE RESOLUTION NO. 54—
BY SENATOR IRONS
A RESOLUTION

To commend and congratulate Sister Camille Anne Campbell on being named Outstanding Educator of the Year by the National Catholic Education Association.

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

SENATE CONCURRENT RESOLUTION NO. 156—
BY SENATOR JONES
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to erect signs on Interstate 20 in Monroe, Louisiana, indicating the exit for the United Theological Seminary.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Dyess	Lambert
Barham	Ellington	Lentini
Bean	Fields C	Malone
Boissiere	Fields W	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Siracusa
Cox	Hollis	Smith
Cravins	Irons	Ullo
Dardenne	Johnson	
Dean	Jones	
Total—31		
NAYS		
Total—0		
ABSENT		
Bajoie	Jordan	Theunissen
Casanova	Landry	Thomas
Greene	Tarver	
Total—8		

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

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
ENVIRONMENTAL QUALITY**

Senator Lambert, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

June 10, 1999

To the President and Members of the Senate:

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

HOUSE BILL NO. 1791—

BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 30:2027(B)(2)(b), relative to environmental violations reported by employees; to provide relative to recovery of certain damages by employees for retaliation; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2195—

BY REPRESENTATIVE GUILLORY
AN ACT

To enact R.S. 30:2418(L), relative to the Department of Environmental Quality; to provide relative to waste tires; to authorize certain incentives, including financial rewards, for the reporting of unauthorized disposal of waste tires; to provide for rules and regulations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2230—

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

To enact R.S. 30:2012.1, relative to the Department of Environmental Quality; to provide for monitoring equipment and resulting liability; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
LOUIS LAMBERT
Chairman

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

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 reported by Committees.

HOUSE BILL NO. 1791—

BY REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 30:2027(B)(2)(b), relative to environmental violations reported by employees; to provide relative to recovery of certain damages by employees for retaliation; and to provide for related matters.

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

HOUSE BILL NO. 2195—

BY REPRESENTATIVE GUILLORY
AN ACT

To enact R.S. 30:2418(L), relative to the Department of Environmental Quality; to provide relative to waste tires; to authorize certain incentives, including financial rewards, for the reporting of unauthorized disposal of waste tires; to provide for rules and regulations; and to provide for related matters.

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

HOUSE BILL NO. 2230—

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

To enact R.S. 30:2012.1, relative to the Department of Environmental Quality; to provide for monitoring equipment and resulting liability; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 2230 by Representative Damico

AMENDMENT NO. 1

On page 1, line 9, after "property," delete the remainder of the line, and at the beginning of line 10, delete "provided for in R.S. 30:2033."

AMENDMENT NO. 2

On page 2, delete lines 6 through 8 in their entirety

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

**Appointment of Conference Committee
on Senate Bill No. 245**

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. 245: Senators Dardenne, Ewing, and Hines.

Rules Suspended

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

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

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

SENATE RESOLUTION NO. 49—

BY SENATOR SCHEDLER
A RESOLUTION

To urge and request the Department of Revenue to delay the implementation of the collection of taxes on food items previously donated to food banks.

Reported favorably by the Committee on Revenue and Fiscal Affairs.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed Senate Resolution No. 49 by Senator Schedler

AMENDMENT NO. 1

On page 1, lines 9 and 12, change "75" to "22"

June 10, 1999

On motion of Senator Schedler, the amendments were adopted.

The amended resolution was read by title. On motion of Senator Schedler, the Senate Resolution was adopted.

SENATE RESOLUTION NO. 50—
BY SENATOR ROBICHAUX

A RESOLUTION

To urge and request the Department of Health and Hospitals to study the rising cost of prescription drugs.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Resolution No. 50 by Senator Robichaux

AMENDMENT NO. 1

On page 1, line 2, after "Hospitals" insert ", through the Louisiana Medicaid Interdisciplinary Medicine and Pharmacy Task Force,"

AMENDMENT NO. 2

On page 3, line 10, after "Hospitals" insert ", through the Louisiana Medicaid Interdisciplinary Medicine and Pharmacy Task Force,"

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

The amended resolution was read by title. On motion of Senator Robichaux, the resolution was adopted.

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.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Concurrent Resolution No. 154 by Senator Boissiere

AMENDMENT NO. 1

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

"9. The member of the State Board of Elementary and Secondary Education in whose district the New Orleans Center for Creative Arts is located.

10. A member of the New Orleans Center for Creative Arts's faculty elected by the faculty.

11. The chair of the Senate Committee on Local and Municipal Affairs or another member of the committee designated by the chair.

12. The chair of the House Committee on Municipal, Parochial, and Cultural Affairs or another member of the committee designated by the chair."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Malone
Bajoie	Ellington	Robichaux
Barham	Fields C	Romero
Bean	Fields W	Schedler
Boissiere	Heitmeier	Siracusa
Branch	Hines	Smith
Cain	Irons	Theunissen
Campbell	Johnson	Thomas
Cox	Jones	Ullo
Cravins	Lambert	
Dardenne	Lentini	
Total—31		

NAYS

Dean
Total—1

ABSENT

Casanova	Hollis	Tarver
Greene	Jordan	
Hainkel	Landry	
Total—7		

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

Rules Suspended

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

SENATE BILL NO. 1103 (DUPLICATE OF HOUSE BILL NO. 1297)—

BY SENATOR CAIN AND REPRESENTATIVE DONELON AND COAUTHORED BY REPRESENTATIVE MARTINY
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Jones
Bajoie	Dyess	Lentini

Barham	Ellington	Malone
Bean	Fields C	Robichaux
Boissiere	Fields W	Romero
Branch	Greene	Schedler
Cain	Heitmeier	Siracusa
Campbell	Hines	Smith
Casanova	Hollis	Theunissen
Cox	Irons	Thomas
Cravins	Johnson	Ullo
Total—33		

NAYS

Dean
Total—1

ABSENT

Hainkel
Jordan
Total—5

Lambert
Landry
Tarver

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

Rules Suspended

Senator Dardenne 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. 1456—
BY REPRESENTATIVE MICHOT
AN ACT

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

Floor Amendments Sent Up

Senator Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Reengrossed House Bill No. 1456 by Representative Michot

AMENDMENT NO. 1
On page 2, line 2, after "Section," insert "However, any thirty minute break missed by the institution of the variance shall be made up for the minor."

Senator Jones moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Heitmeier	Lambert
Boissiere	Hines	Landry
Campbell	Irons	Robichaux

Fields C
Fields W
Total—14

Johnson
Jones
NAYS

Romero

Mr. President
Barham
Bean
Branch
Cain
Casanova
Dardenne
Total—21

Dean
Dyess
Ellington
Greene
Hainkel
Hollis
Lentini

ABSENT

Malone
Schedler
Siracusa
Smith
Theunissen
Thomas
Ullo

Cox
Cravins
Total—4

Jordan
Tarver

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Barham
Bean
Boissiere
Branch
Cain
Casanova
Dardenne
Dean
Total—27

Dyess
Ellington
Greene
Hainkel
Hines
Hollis
Johnson
Jones
Landry

NAYS

Lentini
Malone
Romero
Schedler
Siracusa
Smith
Theunissen
Thomas
Ullo

Bajoie
Campbell
Fields C
Total—8

Fields W
Heitmeier
Irons

ABSENT

Lambert
Robichaux

Cox
Cravins
Total—4

Jordan
Tarver

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.

Appointment of Conference Committee on Senate Bill No. 406

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. 406: Senators Heitmeier, Siracusa, and Boissiere.

HOUSE BILL NO. 1555—
BY REPRESENTATIVE PRATT
AN ACT

To enact R.S. 17:3904(A)(6), relative to the school personnel evaluation program; to provide program requirements relative to the

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evaluation of school principals; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Bajoie	Heitmeier	Robichaux
Boissiere	Irons	Tarver
Fields C	Johnson	Ullo
Fields W	Jones	
Greene	Lentini	
Total—13		
NAYS		
Mr. President	Dean	Romero
Barham	Dyess	Schedler
Bean	Ellington	Siracusa
Branch	Hainkel	Smith
Cain	Hines	Theunissen
Campbell	Hollis	Thomas
Casanova	Landry	
Dardenne	Malone	
Total—22		
ABSENT		
Cox	Jordan	
Cravins	Lambert	
Total—4		

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Bajoie, 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, she would move to reconsider the vote by which the bill failed to pass.

Message from the House

HOUSE CONFEREES APPOINTED

June 10, 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 appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 245 by Senator Hines:

Representatives Bruneau, Lancaster, and Windhorst.

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

HOUSE BILL NO. 1621—

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

AN ACT

To amend and reenact R.S. 32:414.2(A)(1)(b)(i), relative to commercial motor vehicle drivers; to provide relative to an economic hardship

license; to provide relative to disqualification of commercial driving privileges; and to provide for related matters.

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	Landry
Bajoie	Ellington	Lentini
Barham	Fields C	Malone
Bean	Fields W	Robichaux
Boissiere	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Siracusa
Campbell	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Lambert	Ullo
Total—36		
NAYS		
Jordan		
Total—1		
ABSENT		
Casanova	Greene	
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. 1624—

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

AN ACT

To enact R.S. 32:232(5), relative to traffic signals; to provide for traffic-control signals; to provide for traffic regulation at an intersection when a traffic-control signal is not functioning; and to provide for related matters.

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	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 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.

Rules Suspended

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

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

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

Called from the Calendar

Senator Greene asked that Senate Bill No. 297 be called from the Calendar at this time.

SENATE BILL NO. 297 (Duplicate of House Bill No. 1792)—
BY SENATOR GREENE AND REPRESENTATIVE MCDONALD AND
COAUTHORED BY REPRESENTATIVE DOWNER
AN ACT

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

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

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative McDonald to Reengrossed Senate Bill No. 297 by Senator Greene (Duplicate of H.B. No. 1792)

AMENDMENT NO. 1

On page 1, line 2, after "17:46(A)" delete the remainder of the line and delete lines 3 through 8 in their entirety and insert a comma "," and the following:

"(C), (D), (E), and (G), 1171(A), 1173, 1174, 1175, and 1177 and to enact R.S. 17:46(R) and 1188, relative to sabbatical leave for teachers; to provide for eligibility; to provide for the manner in which leave may be spent; to remove rest and recuperation as a grounds for taking sabbatical leave; to provide for medical and recuperative sabbatical leave; to provide guidelines, procedures, and limitations for such leave; to provide for the use of certain monetary savings resulting; and to provide for"

AMENDMENT NO. 2

On page 1, line 11, after "17:46(A)" delete the remainder of the line and on line 12, delete "1177, and 1184" and insert a comma "," and "(C), (D), (E), and (G), 1171(A), 1173, 1174, 1175, and 1177"

AMENDMENT NO. 3

On page 1, line 12, after "reenacted" insert "and R.S. 17:46(R) and 1188 are hereby enacted"

AMENDMENT NO. 4

On page 1, line 16, after "improvement or" delete the comma "," and the remainder of the line

AMENDMENT NO. 5

On page 2, delete lines 1 and 2 in their entirety and insert "for medical and recuperative purposes for the two semesters"

AMENDMENT NO. 6

On page 2, at the end of line 6, insert the following:

"However, no such person shall be eligible for more than a total of four semesters of sabbatical leave while employed in a public elementary or secondary school. Additionally, prior to being placed on sabbatical leave for medical and recuperative purposes, the employee shall have used at least one-third of any accumulated sick leave."

AMENDMENT NO. 7

On page 2, delete lines 16 through 24 in their entirety and insert asterisks "*" * *"

AMENDMENT NO. 8

On page 3, at the beginning of line 14, delete "sickness" and insert "medical and recuperative leave"

AMENDMENT NO. 9

On page 3, at the end of line 15, delete "medical"

AMENDMENT NO. 10

On page 3, line 16, after "leave" insert "for medical and recuperative purposes"

AMENDMENT NO. 11

On page 3, line 24, delete "leave from sickness" and insert "and recuperative purposes"

AMENDMENT NO. 12

On page 4, at the beginning of line 3, delete "(2)" and at the end of the line delete "all of the following:" and insert a colon ":"

AMENDMENT NO. 13

On page 4, at the end of line 7, delete "leave." and insert "and recuperative purposes."

AMENDMENT NO. 14

On page 4, at the beginning of line 13, change "(3)" to "(2)"

AMENDMENT NO. 15

On page 4, at the beginning of line 16, delete "(4)(a)" and insert "(3)" and after "sabbatical" delete the remainder of the line and insert "leave for medical and recuperative purposes"

AMENDMENT NO. 16

On page 4, line 17, after "accompanied by" insert "statements" and at the end of the line and the beginning of line 18, delete "a statement"

AMENDMENT NO. 17

On page 4, line 18, delete "a licensed physician" and insert "two physicians"

AMENDMENT NO. 18

On page 4, delete line 20 in its entirety and insert the following:

"health of the applicant is such that the granting of such leave would be proper and justifiable. One physician shall be the physician who is treating the employee. The second physician shall be designated in accordance with procedures established by the State Board of Elementary and Secondary Education. If the statement submitted by the second physician disagrees with the statement submitted by the physician who is treating the employee, a statement from a third physician selected jointly by the two physicians in disagreement shall be required. This physician shall be a specialist in the appropriate field. If the two physicians in disagreement are unable to agree on the third physician, then the third physician shall be selected in accordance with procedures established by the State Board of Elementary and Secondary Education. The statement from the third physician shall be determinative of the issue. All costs of an examination and any required tests by a third physician shall be paid by the applicant's employer."

AMENDMENT NO. 19

On page 4, delete lines 21 through 26 in their entirety and on page 5, delete lines 1 through 27 in their entirety and on page 6, delete line 1 in its entirety and insert asterisks "* * *"

AMENDMENT NO. 20

On page 6, delete lines 2 through 16 in their entirety and insert the following:

"G.(1) Every person on sabbatical leave for ~~the purpose of rest and recuperation~~ medical and recuperative purposes shall spend such leave in a manner calculated to attain that purpose. ~~No person on such leave shall be employed in any manner in either the public or private sector.~~"

AMENDMENT NO. 21

On page 6, delete line 19 in its entirety

AMENDMENT NO. 22

On page 6, line 20, delete "(a) Pursue" and insert "leave, pursue"

AMENDMENT NO. 23

On page 6, line 21, after "credit hours" delete the remainder of the line and on line 22, delete "person's skills and knowledge as a teacher." and insert a comma "," and "or"

AMENDMENT NO. 24

On page 6, at the end of line 27, change the semicolon ";" to a colon ":"

AMENDMENT NO. 25

On page 7, at the beginning of line 1, change "(b)" to "(a)"

AMENDMENT NO. 26

On page 7, line 2, after "which" change "involved" to "involves"

AMENDMENT NO. 27

On page 7, at the beginning of line 5, change "(c)" to "(b)"

AMENDMENT NO. 28

On page 7, delete lines 9 through 25 and insert the following:

"R. Any savings realized by implementing the provisions of this Subpart relative to the institution of medical and recuperative leave compared to costs previously incurred for providing sabbatical leave for purposes of rest and recuperation shall be used to fund textbooks and instructional materials or to employ additional enrichment teachers in the elementary school grades."

AMENDMENT NO. 29

On page 8, line 4, after "or" delete the comma "," and the remainder of the line and delete line 5 in its entirety

AMENDMENT NO. 30

On page 8, line 6, delete "medical leave" and insert "for medical and recuperative purposes"

AMENDMENT NO. 31

On page 8, at the end of line 9, insert the following:

"However, no such person shall be eligible for more than a total of four semesters of sabbatical leave while employed in a public elementary or secondary school. Additionally, prior to being placed on sabbatical leave for medical and recuperative purposes, the employee shall have used at least one-third of any accumulated sick leave."

AMENDMENT NO. 32

On page 8, delete lines 11 through 27 in their entirety and on page 9, delete lines 1 through 3 in their entirety

AMENDMENT NO. 33

On page 9, line 23, after "established for" delete the remainder of the line and insert "leave for "medical and recuperative purposes"

AMENDMENT NO. 34

On page 10, at the end of line 5, insert "and recuperative"

AMENDMENT NO. 35

On page 10, line 6, delete "from sickness"

AMENDMENT NO. 36

On page 10, at the end of line 10 insert a semicolon ";" and "statements from physicians"

AMENDMENT NO. 37

On page 10, at the beginning of line 12, change "A." to "(1)"

AMENDMENT NO. 38

On page 10, at the beginning of line 14, delete "B." and after "specify" delete the remainder of the line and insert a colon ":"

AMENDMENT NO. 39

On page 10, at the beginning of line 15, change "(1)" to "(a)"

AMENDMENT NO. 40

On page 10, at the beginning of line 16, change "(2)" to "(b)"

AMENDMENT NO. 41

On page 10, line 17, after "or for" delete the remainder of the line

AMENDMENT NO. 42

On page 10, line 18, after "medical" delete "leave." and insert "and recuperative purposes."

AMENDMENT NO. 43

On page 10, at the beginning of line 19, change "(3)" to "(c)"

AMENDMENT NO. 44

On page 10, at the beginning of line 21, change "(4)" to "(d)"

AMENDMENT NO. 45

On page 10, at the beginning of line 23, change "(5)" to "(e)"

AMENDMENT NO. 46

On page 10, at the beginning of line 24, change "C.(1)" to "(2)"

AMENDMENT NO. 47

On page 10, delete line 27 in its entirety and on page 11, delete lines 1 through 27 in their entirety, and on page 12, delete lines 1 through 12 in their entirety and insert the following:

"(3) Every application for sabbatical leave for ~~the purpose of rest and recuperation~~ medical and recuperative purposes shall be accompanied by statements from two physicians certifying that the health of the applicant is such that the granting of such leave would be proper and justifiable. One physician shall be the physician who is treating the employee. The second physician shall be designated in accordance with procedures established by the State Board of

Elementary and Secondary Education. If the statement submitted by the second physician disagrees with the statement submitted by the physician who is treating the employee, a statement from a third physician selected jointly by the two physicians in disagreement shall be required. This physician shall be a specialist in the appropriate field. If the two physicians in disagreement are unable to agree on the third physician, then the third physician shall be selected in accordance with procedures established by the State Board of Elementary and Secondary Education. The statement from the third physician shall be determinative of the issue. All costs of an examination and any required tests by a third physician shall be paid by the applicant's employer.

* * *

AMENDMENT NO. 48

On page 12, delete lines 14 through 27 in their entirety and on page 13, delete line 1 in its entirety and insert the following:

"A. Every person on sabbatical leave ~~for the purpose of rest and recuperation for medical and recuperative purposes~~ shall spend such leave in a manner calculated to attain that purpose."

AMENDMENT NO. 49

On page 13, at the beginning of line 2, change "3" to "B.(1)"

AMENDMENT NO. 50

On page 13, line 5, after "credit hours" delete the remainder of the line and on line 6, delete "person's skills and knowledge as a teacher," and insert a comma ","

AMENDMENT NO. 51

On page 13, at the beginning of line 10, change "B." to "(2)" and insert the following:

"Upon the written affidavit of any person to the superintendent of the city or parish school system where such person is employed stating that he is unable to obtain sufficient graduate or undergraduate coursework to meet the requirements of this Subsection, ~~B~~; the superintendent may waive the requirements of this Subsection ~~B~~ to the extent that the person may pursue a program of study earning at least ten less than nine undergraduate credit hours or less than six graduate credit hours."

AMENDMENT NO. 52

On page 13, at the beginning of line 24, change "C.(1)" to "(3)" and at the end of the line and the beginning of line 25, delete "for professional or cultural improvement," and insert a comma ","

AMENDMENT NO. 53

On page 14, delete lines 1 through 27 in their entirety and on page 15, delete lines 1 through 17 in their entirety and insert the following:

"state. Additionally, no person on sabbatical leave for medical and recuperative leave purposes shall be employed in any manner in either the public or private sector.

* * *

§1188. Cost savings due to medical and recuperative leave

Any savings realized by implementing the provisions of the Part relative to the institution of medical and recuperative leave compared to costs previously incurred for providing sabbatical leave for purposes of rest and recuperation shall be used to fund textbooks and instructional materials or to employ additional enrichment teachers in the elementary school grades.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by

the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McDonald to Reengrossed Senate Bill No. 297 by Senator Greene, et al. (Duplicate of H.B. No. 1792)

AMENDMENT NO. 1

Delete conforming House Floor Amendment No. 1 proposed by Representative McDonald and adopted by the House on May 7, 1999.

AMENDMENT NO. 2

On page 1, line 2, after "17:46(A)" delete the remainder of the line and delete lines 3 through 8 in their entirety and insert a comma "," and the following:

"(C), (D), (E), (G), and (N), 1171(A), 1173, 1174, 1175, 1177, and 1184 and to enact R.S. 17:46(R) and 1188, relative to sabbatical leave for teachers and certain others; to provide for eligibility; to provide for the manner in which leave may be spent; to provide for compensation while on leave; to provide limitations on other employment while on sabbatical leave; to remove rest and recuperation as a grounds for taking sabbatical leave; to provide for medical and recuperative sabbatical leave; to provide guidelines, procedures, and limitations for such leave; to provide for the use of certain monetary savings resulting; and to provide for"

AMENDMENT NO. 3

Delete conforming House Floor Amendment No. 2 proposed by Representative McDonald and adopted by the House on May 7, 1999.

AMENDMENT NO. 4

On page 1, line 11, after "17:46(A)" delete the remainder of the line and on line 12, delete "1177, and 1184" and insert a comma "," and add "(C), (D), (E), (G), and (N), 1171(A), 1173, 1174, 1175, 1177, and 1184"

AMENDMENT NO. 5

Delete conforming House Floor Amendment No. 6 proposed by Representative McDonald and adopted by the House on May 7, 1999.

AMENDMENT NO. 6

On page 2, at the end of line 6, insert the following:

"However, no such person having at least thirty or more years of service in the public elementary and secondary schools of this state shall be eligible for sabbatical leave for the purpose of professional or cultural improvement. Additionally, prior to being placed on sabbatical leave for medical and recuperative purposes, the employee shall have used any current year sick leave allowed the employee pursuant to law and policy of the governing authority of the special school."

AMENDMENT NO. 7

Delete conforming House Floor Amendment No. 18 proposed by Representative McDonald and adopted by the House on May 7, 1999.

AMENDMENT NO. 8

On page 4 delete line 20 in its entirety and insert the following:

"health of the applicant is such that the granting of such leave would be proper and justifiable. One physician shall be the physician who is treating the employee. The second physician shall be designated by the governing authority of the special school. If the sworn statement submitted by the second physician disagrees with the sworn statement submitted by the physician who is treating the employee, a sworn statement from a third physician selected jointly by the two physicians in disagreement shall be required. This physician shall be a specialist in the appropriate field. If the two physicians in disagreement are unable to agree on the third physician, then the third physician shall be selected

by the governing authority of the special school from a list of appropriate physicians maintained by the governing authority for this purpose and developed in consultation with the local medical society in the area in which the special school is located. The sworn statement from the third physician shall be determinative of the issue. All costs of an examination and any necessary tests by the second or third physician, or both, shall be paid by the governing authority of the special school."

AMENDMENT NO. 9

Delete conforming House Floor Amendment No. 20 proposed by Representative McDonald and adopted by the House on May 7, 1999.

AMENDMENT NO. 10

On page 6 delete lines 2 through 16 in their entirety and insert in lieu thereof the following:

"G.(1) Every person on sabbatical leave for ~~the purpose of rest and recuperation~~ medical and recuperative purposes shall spend such leave in a manner calculated to attain that purpose.

AMENDMENT NO. 11

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

"(3)(a) Each person granted sabbatical leave, as a condition of the leave, shall be prohibited from being employed during his leave by any public or private elementary or secondary school in Louisiana or in any other state or by any public or private postsecondary education institution in Louisiana or in any other state provided, however, that a person granted sabbatical leave for professional or cultural improvement may accept an assistantship or fellowship from a public or private postsecondary education institution.

(b) Any eligible other employment by a person granted sabbatical leave for professional or cultural improvement shall not exceed twenty hours per week and no such employment shall result in any increase in retirement benefits due the person from the state upon his retirement.

(c) Any person having eligible other employment during the four month period prior to being placed on sabbatical leave for medical and recuperative purposes may continue having eligible other employment while on sabbatical leave if approved by the physician who is treating the person but no such employment shall exceed twenty hours per week and no such employment shall result in any increase in benefits due the person from the state upon his retirement. Any person not having eligible other employment during the four month period prior to being placed on sabbatical leave for medical and recuperative purposes who seeks eligible other employment while on sabbatical leave for medical and recuperative purposes first shall have approval for any such other employment from the physician who is treating the person and from a physician designated by the governing authority of the special school but no such other employment shall exceed twenty hours per week and no such other employment shall result in any increase in retirement benefits due the person from the state upon his retirement."

AMENDMENT NO. 12

Delete conforming House Floor Amendment No. 28 proposed by Representative McDonald and adopted by the House on May 7, 1999.

AMENDMENT NO. 13

On page 7, between lines 26 and 27, insert the following:

"R. Any savings realized by implementing the provisions of this Subpart relative to the institution of medical and recuperative leave compared to costs previously incurred for providing sabbatical leave for purposes of rest and recuperation shall be used to fund textbooks and instructional materials or to employ additional enrichment teachers in the elementary school grades.

* * *

AMENDMENT NO. 14

Delete conforming House Floor Amendment No. 31 proposed by Representative McDonald and adopted by the House on May 7, 1999.

AMENDMENT NO. 15

On page 8, at the end of line 9, insert the following:

"However, no such person having at least thirty or more years of service in the public elementary and secondary schools of this state shall be eligible for sabbatical leave for the purpose of professional or cultural improvement. Additionally, prior to being placed on sabbatical leave for medical and recuperative purposes, the employee shall have used any current year sick leave allowed the employee pursuant to law and school board policy."

AMENDMENT NO. 16

Delete conforming House Floor Amendment No. 47 proposed by Representative McDonald and adopted by the House on May 7, 1999.

AMENDMENT NO. 17

On page 10 delete line 27 in its entirety and on page 11 delete lines 1 through 27 in their entirety and on page 12 delete lines 1 through 12 in their entirety and insert in lieu thereof the following:

"(3) Every application for sabbatical leave for ~~the purpose of rest and recuperation~~ medical and recuperative purposes shall be accompanied by sworn statements from two physicians certifying that the health of the applicant is such that the granting of such leave would be proper and justifiable. One physician shall be the physician who is treating the employee. The second physician shall be designated by the school board. If the sworn statement submitted by the second physician disagrees with the sworn statement submitted by the physician who is treating the employee, a sworn statement from a third physician selected jointly by the two physicians in disagreement shall be required. This physician shall be a specialist in the appropriate field. If the two physicians in disagreement are unable to agree on the third physician, then the third physician shall be selected by the school board from a list of appropriate physicians maintained by the board for this purpose and developed in consultation with the local medical society. The sworn statement from the third physician shall be determinative of the issue. All costs of an examination and any necessary tests by the second or third physician, or both, shall be paid by the school board."

AMENDMENT NO. 18

Delete conforming House Floor Amendment No. 53 proposed by Representative McDonald and adopted by the House on May 7, 1999.

AMENDMENT NO. 19

On page 14 delete lines 1 through 27 in their entirety and on page 15 delete lines 1 through 17 in their entirety and insert in lieu thereof the following:

"state or by any public or private postsecondary education institution in Louisiana or in any other state provided, however, that a person granted sabbatical leave for professional or cultural improvement may accept an assistantship or fellowship from a public or private postsecondary education institution

(4) Any eligible other employment by a person granted sabbatical leave for professional or cultural improvement shall not exceed twenty hours per week and no such employment shall result in any increase in retirement benefits due the person from the state upon his retirement.

(5) Any person having eligible other employment during the four month period prior to being placed on sabbatical leave for medical and recuperative purposes may continue having eligible other employment while on sabbatical leave if approved by the physician who is treating the person but no such employment shall exceed twenty hours per week and no such employment shall result in any increase in benefits due the person from the state upon his retirement. Any person not having eligible other employment during the four month period prior to being placed on sabbatical leave for medical and recuperative purposes who

seeks eligible other employment while on sabbatical leave for medical and recuperative purposes first shall have approval for any such other employment from the physician who is treating the person and from a physician designated by the governing authority of the special school but no such other employment shall exceed twenty hours per week and no such other employment shall result in any increase in retirement benefits due the person from the state upon his retirement.

* * *

§1184. Compensation while on leave

A. Each person granted sabbatical leave shall receive and be paid compensation at the rate of ~~fifty~~ sixty-five percent of the ~~minimum~~ salary allowed a beginning teacher holding a bachelor's degree in that parish or city school system; provided, however, that any person granted sabbatical leave shall have the option of electing to be paid the difference between the salary he would have received during such leave if in active service in the position from which such leave is taken and the compensation which a day-by-day substitute would receive if assigned to that position on a day-by-day basis. The daily rate paid by the board for initial or minimum periods of substitution shall be the base upon which the option provided for in this section may be elected and shall be computed and paid, and the salary of the person substituting for the person granted leave shall not be considered in computing the option person's salary at the time the leave begins.

B. Any school board may ~~pay such additional compensation to teachers on sabbatical leave grant such additional leave or compensation, or both,~~ as it may establish and fix.

* * *

§1188. Cost savings due to medical and recuperative leave

Any savings realized by implementing the provisions of the Subpart relative to the institution of medical and recuperative leave compared to costs previously incurred for providing sabbatical leave for purposes of rest and recuperation shall be used to fund textbooks and instructional materials or to employ additional enrichment teachers in the elementary school grades.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Wright to Reengrossed Senate Bill No. 297 by Senator Greene, et al. (Duplicate of H.B. No. 1792)

AMENDMENT NO. 1

Delete House Floor Amendment No. 13 proposed by Representative McDonald and adopted by the House on May 19, 1999.

AMENDMENT NO. 2

On page 7, between lines 26 and 27, insert the following:

"R. Any savings realized by implementing the provisions of this Section relative to the institution of medical and recuperative leave compared to costs previously incurred for providing sabbatical leave for purposes of rest and recuperation shall be used by the governing authority of the special school in any manner it so determines."

AMENDMENT NO. 3

Delete House Floor Amendment No. 19 proposed by Representative McDonald and adopted by the House on May 19, 1999.

AMENDMENT NO. 4

On page 14 delete lines 1 through 27 in their entirety and on page 15 delete lines 1 through 17 in their entirety and insert in lieu thereof the following:

"state or by any public or private postsecondary education institution in Louisiana or in any other state provided, however, that a person granted sabbatical leave for professional or cultural improvement may accept an assistantship or fellowship from a public or private postsecondary education institution

(4) Any eligible other employment by a person granted sabbatical leave for professional or cultural improvement shall not exceed twenty hours per week and no such employment shall result in any increase in retirement benefits due the person from the state upon his retirement.

(5) Any person having eligible other employment during the four month period prior to being placed on sabbatical leave for medical and recuperative purposes may continue having eligible other employment while on sabbatical leave if approved by the physician who is treating the person but no such employment shall exceed twenty hours per week and no such employment shall result in any increase in benefits due the person from the state upon his retirement. Any person not having eligible other employment during the four month period prior to being placed on sabbatical leave for medical and recuperative purposes who seeks eligible other employment while on sabbatical leave for medical and recuperative purposes first shall have approval for any such other employment from the physician who is treating the person and from a physician designated by the governing authority of the special school but no such other employment shall exceed twenty hours per week and no such other employment shall result in any increase in retirement benefits due the person from the state upon his retirement.

* * *

§1184. Compensation while on leave

A. Each person granted sabbatical leave shall receive and be paid compensation at the rate of ~~fifty~~ sixty-five percent of the ~~minimum~~ salary allowed a beginning teacher holding a bachelor's degree in that parish or city school system; provided, however, that any person granted sabbatical leave shall have the option of electing to be paid the difference between the salary he would have received during such leave if in active service in the position from which such leave is taken and the compensation which a day-by-day substitute would receive if assigned to that position on a day-by-day basis. The daily rate paid by the board for initial or minimum periods of substitution shall be the base upon which the option provided for in this section may be elected and shall be computed and paid, and the salary of the person substituting for the person granted leave shall not be considered in computing the option person's salary at the time the leave begins.

B. Any school board may ~~pay such additional compensation to teachers on sabbatical leave grant such additional leave or compensation, or both,~~ as it may establish and fix.

* * *

§1188. Cost savings due to medical and recuperative leave

Any savings realized by implementing the provisions of this Subpart relative to the institution of medical and recuperative leave compared to costs previously incurred for providing sabbatical leave for purposes of rest and recuperation shall be used by a city or parish school board in any manner it so determines."

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by

June 10, 1999

the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

Senator Greene 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, Cox, Cravins, Dardenne, Dean, Dyess, Total—37, Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Hollis, Johnson, Jones, Jordan, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Tarver, Theunissen, Thomas, Ulo.

NAYS

Total—0

ABSENT

Casanova, Irons, Total—2

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

Regular Order Of House Bills and Joint Resolutions on Third Reading and Final Passage, Resumed

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

HOUSE BILL NO. 1680— BY REPRESENTATIVE JACK SMITH AN ACT

To amend and reenact R.S. 34:322, 323, 324, 326, 328, and 330 and to enact R.S. 34:323.1, relative to the Morgan City Harbor and Terminal District; to provide relative to membership, duties, and powers of the board of commissioners; to authorize the board of commissioners to acquire, construct, control, and alienate industrial parks and facilities; to fund authorized public functions; to enter into cooperative endeavors; to incur debt and issue bonds; to pay bonds from various sources of income; to lend capital; to levy taxes; to increase bidding limits; to reimburse reasonable and necessary expenses; to define certain terms; and to provide for related matters.

Floor Amendments Sent Up

Senator Siracusa sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Siracusa to Engrossed House Bill No. 1680 by Representative J. D. Smith

AMENDMENT NO. 1

Delete Senate committee amendments proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on June 1, 1999.

On motion of Senator Siracusa, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Barham, Bean, Boissiere, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Total—36, Dean, Dyess, Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Smith, Tarver, Thomas, Ulo.

NAYS

Total—0

ABSENT

Schedler, Siracusa, Theunissen, Total—3

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

HOUSE BILL NO. 1809— BY REPRESENTATIVES DEWITT AND STELLY AN ACT

To enact Part V of Chapter 8 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1989.1 through 1989.8, and R.S. 36:651(Z), relative to the Governor's Program for Gifted Children; to statutorily recognize the existence of said program as a state chartered school; to provide relative to legislative intent; to provide for the operation, governance, administration, location, and funding for said program; to provide for the referral of students who are candidates for admission for said program; to provide for placement of the program in the Department of Education; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Barham, Bean, Boissiere, Branch, Cain, Campbell, Dyess, Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Lambert, Landry, Lentini, Robichaux, Romero, Schedler, Siracusa, Smith.

Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones	Ullo
Dean	Jordan	
Total—38		
	NAYS	
Total—0		
	ABSENT	
Malone		
Total—1		

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

HOUSE BILL NO. 1833—
BY REPRESENTATIVES DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 40:1742(A)(1) and (B)(1), relative to enforcement provisions on parking spaces reserved for certain disabled persons; to provide for enforcement of such provisions on private property; to provide for citations; and to provide for related matters.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed House Bill No. 1833 by Representatives DeWitt et al.

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete "R.S. 40:1742(A)(1) and (B)(1)," and insert "R.S. 15:571.11(A)(1)(c), R.S. 40:1742, and R.S. 46:2583(A) and (E) and to enact R.S. 40:1742.1 and R.S. 46:2583(F),"

AMENDMENT NO. 2

On page 1, at the end of line 2, delete "enforcement" and at the beginning of line 3, delete "provisions on"

AMENDMENT NO. 3

On page 1, line 4, between "provisions" and "on" insert "including enforcement"

AMENDMENT NO. 4

On page 1, line 5, between "citations;" and "and" insert "to provide relative to fines for violations of disabled person parking regulations and to the distribution and use of monies collected from such fines;"

AMENDMENT NO. 5

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

"Section 1. R.S. 15:571.11(A)(1)(c) is hereby amended and reenacted to read as follows:

§571.11. Dispositions of fines and forfeitures

A.(1)

* * *

(c) Prior to the making of any payment in accordance with this Section, beginning January 1, 1996, two-thirds of all After compliance with this Section, the remainder of the fines collected for violations of

parking restrictions established pursuant to R.S. 40:1742 and two-thirds of all fines collected for false certification of mobility impairment by a physician as provided by R.S. 47:463.4(G)(4) shall be forwarded in accordance with the provisions of R.S. 46:2583(A).

* * *

AMENDMENT NO. 6

On page 1, line 7, delete "Section 1. R.S. 40:1742(A)(1) and (B)(1) are" and insert "Section 2. R.S. 40:1742 is"

AMENDMENT NO. 7

On page 1, line 8, after "reenacted" insert "and R.S. 40:1742.1 is hereby enacted"

AMENDMENT NO. 8

Delete Amendment No. 1 proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on June 1, 1999

AMENDMENT NO. 9

On page 1, line 11, after "parking or" delete the remainder of the line and insert "a government facility and each owner or lessee of a public facility"

AMENDMENT NO. 10

On page 1, line 12, after the word "provide" add "and maintain"

AMENDMENT NO. 11

Delete Amendments No. 6 through 11 and Amendment No. 13 proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on June 1, 1999

AMENDMENT NO. 12

On page 2, line 2, after "specifications" delete the period "." and insert "and shall include mobility-impaired loading and unloading areas, access aisles, access ramps, and curb cuts."

AMENDMENT NO. 13

On page 2, at the end of line 3, insert the following:

"Public facility, as the term is used in this Section, shall be as defined in R.S. 40:1732, and shall include private property which is open to the public and to which the public is invited for commercial or governmental purposes."

AMENDMENT NO. 14

On page 2, delete lines 4 through 20, and insert the following:

"(2) The fire marshal may, in cases of extreme hardship, waive any provisions of this Section after consultation with the office of rehabilitative services.

(3) Any owner or lessee of a public facility who fails to provide and maintain spaces reserved and designated for the exclusive use of vehicles bearing a special license plate or parking card issued to a mobility-impaired driver free of obstructions shall be fined not more than five hundred dollars.

~~B.(1) Each state agency and political subdivision having jurisdiction over state parking, publicly owned and operated parking facilities, public facilities, or public facilities for accommodation shall provide for and enforce a penalty of two hundred seventy-five dollars for persons who park in spaces for the mobility impaired who do not have a license plate for the mobility impaired which contains the word "handicapped" embossed on the license plate or a properly displayed parking card issued pursuant to R.S. 47:463.4 or 463.4.1.~~

~~(2) In addition to such fine, the offender may also be required to pay the towing fee and any storage costs which are incurred.~~

~~(3)(a) In addition to all fines, fees, costs, and punishment authorized by this Subsection, any parish which institutes a formal program of utilizing disabled volunteers to assist the law enforcement agency in enforcing the provisions of this Subsection may provide for and enforce an additional twenty-five dollar fine for each violation of such provisions.~~

~~(b) All monies collected by the court from such additional fine shall be forwarded by the officer of the court who collects the same to the parish governing authority within thirty days after the fine is collected.~~

~~(c) The proceeds of such additional fine shall be used by the parish governing authority exclusively to fund the formal program of utilizing volunteers to aid in enforcing the provisions of this Subsection.~~

B.(1) No person shall park any vehicle in a mobility-impaired parking space unless such person has a license plate for the mobility-impaired issued pursuant to R.S. 47:463.4 or a properly displayed parking card issued pursuant to R.S. 47:463.4.1.

(2)(a) The law enforcement officer shall be authorized to issue a citation or take whatever law enforcement action is deemed necessary or both. Furthermore, when an individual found to be in violation of these provisions refuses a request by a law enforcement officer to move the vehicle found in violation, the officer shall be authorized to have such vehicle towed."

AMENDMENT NO. 15

In Amendment No. 12 proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on June 1, 1999, at the beginning of line 33, delete "in a mobility impaired parking"

AMENDMENT NO. 16

On page 4, delete line 3, and insert the following:

"(3) The first violation of the provisions of this Subsection shall be punished by a fine of two hundred seventy-five dollars. A subsequent violation shall be punished by a fine of five hundred dollars.

(4) If the violator is other than an individual, a fine of five hundred dollars shall be imposed.

(5) In addition to such fine, the violator may also be required to pay the towing fee and any storage costs which are incurred.

(6) The state of Louisiana shall recognize parking cards or other removable windshield placards and special license plates which have been issued by authorities of other states and countries for the purpose of identifying vehicles permitted to utilize parking spaces reserved for the mobility-impaired.

(7) No fine issued pursuant to this Section shall be reduced or suspended.

§1742.1. Additional fine for enforcement of mobility-impaired parking regulations

In addition to all fines, fees, costs, and punishment authorized for violation of mobility-impaired parking regulations, any parish or municipality which institutes a formal handicapped parking enforcement program to assist the law enforcement agency in enforcing such regulations may, by ordinance, provide for and enforce an additional twenty-five dollar fine for each violation of such regulations. The proceeds of such additional fine shall be used by such parish or municipal governing authority exclusively to fund such program.

Section 3. R.S. 46:2583(A) and (E) are hereby amended and reenacted and R.S. 46:2583(F) is hereby enacted to read as follows:

§2583. Disability Affairs Trust Fund

~~A.(1) Beginning January 1, 1996, Subject to the provisions of R.S. 15:571.11, two-thirds of all fines collected for violations of parking restrictions established pursuant to by R.S. 40:1742 and two-thirds of all fines collected for false certification of mobility impairment by a physician as provided by R.S. 47:463.4(G)(4) shall be forwarded by the officer of the court who collects the same to the state treasurer within thirty days after the penalty or forfeiture is collected.~~

~~(2) Beginning January 1, 1996, in In addition to all fines, fees, costs, and punishment prescribed by law for violations of mobility-impaired parking restrictions established pursuant to by local ordinance or R.S. 40:1742, the state agency or political subdivision which enforces such restrictions court shall impose an additional fee of twenty-five dollars for each of such violations violation. All monies collected from such additional fees shall be forwarded by the officer of the court who collects the same to the state treasurer within thirty days after the penalty or forfeiture is collected.~~

* * *

E. The legislature shall make an annual appropriation of the monies in the fund to the office of disability affairs in accordance with the recommendations of the Governor's Advisory Council on Disability Affairs. ~~Such monies shall be used solely for the following:~~

~~(1) The expenses and programs of the office of disability affairs.~~

~~(2) The office may transfer funds as it deems appropriate to the office of state police of the Department of Public Safety and Corrections to fund special handicapped parking enforcement teams. The monies in the fund shall be used solely for the operation of the Governor's Office of Disability Affairs and any program designed to provide services to Louisiana citizens with disabilities. Funds not appropriated shall remain to the credit of the fund and not revert to the state general fund nor be diverted to other purposes.~~

F. The Governor's Advisory Council on Disability Affairs shall determine the eligibility of programs to receive funding after operating expenses of the office have been met."

AMENDMENT NO. 17

In Amendment No. 14 proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on June 1, 1999, at the beginning of line 3, change "Section 2." to "Section 4."

On motion of Senator Landry, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Dean Jordan Ullo
 Total—39
 NAYS
 Total—0
 ABSENT
 Total—0

The Chair declared the amended 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. 9—

BY REPRESENTATIVES DOWNER, HUNTER, LANCASTER, MONTGOMERY, VITTER, WALSWORTH, FONTENOT, SCALISE, WADDELL, WILLARD, ALARIO, ALEXANDER, ANSARDI, BAUDOIN, BOWLER, BRUCE, BRUNEAU, CHAISSON, CLARKSON, CRANE, DAMICO, DANIEL, DEVILLE, DEWITT, DOERGE, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FRITH, GAUTREAUX, GLOVER, GUILLARY, HAMMETT, HEATON, HILL, HUDSON, ILES, JENKINS, JOHNS, KENNARD, KENNEY, LANDRIEU, LEBLANC, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MORRISH, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, ROMERO, SALTER, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JOHN SMITH, STELLY, THERIOT, THOMPSON, THORNHILL, TOOMY, TRAVIS, WELCH, WESTON, WIGGINS, WILKERSON, WINDHORST, WINSTON, WOOTON, AND WRIGHT AND SENATOR EWING

AN ACT

To amend and reenact R.S. 47:6011(A)(2), to enact R.S. 24:38(E), (F), and (G), 39, 40, and Part II-A of Chapter 1 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:41 through 49, and to repeal R.S. 36:4(B)(2) and Subparts A, C, D, and E of Part VII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, comprised of R.S. 49:131 through 136, R.S. 49:145 and 146, R.S. 49:148 through 148.3, and R.S. 49:149 through 149.5, respectively, and R.S. 49:149.22, 149.23, and 150.1, relative to public buildings and grounds; to provide for the state capitol complex; to provide for the preservation of the State Capitol, the Capitol Annex, the Pentagon Barracks, the Old Arsenal Museum, and the surrounding grounds; to provide for the powers of the Legislative Budgetary Control Council; to provide for the powers and duties of the division of administration in relation to the state capitol complex; to provide for security services for the state capitol complex; to create the State Capitol Preservation Board; to provide for the powers and duties of the State Capitol Preservation Board; to provide for the necessary employees of the State Capitol Preservation Board; to define the state capitol complex; to provide relative to the master plan for the state capitol complex; to provide for certain offenses and penalties relating to certain actions within the state capitol complex; to provide for certain fees and deposits for certain activities within the state capitol complex; to remove provisions of law relative to the access and use of public buildings and grounds; to remove certain provisions of law relative to plaques and memorials; and to provide for related matters.

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

HOUSE BILL NO. 788—

BY REPRESENTATIVE LANCASTER
 AN ACT

To enact R.S. 18:1461(C), relative to election offenses; to provide that any candidate who is elected to public office and is finally convicted of an election offense related to his campaign for such public office shall forfeit such office; to provide for the time and manner in which such public office is declared vacant; to provide for the filling of vacancies due to the forfeiture of the public office; and to provide for related matters.

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

HOUSE BILL NO. 941—

BY REPRESENTATIVE JOHN SMITH AND SENATOR LANDRY
 AN ACT

To amend and reenact R.S. 37:2501(7), 2502, 2503(B), 2505(A), 2507(A) and (B), 2509(A)(4), 2510(A)(introductory paragraph) and (3), (B), and (D), and 2511(A) and (B) and to enact R.S. 37:2504(F), relative to the Board of Examiners for Nursing Facility Administrators; to provide for the levy and collection of fees by the board; to provide for per diem for members of the board; to provide relative to disciplinary proceedings held by the board; and to provide for related matters.

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

NAYS

Dean
 Total—1

ABSENT

Campbell
 Total—2
 Dyess

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.

Rules Suspended

Senator Branch asked for and obtained a suspension of the rules for the purpose of taking up House Bill No. 568 out of its regular order.

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.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

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Amendments proposed by Senators Dardenne and Ewing to Engrossed House Bill No. 568 by Representative Travis

AMENDMENT NO. 1

On page 2, line 9, change "primary" to "general"

On motion of Senator Dardenne, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Dean	Lentini
Bajoie	Dyess	Malone
Barham	Ellington	Robichaux
Bean	Fields W	Romero
Boissiere	Greene	Siracusa
Branch	Heitmeier	Smith
Cain	Hines	Theunissen
Casanova	Johnson	Thomas
Cox	Jordan	Ullo
Cravins	Lambert	
Dardenne	Landry	
Total—31		
NAYS		
Campbell	Hainkel	Jones
Fields C	Hollis	Tarver
Total—6		
ABSENT		
Irons	Schedler	
Total—2		

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

Rules Suspended

Senator Branch asked for and obtained a suspension of the rules for the purpose of taking up House Bill No. 2100 out of its regular order.

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.

Floor Amendments Sent Up

Senator Branch sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Branch to Engrossed House Bill No. 2100 by Representative Travis

AMENDMENT NO. 1

On page 5, between lines 7 and 8, insert the following:

"(3) No appropriation of state funds shall be provided to provide assistance or support with the initial establishment of the Zachary community school system. Nothing in this Paragraph shall limit the participation of the Zachary community school system in the Minimum Foundation Program or any other appropriation applicable to other public school systems in the state."

Senator Branch moved adoption of the amendments.

Senator C. Fields objected.

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Ellington	Lentini
Barham	Fields W	Malone
Bean	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Johnson	Tarver
Cravins	Jordan	Theunissen
Dardenne	Lambert	Thomas
Dyess	Landry	Ullo
Total—33		
NAYS		
Bajoie	Irons	
Fields C	Jones	
Total—4		
ABSENT		
Boissiere	Dean	
Total—2		

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Dyess	Lentini
Bajoie	Ellington	Malone
Barham	Fields W	Robichaux
Bean	Greene	Romero
Boissiere	Heitmeier	Schedler
Branch	Hines	Siracusa
Cain	Hollis	Smith
Casanova	Irons	Tarver
Cox	Johnson	Theunissen
Cravins	Jordan	Thomas
Dardenne	Lambert	Ullo
Dean	Landry	
Total—35		
NAYS		
Fields C	Jones	
Total—2		

ABSENT

Campbell Hainkel
Total—2

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

Senator Casanova in the Chair

Motion

Senator Hainkel moved to revert to Regular Order of the Day.

Senator W. Fields objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing yeas: Bajoie, Barham, Boissiere, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Greene, Hainkel, Heitmeier, Hines, Hollis, Johnson, Jones, Jordan, Lambert, Lentini, Romero, Schedler, Siracusa, Smith, Tarver, Thomas, Ullo. Total—30

NAYS

Fields C Landry
Fields W Malone
Total—4

ABSENT

Mr. President Irons Theunissen
Bean Robichaux
Total—5

The Chair declared the Senate reverted to Regular Order of the Day.

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. 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 Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Hainkel, Cain and Lambert to Reengrossed House Bill No. 1920 by Representative Alario

AMENDMENT NO. 1

On page 1, line 4, after "school;" insert "to provide for certain exceptions;"

AMENDMENT NO. 2

On page 1, line 7 after "Section 1." insert "A."

AMENDMENT NO. 3

On page 1, line 14, after "dollars" insert "which shall be dedicated to faculty's salaries"

AMENDMENT NO. 4

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

"B.(1) Except for any increased tuition authorized pursuant to Paragraph (1) of Subsection (A) of this Section, those families with gross annual household income of less than fifty thousand dollars shall not pay the increased tuition amount, and those families with gross annual household income between fifty thousand dollars and sixty thousand dollars shall pay only twenty-five percent of the increased tuition amount, and those families with gross annual household income between sixty thousand one dollars and seventy-five thousand dollars shall pay only fifty percent of the increased tuition amount, otherwise required by Paragraph (A) of this Section, for the length of time the tuition increase is in effect.

(2) Any family who is eligible for the federal free or reduced school lunch program shall be exempted from any tuition increase authorized by this Section.

(3) For purposes of this Section, "gross annual household income" shall mean the combined gross annual income of all adults who contribute to the support of the student."

Motion

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

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing yeas: Barham, Bean, Boissiere, Cain, Cravins, Dardenne, Dyess, Ellington, Greene, Hainkel, Hines, Hollis, Irons, Jones, Lambert, Lentini, Schedler, Siracusa, Smith, Tarver, Thomas. Total—21

NAYS

Table listing nays: Bajoie, Branch, Campbell, Casanova, Cox, Dean, Fields C, Fields W, Heitmeier, Johnson, Landry, Malone, Robichaux, Romero, Ullo. Total—15

ABSENT

Mr. President Jordan Theunissen
Total—3

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

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Senator Hainkel moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Fields W
Total—1

ABSENT

Campbell
Total—2

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Barham	Greene	Schedler
Bean	Hainkel	Siracusa
Branch	Hines	Smith
Cain	Hollis	Tarver
Campbell	Jones	Theunissen
Casanova	Lambert	Thomas
Dardenne	Landry	Ullo
Dyess	Lentini	
Total—26		

NAYS

Bajoie	Dean	Irons
Boissiere	Fields C	Johnson
Cox	Fields W	Robichaux
Cravins	Heitmeier	Romero
Total—12		

ABSENT

Jordan
Total—1

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

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. 1020—
BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact Code of Criminal Procedure Articles 327(A)(4) and (B) and 338, relative to criminal bail bonds; to provide for the form of the bail order; to provide for requirements of the bail undertaking; and to provide for related matters.

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

HOUSE BILL NO. 1189—
BY REPRESENTATIVES RIDDLE, DEWITT, DOWNER, MCMAINS, DIEZ,
AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM,
AND SCHEDLER
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean
Total—1

ABSENT

Bajoie	Irons	Jordan
Total—3		

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. 1191—

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

AN ACT

To amend and reenact R.S. 46:107(A), relative to hearings by the Department of Social Services and the Department of Health and Hospitals; to provide for changes relative to requests for hearings regarding agency action concerning child placing agencies or day care centers; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie Greene Jordan
Bean Irons
Total—5

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. 1776—

BY REPRESENTATIVE DAMICO

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dyess Lentini
Barham Ellington Malone
Bean Fields C Robichaux
Boissiere Fields W Romero
Branch Heitmeier Schedler
Cain Hines Siracusa
Campbell Hollis Smith

Casanova Irons Tarver
Cox Johnson Theunissen
Cravins Jones Thomas
Dardenne Lambert Ullo
Dean Landry

Total—35

NAYS

Total—0

ABSENT

Bajoie Hainkel
Greene Jordan
Total—4

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

HOUSE BILL NO. 1903—

BY REPRESENTATIVE TRAVIS

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie Hainkel Jordan
Total—3

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

HOUSE BILL NO. 1919—

BY REPRESENTATIVES TRAVIS AND MURRAY

AN ACT

To amend and reenact R.S. 9:3516(22), to enact Chapter 2-A of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3578.1 through 3578.8, and to repeal Part XIX of Chapter 2 of Title 9 of the Revised Statutes of 1950, comprised of R.S. 9:3577.1 through 3577.8, relative to small loans and licensed lenders; to provide for the definition of "licensed lender"; to

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provide for a short title; to provide for legislative intent; to provide for definitions; to provide for finance charges and fees; to provide for rebate upon payment; to provide for prohibited acts; to provide for the posting of notice which includes a toll free number; to provide for powers of the commissioner and the adoption of rules and regulations; and to provide for related matters.

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Engrossed House Bill No. 1919 by Representative Travis

AMENDMENT NO. 1

In amendment No. 5, proposed by the Senate Committee on Commerce and Consumer Protection June 2, 1999 and adopted by the Senate June 3, 1999 on page 1, line 26, delete "small" and after "transaction or" insert "small"

AMENDMENT NO. 2

In amendment No. 8, proposed by the Senate Committee on Commerce and Consumer Protection June 2, 1999 and adopted by the Senate June 3, 1999 on page 2, line 8, after "issued" insert "or in the case of a small loan, the equivalent rate of interest," and after "fee" insert "or interest"

AMENDMENT NO. 3

In amendment No. 23, proposed by the Senate Committee on Commerce and Consumer Protection June 2, 1999 and adopted by the Senate June 3, 1999 on page 3, line 21, after "Renew" delete the comma "," and after "roll-over" delete "or otherwise consolidate" and on line 22, after "loan" insert a period "." and delete the remainder of the line and on line 23, delete "deferred presentment transaction or small loan."

On motion of Senator Hollis, the amendments were adopted.

Floor Amendments Sent Up

Senator Campbell sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Campbell to Engrossed House Bill No. 1919 by Representative Travis

AMENDMENT NO. 1

In committee amendment No. 8 proposed by the Senate Committee on Commerce and Consumer Protection and adopted by the Senate on June 3, 1999, delete lines 6 through 9 and insert the following:

"A.(1) In conjunction with a deferred presentment transaction or small loan, the licensee may charge interest on the amount of cash delivered to the consumer in a payday loan at a rate no greater than seventy-two percent per annum (defined as a three hundred sixty-five day year)

(2) The rate of interest charged on the outstanding balance after maturity shall not be greater than the rate charged during the loan term."

AMENDMENT NO. 2

Delete committee amendment No. 9 proposed by the Senate Committee on Commerce and Consumer Protection and adopted by the Senate on June 3, 1999.

AMENDMENT NO. 3

On page 3, delete lines 8 through 12.

Senator Campbell moved adoption of the amendments.

Senator Hollis objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Barham, Bean, Boissiere, Cain, Campbell, Casanova, Cox, Cravins, Dean, Dyess, Total—29; Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Irons, Johnson, Jones; Landry, Lentini, Malone, Robichaux, Romero, Schedler, Smith, Tarver, Ullo

NAYS

Table with 3 columns of names: Mr. President, Branch, Dardenne, Total—7; Hollis, Siracusa, Theunissen; Thomas

ABSENT

Table with 3 columns of names: Bajoie, Total—3; Jordan, Lambert

The Chair declared the amendments were adopted.

Motion

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

Senator Campbell objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bean, Cain, Dardenne, Ellington, Heitmeier, Total—15; Hollis, Johnson, Landry, Robichaux, Romero; Siracusa, Smith, Theunissen, Thomas, Ullo

NAYS

Table with 3 columns of names: Barham, Boissiere, Branch, Campbell, Casanova, Cox, Cravins, Total—20; Dean, Dyess, Fields C, Fields W, Greene, Hainkel, Hines; Irons, Jones, Lentini, Malone, Schedler, Tarver

ABSENT

Table with 3 columns of names: Mr. President, Bajoie, Total—4; Jordan, Lambert

The Chair declared the Senate refused to return the amended bill to the Calendar.

Motion

Senator Hollis moved that House Bill No. 1919 be recommitted to the Committee on Commerce and Consumer Protection.

Senator Campbell objected.

ROLL CALL

The roll was called with the following result:

YEAS

Branch	Hainkel	Smith
Cain	Heitmeier	Tarver
Casanova	Hollis	Theunissen
Dardenne	Johnson	Thomas
Dean	Landry	Ullo
Dyess	Siracusa	
Total—17		

NAYS

Bajoie	Ellington	Lentini
Barham	Fields C	Malone
Bean	Fields W	Robichaux
Boissiere	Greene	Romero
Campbell	Hines	Schedler
Cox	Irons	
Cravins	Jones	
Total—19		

ABSENT

Mr. President	Jordan	Lambert
Total—3		

The Chair declared the Senate refused to recommit the bill.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Jones
Bajoie	Dean	Landry
Barham	Dyess	Lentini
Bean	Ellington	Malone
Boissiere	Fields C	Robichaux
Cain	Fields W	Romero
Campbell	Greene	Schedler
Casanova	Heitmeier	Smith
Cox	Hines	Tarver
Cravins	Irons	Ullo
Total—30		

NAYS

Hainkel	Johnson	Theunissen
Hollis	Siracusa	Thomas
Total—6		

ABSENT

Branch	Jordan	Lambert
Total—3		

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

Senator Barham in the Chair

HOUSE BILL NO. 1921—
BY REPRESENTATIVE PRATT

AN ACT

To enact R.S. 40:1299.117, relative to obesity; to provide for classification of obesity as a disease according to certain criteria; and to provide for related matters.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed House Bill No. 1921 by Representative Pratt

AMENDMENT NO. 1

In Amendment No. 3 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on June 3, 1999, on page 3, between lines 51 and 52, insert the following:

"(29) The president of the Physical Therapy Association, or his designee."

On motion of Senator Hines, the amendments were adopted.

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. 1921 by Representative Pratt

AMENDMENT NO. 1

In Senate Committee Amendments proposed by the Committee on Health and Welfare and adopted by the Senate on June 3, 1999, in Amendment No. 3, on page 3, between lines 51 and 52, insert the following:

"(30) A member appointed by the Commissioner of Insurance."

On motion of Senator Bean, the amendments were adopted.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed House Bill No. 1921 by Representative Pratt

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete "R.S. 40:1299.117, " and after "obesity;" delete the remainder of the line, and on line 3, delete "obesity as a disease according to certain criteria;"

AMENDMENT NO. 2

On page 1, delete lines 6 through 18, and on page 2, delete lines 1 through 5.

AMENDMENT NO. 3

In committee amendments proposed by the Senate Committee on Health and Welfare and adopted by the Senate on June 3, 1999, in amendment No. 1, on page 1, line 2, after "insert" delete "and"

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AMENDMENT NO. 4

In committee amendments proposed by the Senate Committee on Health and Welfare and adopted by the Senate on June 3, 1999, in amendment No. 3, on page 1, line 11, change "Section 2." to "Section 1."

On motion of Senator Hines, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Casanova	Dean	Hainkel
Total—3		

ABSENT

Heitmeier	Hines
Total—2	

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

HOUSE BILL NO. 1923—

BY REPRESENTATIVES MCMAINS, ANSARDI, AND MCCAIN
AN ACT

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

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Reengrossed House Bill No. 1923 by Representative McMains

AMENDMENT NO. 1

On page 4, line 17, after "~~continue~~" delete "or may place the child in the custody of the department,"

AMENDMENT NO. 2

On page 4, line 19, after "or" insert "may place the child"

AMENDMENT NO. 3

On page 4, line 20, after "person" insert "or in the custody of the department"

AMENDMENT NO. 4

On page 4, line 24, change "The" to "If the child is not returned to the parents, the"

AMENDMENT NO. 5

On page 4, line 25, after "finding" insert "by clear and convincing evidence"

AMENDMENT NO. 6

On page 7, line 14, after "finding" insert "by clear and convincing evidence"

Motion

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

Without objection, the division of the question was ordered.

Senator Cain moved the adoption of Amendments No. 1, 2, and 3.

Without objection, Amendments No. 1, 2, and 3 were adopted.

Senator Cain moved the adoption of Amendments No. 4, 5, and 6.

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Fields C	Romero
Bean	Fields W	Siracusa
Cain	Greene	Smith
Casanova	Hines	Tarver
Cox	Hollis	Theunissen
Cravins	Irons	Thomas
Dean	Jones	Ullo
Dyess	Lambert	
Ellington	Robichaux	
Total—25		

NAYS

Bajoie	Hainkel	Lentini
Boissiere	Heitmeier	Malone
Campbell	Jordan	Schedler
Dardenne	Landry	
Total—11		

ABSENT

Mr. President	Branch	Johnson
Total—3		

The Chair declared Amendments No. 4, 5, and 6 were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—36

NAYS

Total—0

ABSENT

Branch	Greene	Johnson
Total—3		

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

HOUSE BILL NO. 1927—
BY REPRESENTATIVE LANDRIEU
AN ACT

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

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

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
Dardenne	Johnson	Thomas
Dean	Jones	Ullo
Dyess	Jordan	

Total—35

NAYS

Total—0

ABSENT

Mr. President	Lambert
Cravins	Siracusa
Total—4	

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

HOUSE BILL NO. 1957—
BY REPRESENTATIVES MORRELL, FRITH, AND MURRAY
AN ACT

To repeal R.S. 4:179.2, relative to horse racing; to repeal provision requiring horsemen's organizations to be incorporated.

Floor Amendments Sent Up

Senator Cox sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cox to Engrossed House Bill No. 1957 by Representative Morrell

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 4:217(D)(2) and to"

AMENDMENT NO. 2

On page 1, line 3, after "incorporated" insert "; to provide relative to purse supplements; and to provide for related matters"

AMENDMENT NO. 3

On page 1, between lines 4 and 5, insert the following:

Section 1. R.S. 4:217(D)(2) is hereby amended and reenacted to read as follows:

"§217. Purse supplements; designation and distribution

* * *
D. * * *

(2)(a) When the amounts designated for purse supplements under this Subsection are in excess of those required to make purses for the special accredited Louisiana-bred maiden thoroughbred races run at a facility equal to purses for other maiden races of equivalent conditions, such excess funds may be used as purse supplements for other Louisiana bred races during the current race meeting at that facility.

(b) However, from all supplements added to special accredited Louisiana-bred maiden thoroughbred races, the breeder's and stallion's award portion shall be first deducted from that supplement and the balance shall constitute the total supplement to that purse.

* * *

AMENDMENT NO. 4

On page 1, line 5, change "Section 1." to "Section 2."

Senator Cox moved adoption of the amendments.

Senator Theunissen objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Hollis	Landry
Campbell	Johnson	Robichaux
Cox	Jones	Romero
Hines	Jordan	Ullo
Total—12		

NAYS

Mr. President	Dean	Lentini
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June 10, 1999

Barham	Dyess	Malone
Bean	Ellington	Schedler
Boissiere	Fields C	Siracusa
Branch	Fields W	Smith
Cain	Greene	Tarver
Casanova	Hainkel	Theunissen
Cravins	Heitmeier	Thomas
Dardenne	Irons	
Total—26		

ABSENT

Lambert
Total—1

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Johnson	Siracusa
Bean	Jones	Tarver
Cain	Jordan	Theunissen
Cox	Landry	Thomas
Heitmeier	Lentini	
Irons	Robichaux	
Total—16		

NAYS

Mr. President	Dean	Hollis
Barham	Dyess	Malone
Branch	Ellington	Romero
Casanova	Fields C	Schedler
Dardenne	Fields W	Smith
Total—15		

ABSENT

Boissiere	Greene	Lambert
Campbell	Hainkel	Ullo
Cravins	Hines	
Total—8		

The Chair declared the bill failed to pass.

Notice of Reconsideration

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

HOUSE BILL NO. 1969—
BY REPRESENTATIVES MORRELL, FRITH, AND MURRAY
AN ACT

To amend and reenact R.S. 4:185(B)(1), relative to racing; to require the Horsemen's Bookkeeper to have on deposit a certain amount of funds; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Robichaux
Bajoie	Ellington	Romero
Barham	Hainkel	Schedler
Bean	Heitmeier	Siracusa
Cain	Irons	Smith
Campbell	Johnson	Tarver
Casanova	Jones	Theunissen
Cox	Lambert	Thomas
Cravins	Landry	Ullo
Dardenne	Lentini	
Dean	Malone	
Total—31		

NAYS

Branch	Fields C	Fields W
Total—3		

ABSENT

Boissiere	Hines	Jordan
Greene	Hollis	
Total—5		

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

HOUSE BILL NO. 1987—
BY REPRESENTATIVE RIDDLE
AN ACT

To enact R.S. 46:237, relative to unpaid child support; to authorize the Department of Social Services, office of family support, to enter into cooperative endeavors with private attorneys for the purpose of collecting unpaid child support; to provide for the release of certain information; and to provide for related matters.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Reengrossed House Bill No. 1987 by Representative Riddle

AMENDMENT NO. 1

On page 2, line 4, after "Section" insert a period "." and delete the remainder of the line

AMENDMENT NO. 2

On page 2, delete lines 5 through 7

AMENDMENT NO. 3

On page 2, line 8, change "OFS determines" to "a private attorney retained by the obligee receives a certification from OFS"

AMENDMENT NO. 4

On page 2, line 9, after "or" delete the remainder of the line and delete line 10 and insert "whose whereabouts have been unknown for more than six months, the private attorney retained by the obligee, may apply to"

AMENDMENT NO. 5

On page 2, line 15, delete "has been an absentee for more than six months" and insert "whose whereabouts have been unknown for more than six months"

AMENDMENT NO. 6

On page 2, line 18, after "support" insert "in the obligees' case"

AMENDMENT NO. 7

On page 3, delete lines 10 and 11 and insert the following:

"Social Services or the office of support enforcement services to contract for hire with any private attorney or entity for the collection of child support or the provision of IV-D services."

On motion of Senator Landry, the amendments were adopted.

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

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	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Dyess	Lambert	
Total—38		

NAYS

Total—0

ABSENT

Mr. President
Total—1

The Chair declared the amended 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. 2010—

BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 42:821(A)(2)(a)(viii) and 851(A)(2)(a)(viii), relative to life and health and accident insurance coverage of the State Employees Group Benefits Program; to expand the definition of employees eligible for the program to include active and retired employees of the Acadiana Criminalistics Laboratory Commission; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Total—39		

NAYS

Total—0

ABSENT

Total—0

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

HOUSE BILL NO. 2012—

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

AN ACT

To amend and reenact R.S. 40:600.6(A)(4), relative to the Louisiana Housing Finance Agency; to provide with respect to the application of the Administrative Procedure Act to the agency for certain programs; and to provide for related matters.

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	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Total—39		

NAYS

Total—0

ABSENT

Total—0

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

HOUSE BILL NO. 2020—

BY REPRESENTATIVE HUNTER
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Greene	Hainkel
Total—3		

The Chair declared the 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.

HOUSE BILL NO. 2032 (Substitute for House Bill No. 681 by Representative Toomy)—

BY REPRESENTATIVE TOOMY

AN ACT

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

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

HOUSE BILL NO. 2059—

BY REPRESENTATIVES HEATON AND TRAVIS

AN ACT

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

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

Messages from the House

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

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

June 10, 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. 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 without amendments.

SENATE CONCURRENT RESOLUTION NO. 149—

BY SENATORS ROBICHAUX AND IRONS

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Environmental Quality to study the use of "cost-benefit" analysis by environmental agencies or departments in other states.

Reported without amendments.

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

June 10, 1999

To the Honorable President and Members of the Senate:

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

SENATE BILL NO. 1108—

BY SENATORS THOMAS, SCHEDLER, AND HAINKEL

AN ACT

To amend and reenact R.S. 47:302.26, 322.37(A), and 332.13, relative to disposition of certain tax collections in St. Tammany Parish; to create the St. Tammany Parish Fund; to dedicate the state hotel sales tax from St. Tammany Parish to the St. Tammany Parish Fund; to allocate the St. Tammany Parish Fund between the St. Tammany Parish Tourist Commission and the St. Tammany Parish Economic and Development District Fund; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 206—

BY SENATORS THEUNISSEN AND LANDRY AND REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 2:131(A), 135.1(A),(B), (I), and (J), 319, 321, 602(A), and 607(B) and to enact R.S. 2:1(25), (26), (27), and (28), and 135.1 (K), (L), (M), (N), (O), and (P), relative to aviation; to provide for definitions; to provide relative to authority of sponsors of public airports; to provide for optional public bid requirements under certain conditions; to require certain conditions of maintenance within certain lease contracts; to require certain conditions of fairness and non-discrimination within certain lease contracts; to repeal exemption from lease requirements of airports operated through cooperative agreements with the state; to require cost escalation provisions on certain lease contracts; to require public access to air field facilities; to provide relative to requirements of fixed-base operators; to authorize compensation

for "through-the-fence" operations; to provide relative to the terms of office of commissioners of certain airport districts; to provide relative to membership of airport authorities; to provide relative to terms of office of commission members of such authorities; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 521—
BY SENATOR DARDENNE

AN ACT

To enact R.S. 23:1021(10)(f), relative to workers' compensation; to provide for the determination of wages; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1024 (Substitute for Senate Bill 248 by Senator Dardenne)—

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

To amend and reenact R.S. 17:7(22), 3911(B), and 3912, and to repeal R.S. 17:3911(C)(5), relative to annual data collection and reporting requirements of the state Department of Education; to provide relative to the indicators contained in the progress profiles; to provide relative to the information collected in the data collection and analysis; to delete the required inclusion of certain inventory reporting requirements in the data collection system; to provide relative to first-time freshman performance reporting requirements; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 407—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:1152(E), relative to the Louisiana School Employees' Retirement System; to provide for the status of a participant in the Deferred Retirement Option Plan; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 321—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:62(9) and 2178(C), relative to the Sheriffs' Pension and Relief Fund; to increase contribution rates; to provide with respect to service accrual rates; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1025 (Substitute for Senate Bill 946 by Senator Greene)—

BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 17:7.3(A)(1), 1519(5) and (6), 1519.1(A), 1519.2(A), 1519.3(A)(4) and (9), 1519.6(A)(1), (3), (4)(a) and (c)(vi), (5)(a) and (d) and (C)(1), 1519.7(B)(1), (3), and (4)(f), 1519.8(B)(2) and (C), 3036.1(B), 3041, 3041.2, 3041.4, 3041.10(A)(4), 3041.12, and 3215(6), R.S. 22:3021(A), (B), (C), (E), (F) and (G) and 3022, R.S. 36:251(B) and 254(A)(14), R.S. 39:1593.1(A), R.S. 40:5.11(C)(4), 1051, 1299.90.1(F)(4), 1300.5(A)(1), 1300.83(2) and (3), 1300.84(A), the introductory paragraph of 2212(B), and the introductory paragraph of 2232(B), R.S. 45:836(3), and R.S. 46:153.3(C)(2)(a), 160.8(A)(3)(a), 812(A)(1), 2513(A)(7) and 2605(B)(27), relative to the Louisiana State University Medical Center; to change the name of the medical center to the Louisiana State University Health Sciences

Center; to authorize the Louisiana Law Institute to make revisions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1063—
BY SENATOR ULLO

AN ACT

To enact Part III-G of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:136 through 136.8, relative to expropriation by a declaration of taking; to provide for the expropriation of property in this manner by certain parishes; to provide for definitions; to provide for the authority to expropriate; to provide for the contents and place of filing of the petition; to provide for the prayer of the petition and for an ex parte order of deposit of estimated compensation; to provide for the vesting of title; to provide for notice to the owner of the property or servitude; to provide for contesting the validity of the expropriation and for waiver of defenses; to provide for the answer by the owner; to provide for penalty for nonuse of the expropriated property; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 495—
BY SENATOR THOMAS

AN ACT

To amend and reenact Code of Evidence Art. 510(B)(2)(g), relative to the health care provider-patient privilege; to exclude application of the privilege to certain communications with a court-appointed physician; and to provide for related matters.

Reported with amendments.

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

June 10, 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. 231—

BY REPRESENTATIVES ALARIO, TRICHE, ANSARDI, BAUDOIN, BAYLOR, BOWLER, BRUCE, CHAISSON, CLARKSON, COPELIN, DAMICO, DEVILLE, DOERGE, DUPRE, DURAND, FAUCHEUX, GAUTREAUX, GLOVER, GUILLORY, HEBERT, HUNTER, JENKINS, JOHNS, KENNARD, LANCASTER, LEBLANC, MARIONNEAUX, MARTINY, McDONALD, MICHOT, MITCHELL, MORRELL, MURRAY, ODINET, PERKINS, PIERRE, PINAC, PRATT, ROMERO, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JOHN SMITH, SNEED, STELLY, THOMPSON, THORNHILL, TOOMY, TRAVIS, WADDELL, WALSWORTH, WELCH, WESTON, WIGGINS, WILKERSON, AND WILLARD

AN ACT

To amend and reenact R.S. 33:2002(A)(1), 2218.2(A), and 2218.8(B), relative to extra compensation and supplemental pay for firemen, police officers, and deputy sheriffs; to increase such extra compensation and supplemental pay; 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. 231—

BY REPRESENTATIVES ALARIO, TRICHE, ANSARDI, BAUDOIN, BAYLOR, BOWLER, BRUCE, CHAISSON, CLARKSON, COPELIN, DAMICO, DEVILLE, DOERGE, DUPRE, DURAND, FAUCHEUX, GAUTREAU, GLOVER, GUILLORY, HEBERT, HUNTER, JENKINS, JOHNS, KENNARD, LANCASTER, LEBLANC, MARIONNEAUX, MARTINY, MCDONALD, MICHOT, MITCHELL, MORRELL, MURRAY, ODINET, PERKINS, PIERRE, PINAC, PRATT, ROMERO, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JOHN SMITH, SNEED, STELLY, THOMPSON, THORNHILL, TOOMY, TRAVIS, WADDELL, WALSWORTH, WELCH, WESTON, WIGGINS, WILKERSON, AND WILLARD

AN ACT

To amend and reenact R.S. 33:2002(A)(1), 2218.2(A), and 2218.8(B), relative to extra compensation and supplemental pay for firemen, police officers, and deputy sheriffs; to increase such extra compensation and supplemental pay; and to provide for related matters.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

EDUCATION

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

June 10, 1999

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 261—

BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To urge and request higher education governing boards to appropriately fund intramural and recreational sport facilities and programs.

Reported favorably.

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.

Reported with amendments.

HOUSE BILL NO. 1614—

BY REPRESENTATIVE PRATT

AN ACT

To amend and reenact R.S. 17:434(A), relative to planning time for certain teachers; to require planning time and lunch periods for all public school teachers; to provide for effectiveness and funding; and to provide for related matters.

Reported favorably.

Respectfully submitted,
THOMAS A. GREENE
Chairman

House Bills and Joint Resolutions on Second Reading Reported by Committees

Senator Greene 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. 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.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 1500 by Representative Jetson

AMENDMENT NO. 1

On page 2, line 5, after "D." insert "(1)"

AMENDMENT NO. 2

On page 2, line 7, after "or by" insert "eligible" and after "organizations" insert "as provided in Paragraph (2) of this Subsection"

AMENDMENT NO. 3

On page 2, at the end of line 12, after "Section," insert "Performance-based criteria as established by the State Board of Elementary and Secondary Education shall be used to allocate such funds."

AMENDMENT NO. 4

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

"(2) As used in this Section, "eligible community-based organizations" shall include:

- (a) A local educational agency.
- (b) A community-based organization of demonstrated effectiveness.
- (c) A volunteer literacy organization of demonstrated effectiveness.
- (d) An institution of higher learning.
- (e) A public or private nonprofit agency.
- (f) A library.
- (g) A public housing authority.
- (h) A nonprofit institution that is not specified in Subparagraphs (a) through (g) of this Paragraph which has the ability to provide literacy services to adults and families.
- (i) A consortium of the agencies, organizations, institutions, libraries, or authorities."

On motion of Senator Greene, 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. 1614—
BY REPRESENTATIVE PRATT

AN ACT

To amend and reenact R.S. 17:434(A), relative to planning time for certain teachers; to require planning time and lunch periods for all public school teachers; to provide for effectiveness and funding; and to provide for related matters.

Reported favorably by the Committee on Education. 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.

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 157—
BY SENATORS DARDENNE, BRANCH, GREENE, C. FIELDS, W. FIELDS, AND LAMBERT AND REPRESENTATIVES CARTER, CRANE, DANIEL, DIEZ, FONTENOT, HOLDEN, JETSON, JENKINS, KENNARD, MCCAIN, MCMAINS, MARIONNEAUX, PERKINS, WELCH, AND WESTON

A CONCURRENT RESOLUTION

To commend Woman's Hospital and Woman's Health Foundation on 30 years of commitment to improvement of the health of women and infants.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Ellington	Lambert
Bean	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	Tarver
Dean	Jones	Thomas
Dyess	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Barham	Theunissen
Total—3		

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

**Regular Order of
House Bills and Joint Resolutions on
Third Reading
and Final Passage, Resumed**

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

HOUSE BILL NO. 2075—

BY REPRESENTATIVES BARTON, FAUCHEUX, AND WELCH
AN ACT

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

The bill was read by title. Senator Campbell 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	Heitmeier	Romero
Cain	Hines	Siracusa
Campbell	Hollis	Smith
Casanova	Irons	Tarver
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Dardenne	Jordan	Ullo
Total—36		

NAYS

Dean
Total—1

ABSENT

Hainkel	Schedler
Total—2	

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

HOUSE BILL NO. 2144—

BY REPRESENTATIVE WALSWORTH
AN ACT

To enact R.S. 6:966.2, relative to additional default remedies; to provide for a notice of seizure; to provide for contents; to provide for fees; and to provide for related matters.

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	Landry
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	Tarver
Cox	Johnson	Theunissen

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Cravins	Jones	Thomas
Dardenne	Jordan	Ullo
Dean	Lambert	
Total—38		

NAYS

Total—0

ABSENT

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean	Fields C	Fields W
Total—3		

ABSENT

Campbell	Hainkel
Total—2	

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. 2162—
BY REPRESENTATIVES ILES AND CLARKSON
AN ACT

To enact R.S. 40:2741, relative to lactation consultants; to provide for a registry of persons who are International Board Certified Lactation Consultants; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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	
Dyess	Landry	
Total—37		

NAYS

Total—0

ABSENT

Mr. President	Hainkel
Total—2	

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

HOUSE BILL NO. 2169—
BY REPRESENTATIVE CLARKSON
AN ACT

To amend and reenact R.S. 37:1435(F) and to enact R.S. 37:1435(H), relative to the Louisiana Real Estate Commission; to provide for powers and duties; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Ellington	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
Dyess	Lambert	
Total—38		

NAYS

Total—0

ABSENT

Mr. President

Total—1

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

HOUSE BILL NO. 2171— BY REPRESENTATIVE CLARKSON AN ACT

To amend and reenact R.S. 37:1437(C)(2), (5), and (6)(a) and 1437.3(E)(1) and (3), relative to real estate licensees; to provide for education requirements for real estate brokers and salespersons; to provide for an exemption to education requirements; to provide relative to education requirements for licensees with inactive status; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—39

NAYS

Total—0

ABSENT

Total—0

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

HOUSE BILL NO. 2181— BY REPRESENTATIVE WILKERSON AN ACT

To enact R.S. 40:1299.184 through 1299.188, relative to disparity in health care outcomes; to create the Disparity Commission to study disparity in disease and death rates among certain sectors of the population; to provide for legislative findings; to provide for powers, duties, and functions of the commission; to provide for membership of the commission; to provide for termination of the commission; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Bajoie, Ellington, Landry

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

Total—36

NAYS

Dean Total—1

ABSENT

Mr. President Hainkel Total—2

The Chair declared the 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.

HOUSE BILL NO. 2189— BY REPRESENTATIVES JETSON, MORRELL, MURRAY, AND WESTON AN ACT

To amend and reenact R.S. 51:2762(3), (5)(introductory paragraph) and (a), (9), (10), and (11), 2763, 2764(A), (B), and (C), 2766, and 2767(C) and to enact R.S. 51:2762(5)(e), relative to new assistive device warranties; to provide for definitions; to provide for express warranties and duties to repair; to provide for replacements or refunds; to provide for reimbursements for temporary replacement of assistive devices; to provide for actions for recovery of damages; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: 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, Dyess, Landry

Total—37

NAYS

Total—0

ABSENT

Mr. President Hainkel Total—2

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

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HOUSE BILL NO. 2221—
BY REPRESENTATIVES MORRELL, FRITH, AND MURRAY
AN ACT
To amend and reenact R.S. 4:217(D)(2) and to enact R.S. 4:150(E),
relative to racing; to provide relative to minors owning horses; to
provide relative to purse supplements; and to provide for related
matters.

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

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

AN ACT

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

Floor Amendments Sent Up

Senator Malone sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Engrossed House Bill No.
2262 by Representative Damico

AMENDMENT NO. 1

On page 1, line 2, between "R.S. 30:2050.8" and the comma "," insert
"and to enact R.S. 30:2050.7(E)"

AMENDMENT NO. 2

On page 1, line 3, between "enforcement;" and "to" insert the
following:

"to provide certain modifications to the department's settlement
procedures; to provide for adoption of certain regulations relative to
environmentally beneficial projects; to provide relative to reporting
requirements;"

AMENDMENT NO. 3

On page 1, line 8, between "reenacted" and "to" insert "and R.S.
30:2050.7(E) is hereby enacted"

AMENDMENT NO. 4

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

"§2050.7. Enforcement; settlement or compromise

* * *

E. Notwithstanding the provisions of R.S. 30:2205, the
secretary may enter into settlements of civil penalty assessments
which allow the respondent to perform environmentally beneficial
projects and/or provide for the payment of a cash penalty to the
state which shall be considered a civil penalty for tax purposes.
The secretary shall adopt and promulgate rules and regulations in
accordance with the provisions of the Administrative Procedure
Act to implement a program for allowing the performance of
environmentally beneficial projects. Such rules and regulations
shall define the parameters of environmentally beneficial projects,
consistent with federal law, regulations, and policies, and shall
include environmental mitigation as an aspect of all such
authorized projects. The secretary shall prepare and submit to the
Senate Committee on Environmental Quality and the House of
Representatives Committee on the Environment no later than
March first, an annual report on any environmentally beneficial
projects allowed by the secretary as part of any settlements of civil
penalty assessments."

Senator Malone moved adoption of the amendments.

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie Dean Lentini
Barham Dyess Malone
Bean Ellington Robichaux
Boissiere Greene Romero
Branch Hainkel Schedler
Cain Heitmeier Siracusa
Campbell Hines Smith
Casanova Hollis Tarver
Cox Jones Theunissen
Cravins Jordan Thomas
Dardenne Lambert Ullo
Total—33

NAYS

Fields C Irons Landry
Fields W Johnson
Total—5

ABSENT

Mr. President
Total—1

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Fields C Irons
Fields W Landry
Total—4

ABSENT

Mr. President
Total—1

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

HOUSE BILL NO. 2263 (Substitute for House Bill No. 892 by Representative Clarkson)—

BY REPRESENTATIVE CLARKSON
AN ACT

To enact R.S. 22:250.20, relative to health insurance; to prohibit the disclosure or transfer of information related to abuse status or abuse-related medical treatment by health insurance issuers and nonfederal governmental plans; to provide for conversion of individual insurance coverage for victims of domestic violence; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President Fields C
Total—2

The Chair declared the 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.

HOUSE BILL NO. 2264 (Substitute for House Bill No. 1437 by Representative Morrish)—

BY REPRESENTATIVE MORRISH
AN ACT

To enact R.S. 22:1474 and R.S. 23:1200.3, relative to insurance documents; to provide for the exclusive use; to provide for exceptions; to provide for agreements; to provide for mediation and arbitration; to provide for commissions; to provide for rules; and to provide for related matters.

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

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

HOUSE BILL NO. 3—
BY REPRESENTATIVE ALARIO
AN ACT

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

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

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.

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

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

NAYS

Total—0

ABSENT

Mr. President Bean Jordan

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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.

Rules Suspended

Senator Irons 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, Subject to Call

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

Mr. President in the Chair

HOUSE BILL NO. 50— BY REPRESENTATIVE MURRAY AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

ABSENT

Total—0

Jordan Total—1

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

Regular Order of

House Bills and Joint Resolutions on Third Reading and Final Passage, Resumed

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

HOUSE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—38

NAYS

Total—0

ABSENT

Schedler Total—1

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

HOUSE BILL NO. 79— BY REPRESENTATIVE MARTINY AN ACT

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

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

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.

The bill was read by title. Senator Cox 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	Siracusa
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones	Ullo
Dean	Jordan	

Total—38

NAYS

Total—0

ABSENT

Schedler
Total—1

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

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.

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	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones	Ullo
Dyess	Lambert	

Total—35

NAYS

Total—0

ABSENT

Boissiere
Cravins

Jordan
Siracusa

Total—4

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

HOUSE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—38

NAYS

Total—0

ABSENT

Hainkel
Total—1

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

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.

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	Fields W	Lentini
Barham	Greene	Malone

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Bean	Hainkel	Robichaux
Branch	Heitmeier	Romero
Cain	Hines	Siracusa
Campbell	Hollis	Smith
Casanova	Irons	Tarver
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Dardenne	Jordan	Ullo
Dyess	Lambert	
Fields C	Landry	
Total—34		

NAYS

Mr. President	Dean
Total—2	

ABSENT

Boissiere	Ellington	Schedler
Total—3		

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

HOUSE BILL NO. 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.

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

NAYS

Total—0

ABSENT

Hines	Malone	Smith
Total—3		

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. 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.

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

NAYS

Total—0

ABSENT

Total—0

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Total—0

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

HOUSE BILL NO. 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.

Floor Amendments Sent Up

Senator Campbell sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Campbell to Engrossed House Bill No. 232 by Representative Barton

AMENDMENT NO. 1

On page 1, line 2, delete "(B)"

AMENDMENT NO. 2

On page 1, line 9, delete "(B)"

AMENDMENT NO. 3

On page 1, delete line 12 and insert the following:

"A. The avails of the tax imposed by R.S. 47:302, one-half of the avails of the tax imposed by R.S. 47:321, and the avails of the tax imposed by R.S. 47:331 from the sales of services as defined in R.S. 47:301(14)(a) in the city of Bossier City under the provisions of R.S. 47:302(C), 321(C), 322, 331(C), and 332, as applicable, shall, beginning in the fiscal year 1999-2000, and each year thereafter be credited to the Bond Security and Redemption Fund, and after a sufficient amount is allocated from that fund to pay all the obligations secured by the full faith and credit of the state which become due and payable within any fiscal year, the treasurer shall pay the remainder of such funds into a special fund which is hereby created in the state treasury and designated as the "Bossier City Riverfront and Civic Center Fund" appropriated to the Bossier City Riverfront and Civic Center and shall be held by the center in its treasury as a special account. The money in such account may be used for the purposes provided for in Subsection B of this Section."

AMENDMENT NO. 4

On page 1, delete lines 13 and 14 and insert in lieu thereof "B. The"

AMENDMENT NO. 5

On page 1, line 15, change "fund" to "account"

AMENDMENT NO. 6

On page 1, line 17, delete "All unexpended" and on page 2, delete lines through 4 and insert:

"Section 2. The Bossier City Riverfront and Civic Center Fund in the state treasury created by Act No. 977 of 1992 is hereby abolished. Unexpended and unencumbered monies in the fund as of July 1, 1999, shall be deposited in and credited to the special account designated by the Bossier City Riverfront and Civic Center.

Section 3. This Act shall become effective July 1, 1999."

Senator Campbell moved adoption of the amendments.

Senator Landry objected.

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, Malone, Robichaux, Romero, Siracusa, Smith, Tarver, Theunissen, Thomas, Ullo

Total—34

NAYS

Landry Total—1

ABSENT

Mr. President Jordan Total—4

Lentini Schedler

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—36

NAYS

Landry Total—1

ABSENT

Jordan Total—2

Schedler

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

June 10, 1999

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Table with 2 columns: Cravins, Schedler, Total—2

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

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.

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

Table with 3 columns of names: Mr. President, Bajoié, Barham, Bean, Boissiere, Branch, Cain, Campbell, Casanova, Cox, Dyess, Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Tarver.

Table with 3 columns: Cravins, Dardenne, Dean, Johnson, Jones, Jordan, Theunissen, Thomas, Ullo, Total—39

NAYS

Total—0

ABSENT

Total—0

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.

Rules Suspended

Senator Schedler 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 Schedler asked that Senate Bill No. 293 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 293—
BY SENATORS EWING AND HAINKEL AND REPRESENTATIVES DOWNER, LEBLANC AND LONG
A JOINT RESOLUTION

Proposing to add Article VII, Section 10.8 of the Constitution of Louisiana, relative to state funds; to create the Louisiana Educational Excellence Direct Support Fund, the Higher Education Support Fund and the Health and Science Support Fund; to provide for deposit of monies into the funds; to provide for investment and uses of monies in the funds; to provide for related matters; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Schedler, Landry, and Romero to Engrossed Senate Bill No. 293 by Senator Ewing

AMENDMENT NO. 1

On page 1, line 3, after "state funds;" delete the remainder of the line, delete lines 4 through 6 and insert "to provide relative to the receipt and disbursement of monies received by the state as a result of the Master Settlement Agreement settling certain litigation involving this state and other states and major tobacco companies; to provide for the issuance of revenue bonds secured by such monies; to establish and provide for the Louisiana Investment for Tomorrow Fund as a special permanent trust fund in the state treasury out of such monies; to establish and provide for the Louisiana Fund in the state treasury out of the revenue bond proceeds, investment earnings, and realized capital gains as a result of the pledging or investing of such monies; to provide for investment and uses of monies in the funds; to provide for the expenditure of monies in the Louisiana Fund;"

AMENDMENT NO. 2

On page 1, delete line 14 through 16 and delete pages 2 and 3 and on page 4, delete lines 1 through 16 and insert:

"§10.8. Master Settlement Agreement; revenue bond issuance authority; Louisiana Investment for Tomorrow Fund, establishment; Louisiana Fund, establishment"

Article VII, Section 10.8 is all proposed new law.

Section 10.8. (A)(1) Louisiana Investment for Tomorrow Fund. There shall be established in the state treasury as a special permanent trust fund the Louisiana Investment for Tomorrow Fund, hereinafter referred to as the "LIFT Fund". The treasurer shall expend for payments made pursuant to Paragraph B of this Section or deposit and credit to the LIFT Fund all monies received as a result of the Master Settlement Agreement, hereinafter referred to as the "Settlement Agreement", executed November 23, 1998, and approved by Consent Decree and Final Judgment entered in the case "Richard P. Ieyoub, Attorney General, ex rel. State of Louisiana v. Philip Morris, Incorporated, et al.", bearing Number 98-6473 on the docket of the Fourteenth Judicial District for the parish of Calcasieu, state of Louisiana and such earnings and income on investments of and realized capital gains on investment of such monies determined to be an inflation hedge to the LIFT Fund as provided in this Section.

(B) Revenue Bonds. The State Bond Commission, or its successor, may annually issue and sell bonds, notes, or other obligations, hereinafter referred to as "bonds" secured by a pledge of not more than ninety-five percent of the monies received by the state as a result of the Master Settlement Agreement. Such bonds may be issued in amounts authorized by the legislature. Bonds so issued may also be further secured by a collateralization of all or a portion of monies in the Louisiana Investment for Tomorrow Fund. If bonds are issued subject to a collateralization as provided in this Paragraph, the treasurer may pay from the LIFT Fund any principal, interest, or premium, if any, and other obligations incident to the issuance, security, prepayment, defeasance, and payment in respect thereof without the need for legislative appropriation. The net proceeds on any bonds issued pursuant to this Paragraph shall be deposited in and credited to the Louisiana Fund, established in Paragraph D of this Section. Any revenue bonds issued under the authority of this Paragraph shall not be general obligation bonds secured by the full faith and credit of the state.

(C) Investment. (1) Monies credited to the LIFT Fund pursuant to this Section shall be invested and administered by the state treasurer. Notwithstanding any provision of this constitution to the contrary, the state treasurer shall invest the monies in the LIFT Fund and earnings therefrom in a manner prudent for a perpetual trust or endowment fund including not more than fifty percent in the investment in common and preferred stock and other securities and properties suitable for such fund. The treasurer may contract, subject to approval of the State Bond Commission, for the management of such investments.

(2) No appropriations shall be made from the LIFT Fund, except for the costs and expenses for the management and administration thereof as provided in this Paragraph which shall be annually appropriated.

(3) After deducting and depositing in the LIFT Fund an inflation hedge amount which shall be determined annually by the Revenue Estimating Conference as provided by law and after allocation of the money to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B), the treasurer shall transfer for deposit and credit to the Louisiana Fund all revenue bond proceeds, earnings and income on investments, and realized capital gains on investment of monies in the LIFT Fund.

(D) Louisiana Fund. (1) There shall be established in the state treasury as a special fund the Louisiana Fund, hereinafter referred to as the "Fund". The treasurer shall deposit in and credit to the Fund all bond proceeds from the issuance of bonds as provided by Paragraph B of this Section and all monies transferred to the Fund as provided in Paragraph (C)(3) of this Section.

(2) Monies credited to the Fund shall be invested by the treasurer as provided for in this Section. After allocation of the money to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B), all earnings and income and realized capital gains on investment of monies in the Fund shall be deposited and credited to the Fund. All unexpended and unencumbered balances in the Fund at the end of the fiscal year shall remain in the Fund.

(3) All monies in the Fund may be appropriated for purposes specified by the legislature."

AMENDMENT NO. 3

On page 4, line 19, after "1999" delete the remainder of the line and delete lines 19 through 25 and insert a period

AMENDMENT NO. 4

On page 4, line 26, change "Section 4." to "Section 3."

AMENDMENT NO. 5

On page 5, delete lines 3 through 19, and insert:

"To provide for the receipt, expenditure and distribution of monies received by the state pursuant to the tobacco settlement; to authorize the State Bond Commission to issue revenue bonds payable from not more than ninety-five percent of the monies received under the tobacco settlement in amounts authorized by the legislature, which bonds would be secured by a pledge of the tobacco settlement; to create as a special permanent trust fund in the state treasury the Louisiana Investment for Tomorrow Fund (LIFT Fund) and to provide that all monies received by the state under the settlement agreement, after satisfying requirements for payment of revenue bonds secured by such monies, be deposited into the LIFT Fund; to authorize such funds to be used as collateralization to secure any revenue bonds which are primarily secured by tobacco settlement revenue; to provide that monies in the LIFT Fund be invested by the treasurer, including authority to invest not more than fifty percent in common and preferred stock, and other securities and property; to establish and provide for the Louisiana Fund in the state treasury; to provide that all revenue bond proceeds, earnings and income and realized capital gains earned on the trust investment in excess of an inflation hedge be deposited in the Louisiana Fund; to provide that the inflation hedge be established annually by the Revenue Estimating Conference; to prohibit appropriations from the LIFT Fund, except for annually appropriated costs of investment and administration; to provide for investment of the Louisiana Fund balance; to provide that monies in the Louisiana Fund can be appropriated for any purpose specified by the legislature. (Adds Article VII, Section 10.8)"

On motion of Senator Schedler, the amendments were adopted.

Floor Amendments Sent Up

Senator Campbell sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Campbell to Engrossed Senate Bill No. 293 by Senator Ewing

AMENDMENT NO. 1

Delete Senate Floor Amendment Nos. 1 through 5 proposed by Senators Schedler and Romero and adopted by the Senate on June 10, 1999.

June 10, 1999

AMENDMENT NO. 2

On page 1, line 2, change "Section 10.8" to "Sections 10.8 and 10.9"

AMENDMENT NO. 3

On page 1, line 3, after "state funds;" delete the remainder of the line, delete lines 4 through 6 and insert "to provide relative to the receipt and disbursement of monies received by the state as a result of the Master Settlement Agreement settling certain litigation involving this state and other states and major tobacco companies; to provide for the issuance of revenue bonds secured by such monies; to establish and provide for the Louisiana Investment for Tomorrow Fund as a special permanent trust fund in the state treasury out of such monies; to establish and provide for the Louisiana Fund in the state treasury out of the revenue bond proceeds, investment earnings, and realized capital gains as a result of the pledging or investing of such monies; to provide for investment and uses of monies in the funds; to provide for the expenditure of monies in the Louisiana Fund; relative to the establishment of a permanent trust fund for each of the public school systems in the state and for certain state and state approved private schools from a portion of monies received by the state in settlement of certain litigations; to provide for the establishment of the funds and the proportions of money to be credited to each fund; to provide for the investment of the fund monies; to provide for the establishment of a fund from which investment income may be disbursed to the public school systems and certain state and state approved private schools; to provide for the disbursement and expenditure of the money from such fund; to provide for the duties of the state treasurer; to provide for the disposition of the permanent trust funds;"

AMENDMENT NO. 4

On page 1, line 12, change "Section 10.8" to "Sections 10.8 and 10.9"

AMENDMENT NO. 5

On page 1, delete line 14 through 16 and delete pages 2 and 3 and on page 4, delete lines 1 through 16 and insert:

"§10.8. Master Settlement Agreement; revenue bond issuance authority; Louisiana Investment for Tomorrow Fund, establishment; Louisiana Fund, establishment"

Article VII, Section 10.8 is all proposed new law.

Section 10.8. (A)(1) Louisiana Investment for Tomorrow Fund. There shall be established in the state treasury as a special permanent trust fund the Louisiana Investment for Tomorrow Fund, hereinafter referred to as the "LIFT Fund". The treasurer shall expend for payments made pursuant to Paragraph B of this Section or deposit and credit to the LIFT Fund all monies received as a result of the Master Settlement Agreement, hereinafter referred to as the "Settlement Agreement", executed November 23, 1998, and approved by Consent Decree and Final Judgment entered in the case "Richard P. Ieyoub, Attorney General, ex rel. State of Louisiana v. Philip Morris, Incorporated, et al.", bearing Number 98-6473 on the docket of the Fourteenth Judicial District for the parish of Calcasieu, state of Louisiana and such earnings and income on investments of and realized capital gains on investment of such monies determined to be an inflation hedge to the LIFT Fund as provided in this Section.

(B) Revenue Bonds. The State Bond Commission, or its successor, may annually issue and sell bonds, notes, or other obligations, hereinafter referred to as "bonds" secured by a pledge of not more than thirty-five percent of the monies received by the state as a result of the Master Settlement Agreement. Such bonds may be issued in amounts authorized by the legislature. Bonds so issued may also be further secured by a collateralization of all or a portion of monies in the Louisiana Investment for Tomorrow Fund. If bonds are issued subject to a collateralization as provided in this Paragraph, the treasurer may pay from the LIFT Fund any principal, interest, or premium, if any, and other obligations incident to the issuance, security, prepayment, defeasance, and payment in respect thereof without the need for legislative appropriation. The net proceeds on any bonds issued pursuant to

this Paragraph shall be deposited in and credited to the Louisiana Fund, established in Paragraph D of this Section. Any revenue bonds issued under the authority of this Paragraph shall not be general obligation bonds secured by the full faith and credit of the state.

(C) Investment. (1) Monies credited to the LIFT Fund pursuant to this Section shall be invested and administered by the state treasurer. Notwithstanding any provision of this constitution to the contrary, the state treasurer shall invest the monies in the LIFT Fund and earnings therefrom in a manner prudent for a perpetual trust or endowment fund including not more than thirty-five percent in the investment in common and preferred stock and other securities and properties suitable for such fund and sixty-five percent in government securities secured by the full faith and credit of the United States government. The treasurer may contract, subject to approval of the State Bond Commission, for the management of such investments.

(2) No appropriations shall be made from the LIFT Fund, except for the costs and expenses for the management and administration thereof as provided in this Paragraph which shall be annually appropriated.

(3) After deducting and depositing in the LIFT Fund an inflation hedge amount which shall be determined annually by the Revenue Estimating Conference as provided by law and after allocation of the money to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B), the treasurer shall transfer for deposit and credit to the funds established in Section 10.9 of this Article forty percent revenue bond proceeds, earnings and income on investments, and realized capital gains on investment of monies in the LIFT Fund and the remainder in the Louisiana Fund as established in Paragraph D of this Section.

(D) Louisiana Fund. (1) There shall be established in the state treasury as a special fund the Louisiana Fund, hereinafter referred to as the "Fund". The treasurer shall deposit in and credit to the Fund all bond proceeds from the issuance of bonds as provided by Paragraph B of this Section and all monies transferred to the Fund as provided in Paragraph (C)(3) of this Section.

(2) Monies credited to the Fund shall be invested by the treasurer as provided for in this Section. After allocation of the money to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B), all earnings and income and realized capital gains on investment of monies in the Fund shall be deposited and credited to the Fund. All unexpended and unencumbered balances in the Fund at the end of the fiscal year shall remain in the Fund.

(3) All monies in the Fund may be appropriated for purposes specified by the legislature.

§10.9. Louisiana Education Excellence Fund

Article VII, Section 10.9 is all proposed new law.

Section 10.9. (A)(1) School funds. (a) Each city and parish school board and each approved special school shall establish a special permanent trust fund in the state treasury, each of which shall bear the name of the school or school system whose account it is combined with the words "Education Excellence Fund", and in addition, the treasurer shall establish a special permanent trust fund in the state treasury on behalf of all students attending private elementary and secondary schools in the state which are approved by the State Board of Elementary and Secondary Education which account shall be named the "Private Education Excellence Fund" all of which shall hereinafter collectively be referred to as "school funds". Each such fund shall be maintained in the state treasury on behalf of each school, the private school students, and each school board. The money in the school funds shall be managed and invested collectively by the state treasurer.

(b) For the purposes of this Section, "approved special schools" means the Louisiana School for the Deaf, the Louisiana School for the Visually Impaired, the Louisiana Special Education Center in Alexandria, the Louisiana School for Math, Science, and the Arts, and the New Orleans Center for Creative Arts, after such school is operational, and the Louis Armstrong High School for the Arts, after such school is operational.

(2) The treasurer shall directly deposit in and credit to the school funds all money which is transferred from the LIFT Fund as provided in Article 10.8 of this Section each year; twenty percent of the realized capital gains on the collective investment of the monies credited to the school funds, unless such percentage is changed by law enacted by two-thirds of the elected members of each house of the legislature; and twenty percent of the dividend income earned on the collective investment of the monies credited to the school funds. No appropriation shall be made from any of the school funds nor shall any expenditure of money in the school funds be authorized or permitted. No state monies shall be used directly or indirectly to discriminate or have the effect of discrimination in providing equal educational access and opportunities.

(3) Of the money to be credited to the school funds, fifteen percent shall be deposited into the Private Education Excellence Fund, and two hundred and fifty thousand dollars shall be credited to the school funds of the Louisiana School for the Deaf, the Louisiana School for the Visually Impaired, the Louisiana Special Education Center, the Louisiana School for Math, Science and the Arts, the New Orleans Center for Creative Arts, after such school is operational, and the Louis Armstrong High School for the Arts, after such school is operational. Of the remaining funds, thirty percent shall be equally divided among all city and parish school system funds. Seventy percent shall be divided among all city and parish school system funds in an amount to each system's school fund that bears the same relationship to the total of the remainder being divided that the system's total state share amount as contained in the minimum foundation program budget letter approved by the State Board of Elementary and Secondary Education bears to the whole amount of the state share appropriated pursuant to the minimum foundation formula in the year to which the budget year relates. The interest income, realized capital gains, and dividend income that are required in this Paragraph to be credited to each school fund shall be credited in an amount of the total each school's fund balance bears to the collective balance of all school funds.

(4) All the interest income, realized capital gains, and dividend income resulting from the collective investment of the monies in the school funds that are not required in this Paragraph to be credited to the school funds shall, notwithstanding the provisions of Article VII, Section 9(B) of this constitution, be directly credited to the Louisiana Educational Excellence Fund, hereinafter referred to as the LEEF Fund, which is hereby established in the state treasury.

(5)(a) The state treasurer shall annually disburse to each city and parish school board upon the warrant of its superintendent and each approved special school upon the warrant of its chief executive out of the LEEF Fund an amount that bears the same relationship to the total LEEF Fund balance that each school fund balance bears to the collective balance of all school funds, hereinafter referred to as investment earnings. These investment earnings may be expended as provided in Paragraph (C) of this Section.

(b) The state treasurer shall annually disburse to the state superintendent of education out of the LEEF Fund an amount that bears the same relationship to the total LEEF Fund balance that the Private Education Excellence Fund balance bears to the collective balance of all school funds, hereinafter referred to as investment earnings. The superintendent shall distribute these investment earnings to each private elementary and secondary school approved by the State Board of Elementary and Secondary Education upon the warrant of its principal on the basis of a formula that provides to each such school an equal amount for each enrolled student.

These investment earnings may be expended as provided in Paragraph (D) of this Section.

(6) At the end of the period during which payments under the tobacco settlement are to be received by the state, each city and parish school board and the boards of directors of the Louisiana School of Math, Science, and the Arts, the New Orleans Center for Creative Arts, when such school is operational, and the Louis Armstrong High School for the Arts, if such school is operational, may elect to either maintain its school fund in the state treasury to continue to be invested by the state treasurer or it may transfer its fund balance to its own custody and thereafter provide for investment of the fund itself. At the end of such period, the school fund of every other approved special school and the Private Education Excellence Fund shall remain in the state treasury to be invested by the state treasurer.

(B) Investment. (1) The money credited to the school funds pursuant to Paragraph (A) of this Section shall be invested by the state treasurer. Notwithstanding any provision of this constitution or other law to the contrary, a portion of money in the school funds may be invested in stock in the same manner and subject to the same restrictions of law as for the money in the Louisiana Education Quality Trust Fund. The treasurer shall contract, subject to the approval of the State Bond Commission, for the management of such investments. The state treasurer shall collect from the LEEF Fund, prior to its disbursement, an amount to cover the costs of investing and managing the monies in the school funds as approved by the State Bond Commission.

(2) The state treasurer shall annually disburse the total amount of investment earnings due each city and parish school board and each approved special school from its fund pursuant to Paragraph (A)(5) of this Section upon the warrant of the superintendent of each system or the chief executive of the approved special school accompanied by an affidavit that the system's or school's plan for expending the money has been filed with the state Department of Education as required in Paragraph (C) of this Section.

(3) The state superintendent shall annually distribute the amount due to each school pursuant to Paragraph (A)(5)(b) of this Section upon the warrant of each school principal accompanied by an affidavit that the school's plan for expending the money has been filed with the state Department of Education as required in Paragraph (D) of this Section.

(C) Expenditures. (1) Only investment earnings may be expended. Each city and parish school board may annually authorize its superintendent to and each chief executive of an approved special school may warrant all of its investment earnings or he may warrant any portion of its earnings. Any unwarranted earnings shall be maintained in an account from which it may be warranted and withdrawn in subsequent years unless the city or parish school board or the chief executive of an approved special school directs such earnings to be deposited into their permanent school fund. Any investment earnings directed to be deposited into a permanent school fund may not thereafter be warranted or expended.

(2) Prior to warranting its investment earnings, each city and parish school system and each approved special school shall file with the state Department of Education a plan for the expenditure of any funds disbursed pursuant to this Section. The plan shall be filed in a format established by the state Department of Education after consultation with the legislative auditor who shall use each such plan as a basis for auditing each city and parish school board's and each approved special school's use of its investment earnings to assure compliance with law. The plan, any expenditures permitted thereunder, and the audit authority regarding such expenditures shall be as provided by law.

(3) No investment earning disbursed to a city or parish school board or the chief executive of an approved special school pursuant to this Section shall displace, replace, or supplant appropriations from the state general fund which means that no disbursement to any city or parish school board or an approved special school from the LEEF Fund shall be expended for any purpose for which a state

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general fund appropriation was expended the previous year unless the total appropriations for that fiscal year from the state general fund exceed general fund appropriations for the previous year minus any amounts attributable to a larger population of students in the previous year. Nor shall any money disbursed to a city or parish school board pursuant to this Section displace, replace, or supplant locally generated revenue which means that no disbursement to any city or parish school board from the LEEF Fund shall be expended for any purpose for which a local revenue source was expended the previous year unless the total of the local revenue for that fiscal year exceeds such local revenue amounts for the previous year.

(4)(a) All investment earnings disbursed to any city or parish school system or any approved special school shall be expended by the system or school to enhance instruction or academic achievement by students as provided in each system's or school's plan and as provided by law. Expenditures shall not be permitted for administration of the funds, except as collected by the state treasurer to cover the costs of investing and managing the monies as provided in this Section; building maintenance, renovation, or upkeep; capital improvements; or increases in salary for any employee.

(b) Each city or parish school system and any approved special school shall expend no less than five percent of its annual investment earnings on a smoking and substance abuse prevention program.

(D) Expenditures. (1)(a) Prior to warranting any funds pursuant to this Section, each private school principal shall file with the state Department of Education a plan, as provided by law and in the format required by the department, for the expenditure of the money which is focused exclusively on the enhancement of instruction or academic achievement of the students in such school. No money may be expended on any theological instruction or material. No money may be expended on any facility renovation, maintenance, construction, or capital improvements of any kind. No money may be expended on increases in salary for any employee. No money may be expended or pledged to support debt. No money may be expended for the administration of funds, except as collected by the state treasurer to cover the costs of investing and managing the monies as provided in this Section.

(b) Each private school shall expend no less than five percent of its annual investment earnings on a smoking and substance abuse prevention program.

(2) The legislative auditor shall use such plan as a basis for auditing each school's use of its investment earnings to assure compliance with the law. The legislative auditor shall be provided with sufficient access to the records of each private school to be able to make the determination required by this Paragraph."

AMENDMENT NO. 6

On page 4, line 19, after "1999" delete the remainder of the line and delete lines 19 through 25 and insert a period

AMENDMENT NO. 7

On page 4, line 26, change "Section 4." to "Section 3."

AMENDMENT NO. 8

On page 5, delete lines 3 through 19, and insert:

"To provide for the receipt, expenditure and distribution of monies received by the state pursuant to the tobacco settlement; to authorize the State Bond Commission to issue revenue bonds payable from not more than ninety-five percent of the monies received under the tobacco settlement in amounts authorized by the legislature, which bonds would be secured by a pledge of the tobacco settlement; to create as a special permanent trust fund in the state treasury the Louisiana Investment for Tomorrow Fund (LIFT Fund) and to provide that all monies received by the state under the settlement agreement, after satisfying requirements for payment of revenue bonds secured by such monies, be deposited into the LIFT Fund; to authorize such funds to be used as

collateralization to secure any revenue bonds which are primarily secured by tobacco settlement revenue; to provide that monies in the LIFT Fund be invested by the treasurer, including authority to invest not more than fifty percent in common and preferred stock, and other securities and property; to establish and provide for the Louisiana Fund in the state treasury; to provide that sixty percent of all revenue bond proceeds, earnings and income and realized capital gains earned on the trust investment in excess of an inflation hedge be deposited in the Louisiana Fund; to provide that the inflation hedge be established annually by the Revenue Estimating Conference; to prohibit appropriations from the LIFT Fund, except for annually appropriated costs of investment and administration; to provide for investment of the Louisiana Fund balance; to provide that monies in the Louisiana Fund can be appropriated; to establish a permanent trust fund for each city and parish school system and the Louisiana School for the Deaf, the Louisiana School for the Visually Impaired, the Louisiana Special Education Center, the Louisiana School for Math, Science, and the Arts, the New Orleans Center for Creative Arts, when such school is operational, the Louis Armstrong High School, when it is operational, and one for all state approved private schools, called school funds out of thirty percent of the tobacco settlement money received by the state plus twenty percent of the investment earnings and gains on such money; to dedicate fifteen percent of such thirty percent to the private school funds and to dedicate to each of the five approved special schools two hundred and fifty thousand dollars and to divide the remaining tobacco settlement money among the city and parish school system funds, thirty percent in equal amounts to each such system fund and the remainder among the city and parish school system funds in amounts proportional to the system's portion of the state's cost of the minimum foundation program; to require the state treasurer to collectively invest all the money in the school funds; to authorize the investment of a portion of school fund monies in stocks; to require twenty percent of the investment earnings be deposited in the school funds and credit that portion of the investment earnings not required to be deposited in each school fund to the Louisiana Educational Excellence Fund out of which money shall be disbursed to each city and parish school system, the state superintendent on behalf of students attending state approved private schools, and each of the approved special schools in the proportion each school fund balance bears to the total balance of all the funds; to permanently prohibit any expenditure of the school funds principal; to require each city and parish school board and each approved special and each approved private school to provide a plan with regard to expending the disbursed investment earnings; to prohibit using any of the money disbursed to public school or school's systems to replace, displace, or supplant state or local monies; to require that all such money be expended to enhance instruction or academic achievement; to prohibit the expenditure of such money, except amounts collected by the state treasurer to cover the costs of investing the money on administration of the funds, building maintenance, renovation, or upkeep, or capital improvements by the public schools; and to prohibit the expenditure of such money by private schools on theological instruction or material, on any facility renovation, maintenance, construction, or capital improvements of any kind, to support debt, or for the administration of funds, except as collected by the state treasurer to cover the costs of investing the money; to permit each city and parish school system and the boards of directors of the Louisiana School of Math, Science, and the Arts and the Louis Armstrong High School, if it is operational, when no further tobacco settlement money is being received by the state, to elect to either maintain its fund in the state treasury and continue to have it invested by the state treasurer or transfer its fund balance to its own custody and thereafter provide for investment of the fund itself; and to require the remaining funds of approved special schools and the private schools to remain in the treasury. (Adds Article VII, Section 10.8)"

Senator Campbell moved adoption of the amendments.

Senator Schedler objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Greene	Malone
Campbell	Hainkel	Robichaux
Casanova	Heitmeier	Siracusa
Cox	Hines	Smith
Cravins	Irons	Tarver
Dardenne	Jones	Theunissen
Fields C	Lambert	Thomas
Fields W	Landry	Ullo
Total—24		

NAYS

Mr. President	Dyess	Romero
Bean	Ellington	Schedler
Dean	Lentini	
Total—8		

ABSENT

Barham	Cain	Jordan
Boissiere	Hollis	
Branch	Johnson	
Total—7		

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Branch	Johnson	Thomas
Hollis	Jordan	
Total—5		

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

Personal Privilege

Senator Thomas asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted as absent on the vote on Senate Bill No. 293. He had been called out of the chamber to assist with a medical emergency in the Capitol. He had intended to vote yea on the bill. He asked that the Official Journal so state.

Motion to Recommit

Senator Hines asked for and obtained 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.

**Regular Order Of
House Bills and Joint Resolutions on
Third Reading
and Final Passage, Resumed**

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

HOUSE BILL NO. 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.

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Branch	Hollis	Johnson
Total—3		

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The Chair declared the 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.

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.

Floor Amendments Sent Up

Senator Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Engrossed House Bill No. 277 by Representative Michot

AMENDMENT NO. 1

On page 1, line 5, after "areas" insert "included the United Theological Seminary"

AMENDMENT NO. 2

On page 1, line 12, after "areas." insert "The department shall erect a directional sign on Interstate 20 indicating the approaches to the United Theological Seminary."

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

Mr. President Dyess Lambert
Bajoie Ellington Landry
Barham Fields C Lentini
Bean Fields W Malone
Boissiere Greene Robichaux
Cain Hainkel Schedler
Casanova Heitmeier Siracusa
Cox Hines Smith
Cravins Irons Theunissen
Dardenne Jones Thomas
Dean Jordan Ullo
Total—33

NAYS

Total—0

ABSENT

Branch Hollis Romero
Campbell Johnson Tarver
Total—6

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.

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean
Total—1

ABSENT

Branch Johnson
Hollis Schedler
Total—4

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. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dean Lambert
Bajoie Dyess Lentini
Barham Ellington Malone
Bean Fields C Robichaux
Boissiere Fields W Romero
Cain Greene Siracusa
Campbell Heitmeier Smith
Casanova Hines Theunissen
Cox Irons Thomas

Cravins Jones Ullo
Dardenne Jordan
Total—32

NAYS

Landry
Total—1
ABSENT

Branch Hollis Schedler
Hainkel Johnson Tarver
Total—6

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

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.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed House Bill No. 402 by Representative Riddle

AMENDMENT NO. 1
On page 1, line 4, delete "or"

AMENDMENT NO. 2
On page 1, line 9, after "party" delete the remainder of the line

Senator Landry moved adoption of the amendments.

Senator Cox objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Hainkel Schedler
Barham Heitmeier Siracusa
Bean Jones Smith
Boissiere Lambert Tarver
Casanova Landry Theunissen
Dardenne Lentini Thomas
Dean Malone Ullo
Dyess Robichaux
Greene Romero
Total—25

NAYS

Cain Cravins Hines
Campbell Fields C Irons
Cox Fields W
Total—8

ABSENT

Bajoie Ellington Johnson
Branch Hollis Jordan
Total—6

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Branch Johnson
Hollis Jordan
Total—4

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

Rules Suspended

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

Reports of Committees

The following reports of committees were received and read:

SENATE CONFERENCE COMMITTEE REPORT

Senate Bill No. 832 by Senator Romero
June 8, 1999

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill 832 by Senator Romero recommend the following concerning the Engrossed bill:

That Conforming House Floor Amendments proposed by Representative Johns and adopted by the House on April 23, 1999 be rejected. Respectfully submitted,

Senators: Craig F. Romero F. Charles McMains, Jr.
Chris Ullo Ronnie Johns
Jim Cox

Rules Suspended

Senator Romero asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Romero, a vote was taken on the adoption of the report.

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ROLL CALL

The roll was called with the following result:

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

The Chair declared the Conference Committee Report was adopted. Senator Romero moved to reconsider the vote by which the report was adopted and laid the motion on the table.

**Regular Order Of
House Bills and Joint Resolutions on
Third Reading
and Final Passage, Resumed**

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

HOUSE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Dyess	Landry
Bajoie	Ellington	Lentini
Barham	Fields C	Malone
Bean	Fields W	Robichaux
Boissiere	Greene	Romero
Cain	Hainkel	Schedler

Campbell	Heitmeier	Siracusa
Casanova	Hines	Smith
Cox	Hollis	Tarver
Cravins	Irons	Theunissen
Dardenne	Jones	Thomas
Dean	Lambert	Ullo
Total—36		
NAYS		
Total—0		
ABSENT		
Branch	Johnson	Jordan
Total—3		

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

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.

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

ROLL CALL

The roll was called with the following result:

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

The Chair declared the 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.

Senator Casanova in the Chair

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Dyess, Landry. Includes Mr. President, Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, and Total—36.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Johnson, Jordan. Includes Branch and Total—3.

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

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.

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: Name, Ellington, Lentini. Includes Mr. President, Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Casanova, Cox, Dardenne, Dean, Dyess, and Total—35.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Johnson, Jordan. Includes Branch, Cravins, and Total—4.

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

HOUSE BILL NO. 530— BY REPRESENTATIVES MORRELL, COPELIN, PIERRE, WELCH, BAYLOR, WILKERSON, CURTIS, GUILLORY, HUDSON, HUNTER, AND WILLARD AND SENATOR IRONS

AN ACT

To name that part of Interstate 10 lying within Orleans Parish between the Jefferson Parish line and the St. Bernard Parish line the Reverend Avery C. Alexander Freeway; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Dyess, Malone. Includes Mr. President, Bajoie, Bean, Boissiere, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, and Total—31.

NAYS

Table with 3 columns: Name, Johnson, Jordan. Includes Hainkel and Total—1.

ABSENT

Table with 3 columns: Name, Johnson, Ullio. Includes Barham, Branch, Hines, and Total—7.

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

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.

Floor Amendments Sent Up

Senator Thomas sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Thomas to Engrossed House Bill No. 597 by Representative McCain

AMENDMENT NO. 1

On page 2, line 12, after "number." insert the following:

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"The department shall not deny any person a driver's license or a renewal if that person has not obtained a government issued social security number based on Section 7 of Pub. L. 93-579 Section (a)(1)."

On motion of Senator Thomas, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing YEAS: Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Fields C, Fields W, Greene, Heitmeier, Hines, Hollis, Irons, Jones, Jordan, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Tarver, Theunissen, Thomas, Ullo. Total—34

NAYS

Total—0

ABSENT

Table listing ABSENT: Mr. President, Branch, Hainkel, Johnson, Lambert. Total—5

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

HOUSE BILL NO. 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.

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

Table listing YEAS: Mr. President, Bajoie, Barham, Bean, Boissiere, Campbell, Casanova, Cox, Cravins, Dardenne, Ellington, Fields C, Fields W, Hainkel, Heitmeier, Hines, Hollis, Irons, Jones, Lambert, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Tarver, Theunissen, Thomas, Ullo.

Table listing YEAS: Dean, Dyess, Landry, Lentini. Total—34

NAYS

Total—0

ABSENT

Table listing ABSENT: Branch, Cain, Greene, Johnson, Jordan. Total—5

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

HOUSE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing YEAS: Bajoie, Barham, Bean, Boissiere, Cain, Campbell, Cox, Cravins, Dardenne, Dyess, Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Jones, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Tarver, Theunissen, Thomas, Ullo. Total—33

NAYS

Table listing NAYS: Dean. Total—1

ABSENT

Table listing ABSENT: Mr. President, Branch, Casanova, Johnson, Jordan. Total—5

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. 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.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Dardenne and Ewing to Reengrossed House Bill No. 647 by Representative John Smith

AMENDMENT NO. 1

On page 3, line 19, change "primary" to "general"

On motion of Senator Dardenne, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

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

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

HOUSE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Dyess	Lentini
Bajoie	Ellington	Malone
Barham	Fields C	Robichaux
Bean	Fields W	Romero
Boissiere	Greene	Schedler
Cain	Heitmeier	Siracusa
Campbell	Hollis	Smith
Casanova	Irons	Tarver
Cox	Jones	Theunissen
Cravins	Jordan	Thomas

Dardenne	Lambert	Ullo
Dean	Landry	
Total—35		
	NAYS	

Hainkel		
Total—1		
	ABSENT	

Branch	Hines	Johnson
Total—3		

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. 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.

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

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Dyess	Landry
Bajoie	Ellington	Lentini
Barham	Fields C	Malone
Bean	Fields W	Robichaux
Boissiere	Greene	Romero
Cain	Hainkel	Schedler
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Jones	Theunissen
Dardenne	Jordan	Thomas
Dean	Lambert	Ullo
Total—36		
	NAYS	
Total—0		
	ABSENT	
Branch	Heitmeier	Johnson
Total—3		

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

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.

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

June 10, 1999

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Dean	Robichaux
Bean	Fields C	Tarver
Boissiere	Fields W	Theunissen
Cain	Greene	Thomas
Campbell	Hines	Ullo
Cox	Irons	
Cravins	Jordan	
Total—19		

NAYS

Barham	Hollis	Romero
Casanova	Jones	Schedler
Dardenne	Lambert	Siracusa
Dyess	Landry	Smith
Ellington	Lentini	
Hainkel	Malone	
Total—16		

ABSENT

Mr. President	Heitmeier
Branch	Johnson
Total—4	

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Boissiere, 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.

Personal Privilege

Senator Ullo asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 683. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

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.

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	Fields C	Lentini
Bajoie	Fields W	Malone
Barham	Greene	Robichaux
Bean	Hainkel	Romero
Cain	Heitmeier	Schedler
Casanova	Hines	Siracusa
Cox	Hollis	Smith
Cravins	Irons	Tarver

Dardenne	Jones	Theunissen
Dean	Jordan	Thomas
Dyess	Lambert	Ullo
Ellington	Landry	
Total—35		

NAYS

Total—0

ABSENT

Boissiere	Campbell
Branch	Johnson
Total—4	

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. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean
Total—1

ABSENT

Branch	Johnson
Total—2	

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

HOUSE BILL NO. 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.

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 Fields C Malone
Bajoie Fields W Robichaux
Barham Greene Romero
Bean Hainkel Schedler
Cain Hines Siracusa
Campbell Hollis Smith
Casanova Irons Tarver
Cox Jones Theunissen
Dardenne Jordan Thomas
Dean Lambert Ullo
Dyess Landry
Ellington Lentini
Total—34

NAYS

Total—0

ABSENT

Boissiere Cravins Johnson
Branch Heitmeier
Total—5

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. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie Fields W Robichaux
Barham Hainkel Romero
Bean Heitmeier Schedler
Cain Hines Siracusa
Campbell Hollis Tarver
Cox Irons Theunissen
Cravins Jones Thomas
Dardenne Landry Thomas
Fields C Lentini Ullo
Total—26

NAYS

Casanova Greene Malone
Dean Jordan Smith
Dyess Lambert
Total—8

ABSENT

Mr. President Branch Johnson
Boissiere Ellington
Total—5

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

HOUSE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Branch Johnson
Total—2

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

HOUSE BILL NO. 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.

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 Landry
Bajoie Ellington Lentini

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Barham	Fields C	Malone
Bean	Fields W	Robichaux
Boissiere	Greene	Romero
Cain	Hainkel	Schedler
Campbell	Heitmeier	Siracusa
Casanova	Hines	Smith
Cox	Hollis	Tarver
Cravins	Irons	Theunissen
Dardenne	Jordan	Thomas
Dean	Lambert	Ullo

NAYS

Total—0

ABSENT

Branch	Johnson	Jones
Total—3		

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. 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.

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

Rules Suspended

Senator Boissiere asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 1010 from the Committee on Judiciary C.

SENATE BILL NO. 1010—
BY SENATOR BOISSIERE
AN ACT

To enact R.S. 13:2492.1, relative to municipal courts; to provide for a judge with certain subject matter jurisdiction in certain municipal courts; to provide for his election, term, qualification, compensation, conditions of service, employees, and powers and duties; and to provide for related matters.

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

Rules Suspended

Senator Boissiere asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 1045 from the Committee on Transportation, Highways and Public Works.

SENATE BILL NO. 1045—
BY SENATOR BOISSIERE
AN ACT

To authorize certain cooperative endeavors between levee districts and state departments for certain purposes; and to provide for related matters.

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

Rules Suspended

Senator Boissiere asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 1033 from the Committee on Finance.

SENATE BILL NO. 1033—
BY SENATORS BOISSIERE AND HAINKEL
AN ACT

To enact Chapter 10 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25: 571 through 577 and R.S. 36:209(Q), relative to the New Orleans Center for Creative Arts; to establish the center in the Department of Culture, Recreation and Tourism; to provide for the operation, administration, and governance of the center; to provide relative to the programming offered at the center; to provide relative to students at the center; to establish a board of trustees for the center and to provide for their appointment, terms, and qualifications; to provide for the powers and duties of the board; and to provide for related matters.

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

Rules Suspended

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

Messages from the House

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

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

June 10, 1999

To the Honorable President and Members of the Senate:

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

SENATE BILL NO. 271—
BY SENATOR HINES
AN ACT

To amend and reenact Code of Civil Procedure Art. 4843(C), relative to trial courts of limited jurisdiction; to increase the civil jurisdiction of the City Court of Ville Platte; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 489—
BY SENATOR LANDRY
AN ACT

To amend and reenact R.S. 40:1749.12(8) and (11), 1749.13(B)(1) and (4) and (C), 1749.14(A), (B), (C)(1)(a), (b)(i), (iii), and (iv) and (2), 1749.15, 1749.16(2) and (3), 1749.17(A), 1749.18, 1749.20(A), the introductory paragraph of (B), 1749.23(C), the introductory paragraph of (D), and (D)(2), and 1749.24(A)(2) and to enact R.S. 40:1749.20(B)(6) and 1749.23(D)(3), relative to public utilities; to provide relative to notification of evacuation or demolition activities; to require certification of regional notification centers; to require promulgation of rules to establish certification requirement and procedures; to provide relative to fees for the certification process; to provide relative to penalties for nonparticipation in such centers or for noncompliance with notification requirements; to provide for disbursement of proceeds from such penalties; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 399—

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

AN ACT

To amend and reenact R.S. 30:2205(E), relative to suits to recover state money; to authorize Department of Environmental Quality attorneys, under certain circumstances, to act in lieu of the attorney general to recover state money expended for cleaning up hazardous waste sites; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 701—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 22:983(A)(2), relative to foreign or alien insurers; to provide for conditions for issuance of certificates of authority to transact business in the state; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 834—

BY SENATOR JOHNSON

AN ACT

To enact R.S. 39:1410.66, relative to local government finances; to require bond counsel to transmit bond transcripts regarding political subdivision bond or debt issues within six months of the issuance; to provide for penalties; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 122—

BY SENATOR HAINKEL

AN ACT

To enact R.S. 9:2346(C), relative to public trusts; to require a public trust in which the state of Louisiana is beneficiary to submit its operating budget to the Joint Legislative Committee on the Budget; to provide for budget modifications; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 30—

BY SENATOR HAINKEL

AN ACT

To enact R.S. 56:1847(56), relative to the natural and scenic rivers system; to include that portion of the Tchefuncte River from the Highway 22 bridge to its entrance into Lake Pontchartrain; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 923—

BY SENATOR ELLINGTON

AN ACT

To enact R.S. 23:893, relative to employment; to allow certified volunteer firefighters to leave their workplace to fight fires without losing employment, pay, or benefits; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 660—

BY SENATOR MALONE

AN ACT

To enact R.S. 32:1522, relative to hazardous materials transportation; to establish a hazardous materials emergency response program; to provide for funding of the emergency response program; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 345—

BY SENATORS ELLINGTON, BRANCH, DEAN, GREENE, MALONE AND
THEUNISSEN

AN ACT

To enact R.S. 30:2063(K), relative to the chemical accident prevention program; to provide certain exemptions from fees charged pursuant to the chemical accident prevention program administered by the Louisiana Department of Environmental Quality; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 665—

BY SENATORS ULLO, DARDENNE AND SCHEDLER

AN ACT

To enact Part XV-A of Chapter 32 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5114 through 5115, relative to civil actions against the state, state agencies, commissions, boards, political subdivisions and their officers, employees or independent contractors that result from a year 2000 computer date calculation failure; to provide for an exception; to provide for existing as well as future claims; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 833—

BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 39:1410.60(C)(1), relative to local government finances; to provide with respect to the definition of debt for purposes of State Bond Commission approval; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 163—

BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 47:2304(B), relative to use value assessment of immovable property; to authorize the permanent filing of applications for use value assessment in certain parishes; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 522—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 23:1196(A)(2), relative to group self-insurance funds for workers' compensation; to provide a time limitation within which to conduct premium audits after termination of participation in the fund; to provide for payroll reporting and auditing; to provide penalties for failure to cooperate with required audits and for intentional misrepresentations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 554 (Duplicate of House Bill No. 1733)—

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

AN ACT

To amend and reenact the introductory paragraph of R.S. 17:3972(B)(1), 3973(1)(a), 3982, 3983(A)(2)(a)(i), (3)(a), (4), and (5), (B)(1), and (D), 3991(B)(1), (3), (6), (7), (10), and (21), 3992(A)(1), 3995(A), (B), and (C), 3996(C), 3997(A)(1)(a), (2), (C)(1)(a), (2), (D), and (E), 3998 (C) and (D), 3999, 4001(A) and (C), and to enact R.S. 17:3973(1)(f), 3991(B)(23), (C)(1)(c)(iv), (E)(5) and (H), relative to the Charter School Demonstration

Programs Law; to provide relative to purposes, definitions, local school board duties, chartering process, charter terms, charter operations, charter renewal length, pupil admission requirements, charter contents, charter school employees, assets, property, and funding; to provide for the application of certain laws; to provide relative to charter school loans; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 953—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 11:2269 and to enact R.S. 11:2254.1, relative to the Firefighters' Retirement System; to authorize repayment without interest of refunded contributions under certain conditions; to authorize purchase without interest of military service credit; to provide for a refund of certain previously purchased military service credit; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 396—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 32:863.1(C)(1)(b), relative to motor vehicles; to provide for the exclusion of Saturdays, Sundays and legal holidays in the computation of time to provide proof of compliance with the Motor Vehicle Safety Responsibility Law; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 501—
BY SENATOR CRAVINS

AN ACT

To enact R.S. 22:1214(24), relative to unfair trade practices; to prohibit insurers from restricting communications to consumers about limited benefit plans; to provide for penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 210 (DUPLICATE OF HOUSE BILL NO. 850)—

BY SENATOR BEAN AND REPRESENTATIVE GLOVER

AN ACT

To amend and reenact R.S. 22:1405(I)(1), relative to fire insurance rates, to provide for uniform adjustments in the premium rate on residential and commercial policies based on changes in the public protection classification for an area; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1019—
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 17:1681.1(A), and to enact R.S. 33:2201(E), relative to benefits for certain law enforcement officers; to provide certain benefits to enforcement officers or their survivors; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 124—
BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 33:2333(B)(2), relative to disposition of stolen, seized or relinquished property; to change the length of time required before disposition of noncontraband property; to require certain notifications prior to the disposition of such property; and to provide for related matters.

Reported with amendments.

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

Motion

On motion of Senator Bean, House Bill No. 1 was made Special Order of the Day, No. 1 on Friday, June 11, 1999 immediately following the Morning Hour.

Mr. President in the Chair

Reports of Committees

The following reports of committees were received and read:

SUPPLEMENTAL REPORT OF COMMITTEE ON FINANCE

Senator Hainkel, Chairman on behalf of the Committee on Finance, submitted the following report:

June 9, 1999

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 162—
BY REPRESENTATIVE MURRAY

A CONCURRENT RESOLUTION

To urge and request the Honorable M.J. "Mike" Foster, governor of Louisiana, to take all necessary actions to prevent the New Orleans Saints football franchise from having to relocate to another city.

Reported with amendments.

HOUSE BILL NO. 64—
BY REPRESENTATIVES THOMPSON AND JENKINS

AN ACT

To enact R.S. 15:574.4(R) and 824(E), relative to testing of inmates for infectious diseases; to require testing of all persons who are committed to the Department of Public Safety and Corrections; to require testing for certain infectious diseases prior to releasing persons on parole; to provide for the testing procedure; to provide for payment of associated costs by the inmate; and to provide for related matters.

Reported with amendments.

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

AN ACT

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

Reported with amendments.

HOUSE BILL NO. 477—
 BY REPRESENTATIVES TRICHE, HOPKINS, LEBLANC, MCCALLUM,
 SALTER, JACK SMITH, THOMPSON, AND KENNEY
 A JOINT RESOLUTION

Proposing to amend Article VIII, Section 7.1(D) of the Constitution of Louisiana, to provide relative to state general fund appropriations for certain higher education institutions; to prohibit the reduction of such appropriations below certain amounts under certain circumstances; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 718—
 BY REPRESENTATIVES DANIEL, BARTON, DOERGE, KENNEY, LONG,
 MCDONALD, POWELL, PRATT, WINSTON, WRIGHT, THOMPSON, AND
 WADDELL

AN ACT

To enact R.S. 17:421.6, relative to teacher salaries; to provide a salary adjustment for certain public school teachers having certificates issued by the National Board for Professional Teaching Standards; to provide conditions and guidelines for receiving the adjustment; to provide the minimum amount of the salary adjustment; to provide definitions; to provide for payment; to provide for the reimbursement to school boards of certain costs; to provide limitations; to provide for effectiveness; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 862—
 BY REPRESENTATIVE LANDRIEU
 AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay certain judgments of the Board of Tax Appeals; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1187—
 BY REPRESENTATIVES WINSTON, THOMPSON, AND WILKERSON
 AN ACT

To enact R.S. 25:900.1, to establish and provide for the Percent for Art program; to require that one percent of the expenditure for construction or renovation of a state building shall be for works of art by Louisiana artists and craftsmen for the building or its grounds; to provide exceptions; to provide for rules; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2061—
 BY REPRESENTATIVE JACK SMITH
 AN ACT

To amend and reenact R.S. 33:2002, relative to extra compensation for firemen; to provide eligibility for supplemental pay for ten Chitimacha tribe of Louisiana firemen; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2145—
 BY REPRESENTATIVE LEBLANC
 AN ACT

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

Reported with amendments.

Respectfully submitted,
 JOHN HAINKEL
 Chairman

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

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

June 10, 1999

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 145—
 BY SENATOR LANDRY AND REPRESENTATIVE DIEZ
 A CONCURRENT RESOLUTION

To urge and request the Joint Committee on Transportation, Highways, and Public Works to conduct a study of both deep draft and shallow draft ports throughout the state.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 250—
 BY REPRESENTATIVES FAUCHEUX, QUEZAIRE, CHAISSON, AND
 ANSARDI AND SENATORS LANDRY AND LAMBERT
 A CONCURRENT RESOLUTION

To urge and request the Louisiana Highway Safety Commission to study the cause or causes of the Mother's Day bus accident which occurred in New Orleans, Louisiana, and to report its findings and recommendations for prevention of future bus accidents to the House and Senate Transportation, Highways and Public Works Committees prior to January 1, 2000.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 255—
 BY REPRESENTATIVE WIGGINS
 A CONCURRENT RESOLUTION

To urge and request the Department of Culture, Recreation and Tourism and the Department of Transportation and Development to preserve a portion of Military Highway as an historical route.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 273—
 BY REPRESENTATIVE ALEXANDER
 A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to honor out-of-state motor vehicle inspection stickers until their expiration.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 296—
 BY REPRESENTATIVE TRICHE AND SENATOR LANDRY
 A CONCURRENT RESOLUTION

To urge and request the city of Thibodaux to use a portion of the parish transportation allocation to fund the project to widen Louisiana Highway 20 in Thibodaux north near Rienzi Drive.

Reported with amendments.

HOUSE BILL NO. 1211—
 BY REPRESENTATIVE ALARIO
 AN ACT

To amend and reenact R.S. 48:461.4(introductory paragraph) and (a)(1), relative to the Department of Transportation and Development; to provide relative to outdoor advertising; to include certain land, buildings, and structures as areas where outdoor

June 10, 1999

advertising shall be permitted; to include illuminated signs, marquees, and electronic readerboard systems as permitted signs; to delete certain provisions relating to illuminated signs which indicate customary public service information; and to provide for related matters.

Reported with amendments.

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.

Reported with amendments.

HOUSE BILL NO. 1512—
BY REPRESENTATIVE BARTON
AN ACT

To amend and reenact R.S. 32:218, relative to soliciting on a roadway; to provide relative to professional firefighters soliciting for charitable purposes; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2079—
BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 38:2311(A)(1)(a) and (2) and 2316, relative to the selection of architects for professional services contracts; to provide for the Architects Selection Board; to provide for the selection of architects; to provide for professional services contracts; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2099—
BY REPRESENTATIVE GAUTREAUX
AN ACT

To amend and reenact R.S. 32:393(A), relative to traffic violations; to provide for the definition of "final disposition"; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2116—
BY REPRESENTATIVE DONELON
AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; to create the Sons of Confederate Veterans prestige license plate; to provide for fees; to provide for disbursement and use of fees; to provide for the promulgation of rules; to provide for the design of the plate; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2197—
BY REPRESENTATIVE FLAVIN
AN ACT

To enact R.S. 38:2220.1 through 2220.4, relative to public contracts; to authorize and provide for certain causes of action; to authorize a cause of action against violators of the Public Bid Law; to provide relative to the persons eligible to institute such an action; to provide certain procedures, requirements, terms and conditions; to provide relative to the office of the attorney general; to provide for orders, recovery, and certain awards by the court; to provide for protection from disciplinary proceedings; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
RON LANDRY
Chairman

**REPORT OF COMMITTEE ON
FINANCE**

Senator Hainkel, Chairman on behalf of the Committee on Finance, submitted the following report:

June 10, 1999

To the President and Members of the Senate:

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

HOUSE BILL NO. 315—
BY REPRESENTATIVES DUPRE, CRANE, DOWNER, GAUTREAUX, HEBERT, LONG, MCCALLUM, JACK SMITH, STELLY, THORNHILL, TRICHE, AND WELCH
AN ACT

To amend and reenact R.S. 11:701(5)(c), relative to the Teachers' Retirement System; to provide with respect to the inclusion of certain salary increases in calculating "average compensation"; to provide regarding recomputation of benefits; to provide for retroactive application; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 728—
BY REPRESENTATIVE SALTER
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the final judgment in the suit entitled "Tom Paul Southerland, et al v. The Board of Trustees for State Colleges and Universities"; to provide for interest; to provide for costs; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 794—
BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 26:792 and 793(A), relative to the Alcoholic Beverage Control Law; to provide for the duties of the commissioner; to require written notice upon issuance of a citation; to provide for methods of service of notice; to provide for additional powers of the commissioner pertaining to Class A-Caterers Permit; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 899—
BY REPRESENTATIVES HUDSON AND KENNARD
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for the Fiscal Year 1998-1999 to the Department of Public Safety and Corrections-Public Safety Services, office of state police for payment of legal fees incurred by Colonel Kenneth D. Norris and Major R. L. Montgomery in their successful defense of criminal evidence presented against them before the Grand Jury for the Fourteenth Judicial District for the parish of Calcasieu.

Reported favorably.

HOUSE BILL NO. 925—
BY REPRESENTATIVES HAMMETT AND CARTER
AN ACT

To amend and reenact R.S. 40:1300.144(A)(3)(b) and to enact R.S. 40:1300.144(A)(3)(c), relative to Medicaid reimbursement to out-of-state providers; to provide for a lower possible reimbursement rate for services rendered; to authorize the secretary of the Department of Health and Hospitals to negotiate higher reimbursement rates to out-of-state providers in certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1272—
BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 49:327(B)(1)(b) and (e), relative to investments of monies on deposit in the state treasury by the state treasurer; to provide for restrictions on certain investments; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1696—
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. 39:1484(16) and (18), relative to professional, personal, consulting, and social services procurement; to expand the definition of personal services and professional services; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1782—
BY REPRESENTATIVE WINSTON AND SENATOR SCHEDLER
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for the Fiscal Year 1998-1999 to the Department of Social Services to pay legal expenses incurred by Susan Allen, relative to required Grand Jury testimony arising from events which occurred during the course and scope of her employment; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2037—
BY REPRESENTATIVES FONTENOT, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

To amend and reenact R.S. 38:2316, relative to the selection of professional services related to public contracts; to increase the project budget cost threshold for applicability of certain provisions of Public Bid Law for procurement of professional services; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2052 (Substitute for House Bill No. 1185 by Rep. Thornhill) (Duplicate of Senate Bill No. 655)—
BY REPRESENTATIVE THORNHILL AND SENATOR MALONE AND COAUTHORED BY REPRESENTATIVES BRUCE, ANSARDI, MARTINY, MURRAY, AND PINAC
AN ACT

To amend and reenact R.S. 22:2027(F), to enact Part VI-D of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:250.31 through 250.37, and to repeal R.S. 22:657(G), relative to health insurance; to establish claim submission standards for health insurance coverage; to provide for late payment adjustments for claimants; to establish requirements for the payment of medical care under health insurance coverage;

to provide relative to timely payment of health insurance claims and enrollee claims; to provide relative to coordination of benefits; to provide for enforcement, including cease and desist orders, penalties, and suspension or revocation of a certificate of authority; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2198—
BY REPRESENTATIVE FRITH
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for the Fiscal Year 1999-2000 to the Department of Wildlife and Fisheries to pay the judgment in the class action suit entitled "Odilon Marceaux, et al v. State of Louisiana, Virginia Van Sickle, Department of Wildlife and Fisheries, Louisiana Wildlife and Fisheries Commission, and Herbert L. Sumrall"; to provide for interest, court costs, and certain retirement obligations; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JOHN HAINKEL
Chairman

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

Senator Jones 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. 64—
BY REPRESENTATIVES THOMPSON AND JENKINS
AN ACT

To enact R.S. 15:574.4(R) and 824(E), relative to testing of inmates for infectious diseases; to require testing of all persons who are committed to the Department of Public Safety and Corrections; to require testing for certain infectious diseases prior to releasing persons on parole; to provide for the testing procedure; to provide for payment of associated costs by the inmate; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 64 by Representative Thompson

AMENDMENT NO. 1

On page 2, line 20, after "person tested." delete the remainder of the line and delete line 21

On motion of Senator Hainkel, 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. 315—
BY REPRESENTATIVES DUPRE, CRANE, DOWNER, GAUTREAUX, HEBERT, LONG, MCCALLUM, JACK SMITH, STELLY, THORNHILL, TRICHE, AND WELCH
AN ACT

To amend and reenact R.S. 11:701(5)(c), relative to the Teachers' Retirement System; to provide with respect to the inclusion of certain salary increases in calculating "average compensation"; to provide regarding recomputation of benefits; to provide for retroactive application; and to provide for related matters.

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Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 315 by Representative Dupre

AMENDMENT NO. 1

On page 1, line 4, after "average compensation" delete the semi-colon ";" and delete the remainder of the line and insert in lieu thereof "and the"

AMENDMENT NO. 2

On page 1, line 5, after "benefits" delete the semi-colon ";" and insert in lieu thereof "for certain members and retirees;"

AMENDMENT NO. 3

On page 2, at the of line 15, add:

"The provisions of this Item shall only apply to any such member or retiree whose employer filed with this system on or before July 1, 1998, a written request or application for coverage under this Subparagraph."

On motion of Senator Hainkel, 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. 324 (Duplicate of Senate Bill No. 934)— BY REPRESENTATIVES WALSWORTH AND SENATOR EWING AND COAUTHORED BY REPRESENTATIVES FAUCHEUX, JENKINS, KENNEY, AND THOMPSON

AN ACT

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

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 324 by Representative Walsworth

AMENDMENT NO. 1

On page 2, line 25, after "Senate" insert a "." and delete line 26 in its entirety

AMENDMENT NO. 2

On page 3, line 2, after "Representatives" insert a "." and delete the remainder of the line and delete line 3 in its entirety

On motion of Senator Hainkel, 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. 477— BY REPRESENTATIVES TRICHE, HOPKINS, LEBLANC, MCCALLUM, SALTER, JACK SMITH, THOMPSON, AND KENNEY A JOINT RESOLUTION

Proposing to amend Article VIII, Section 7.1(D) of the Constitution of Louisiana, to provide relative to state general fund appropriations for certain higher education institutions; to prohibit the reduction of such appropriations below certain amounts under certain

circumstances; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 477 by Representative Triche

AMENDMENT NO. 1

On page 3, between lines 9 and 10 insert the following:

"(5) No public institution of higher learning that is protected from a reduction in its appropriation as a result of this Section shall have an implementation level greater than one hundred per cent of the formula promulgated by the Board of Regents."

On motion of Senator Hainkel, 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. 718— BY REPRESENTATIVES DANIEL, BARTON, DOERGE, KENNEY, LONG, MCDONALD, POWELL, PRATT, WINSTON, WRIGHT, THOMPSON, AND WADDELL

AN ACT

To enact R.S. 17:421.6, relative to teacher salaries; to provide a salary adjustment for certain public school teachers having certificates issued by the National Board for Professional Teaching Standards; to provide conditions and guidelines for receiving the adjustment; to provide the minimum amount of the salary adjustment; to provide definitions; to provide for payment; to provide for the reimbursement to school boards of certain costs; to provide limitations; to provide for effectiveness; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 718 by Representative Daniel

AMENDMENT NO. 1

On page 2, line 21, after "teacher" and before the "." insert ", including retirement benefits"

On motion of Senator Hainkel, 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. 728— BY REPRESENTATIVE SALTER AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the final judgment in the suit entitled "Tom Paul Southerland, et al v. The Board of Trustees for State Colleges and Universities"; to provide for interest; to provide for costs; and to provide for related matters.

Reported favorably by the Committee on Finance. 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. 794—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 26:792 and 793(A), relative to the Alcoholic Beverage Control Law; to provide for the duties of the commissioner; to require written notice upon issuance of a citation; to provide for methods of service of notice; to provide for additional powers of the commissioner pertaining to Class A-Caterers Permit; and to provide for related matters.

Reported favorably by the Committee on Finance. 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. 862—

BY REPRESENTATIVE LANDRIEU

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay certain judgments of the Board of Tax Appeals; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 862 by Representative Landrieu

AMENDMENT NO. 1

On page 2, between lines 13 and 14 insert:

"Section 5. The sum of Five Hundred Thirty-nine Thousand Nine hundred Thirty-Four and 00/100 (\$539,934.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 1998-1999 to be used to pay the final judgment in the suit entitled "Cytec Industries Inc. v. State of Louisiana", bearing Number 5002, on the docket of the Board of Tax Appeals, state of Louisiana.

Section 6. The sum of Two Hundred Eighty-three Thousand Seven Hundred Twenty-six and 90/100 (\$283,726.90) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 1998-1999 to be used to pay the final judgment in the suit entitled "John W. Stone Oil Distributors, Inc. v. State of Louisiana", bearing Number 4319, on the docket of the Board of Tax Appeals, state of Louisiana.

Section 7. The sum of Fifty-four Thousand Seven Hundred Twenty-seven and No/100 (\$54,727.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 1998-1999 to be used to pay the final judgment in the suit entitled "Ohmeda, Inc. v. John N. Kennedy, Secretary of the Department of Revenue and Taxation, State of Louisiana", bearing Number 4720, on the docket of the Board of Tax Appeals, state of Louisiana.

Section 8. The sum of One Hundred Seventeen Thousand Six Hundred Eighty and No/100 (\$117,680.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 1998-1999 to be used to pay the final judgment in the suit entitled "Multimedia Radio, Inc. vs. Secretary, Department of Revenue, State of Louisiana", bearing Number 4925, on the docket of the Board of Tax Appeals, state of Louisiana.

Section 9. The sum of Fifty-six Thousand Eighty-four and No/100 (\$56,084.00) Dollars is hereby appropriated out of the General Fund of the state of Louisiana for Fiscal Year 1999-2000 to be used to pay the judgment in the suit entitled "TIW Corporation v. State of Louisiana", bearing Number 5024 on the docket of the Board of Tax Appeals, state of Louisiana."

AMENDMENT NO. 2

On page 2, line 14, change "Section 5" to "Section 10"

AMENDMENT NO. 3

On page 2, line 20, change "Section 6" to "Section 11"

AMENDMENT NO. 4

On page 2, line 26, change "Section 7" to "Section 12"

AMENDMENT NO. 5

On page 3, line 4, change "Section 8" to "Section 13"

AMENDMENT NO. 6

On page 3, line 10, change "Section 9" to "Section 14"

On motion of Senator Hainkel, 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. 899—

BY REPRESENTATIVES HUDSON AND KENNARD

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for the Fiscal Year 1998-1999 to the Department of Public Safety and Corrections-Public Safety Services, office of state police for payment of legal fees incurred by Colonel Kenneth D. Norris and Major R. L. Montgomery in their successful defense of criminal evidence presented against them before the Grand Jury for the Fourteenth Judicial District for the parish of Calcasieu.

Reported favorably by the Committee on Finance. 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. 925—

BY REPRESENTATIVES HAMMETT AND CARTER

AN ACT

To amend and reenact R.S. 40:1300.144(A)(3)(b) and to enact R.S. 40:1300.144(A)(3)(c), relative to Medicaid reimbursement to out-of-state providers; to provide for a lower possible reimbursement rate for services rendered; to authorize the secretary of the Department of Health and Hospitals to negotiate higher reimbursement rates to out-of-state providers in certain circumstances; and to provide for related matters.

Reported favorably by the Committee on Finance. 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. 1187—

BY REPRESENTATIVES WINSTON, THOMPSON, AND WILKERSON

AN ACT

To enact R.S. 25:900.1, to establish and provide for the Percent for Art program; to require that one percent of the expenditure for construction or renovation of a state building shall be for works of art by Louisiana artists and craftsmen for the building or its grounds; to provide exceptions; to provide for rules; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 1187 by Representative Winston

AMENDMENT NO. 1

On page 1, line 4, after "works of art by" delete "Louisiana"

AMENDMENT NO. 2

On page 1, line 17, after "providing for" delete "of"

AMENDMENT NO. 3

On page 3, line 13, after "building," delete the remainder of the line

AMENDMENT NO. 4

On page 3, line 18, after "renovated" insert a "." and delete the remainder of the line and delete line 19 in its entirety

On motion of Senator Hainkel, 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. 1211—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 48:461.4(introductory paragraph) and (a)(1), relative to the Department of Transportation and Development; to provide relative to outdoor advertising; to include certain land, buildings, and structures as areas where outdoor advertising shall be permitted; to include illuminated signs, marquees, and electronic readerboard systems as permitted signs; to delete certain provisions relating to illuminated signs which indicate customary public service information; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 1211 by Representative Alario

AMENDMENT NO. 1

On page 1, line 6, after "include" add "certain"

AMENDMENT NO. 2

On page 2, line 15, after "systems" add "which are associated with a civic center, a convention center, a stadium, or an arena and which are used for advertisement"

On motion of Senator Landry, 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. 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.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 1227 by Representative Jack D. Smith

AMENDMENT NO. 1

On page 2, line 8, after "or a" add "licensed"

On motion of Senator Landry, 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. 1272—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 49:327(B)(1)(b) and (e), relative to investments of monies on deposit in the state treasury by the state treasurer; to provide for restrictions on certain investments; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 1272 by Representative Alario

AMENDMENT NO. 1

On page 2, line 7, insert the following: "However, at no time shall the funds invested in United States government agency obligations enumerated in this Subparagraph exceed sixty percent of all monies invested as of that date with maturities of thirty days or longer."

On motion of Senator Hainkel, 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. 1512—

BY REPRESENTATIVE BARTON

AN ACT

To amend and reenact R.S. 32:218, relative to soliciting on a roadway; to provide relative to professional firefighters soliciting for charitable purposes; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Reengrossed House Bill No. 1512 by Representative Barton

AMENDMENT NO. 1

On page 1, line 9, after "a" add "public"

AMENDMENT NO. 2

On page 1, at the beginning of line 10, delete "a ride," and after "employment" delete the comma ","

AMENDMENT NO. 3

On page 1, line 13, after "on a" add "public"

On motion of Senator Landry, 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. 1696—

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. 39:1484(16) and (18), relative to professional, personal, consulting, and social services procurement; to expand the definition of personal services and professional services; and to provide for related matters.

Reported favorably by the Committee on Finance. 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. 1782—
BY REPRESENTATIVE WINSTON AND SENATOR SCHEDLER
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for the Fiscal Year 1998-1999 to the Department of Social Services to pay legal expenses incurred by Susan Allen, relative to required Grand Jury testimony arising from events which occurred during the course and scope of her employment; and to provide for related matters.

Reported favorably by the Committee on Finance. 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. 2037—
BY REPRESENTATIVES FONTENOT, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

To amend and reenact R.S. 38:2316, relative to the selection of professional services related to public contracts; to increase the project budget cost threshold for applicability of certain provisions of Public Bid Law for procurement of professional services; and to provide for related matters.

Reported favorably by the Committee on Finance. 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. 2052 (Substitute for House Bill No. 1185 by Rep. Thornhill) (Duplicate of Senate Bill No. 655)—

BY REPRESENTATIVE THORNHILL AND SENATOR MALONE AND COAUTHORED BY REPRESENTATIVES BRUCE, ANSARDI, MARTINY, MURRAY, AND PINAC
AN ACT

To amend and reenact R.S. 22:2027(F), to enact Part VI-D of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:250.31 through 250.37, and to repeal R.S. 22:657(G), relative to health insurance; to establish claim submission standards for health insurance coverage; to provide for late payment adjustments for claimants; to establish requirements for the payment of medical care under health insurance coverage; to provide relative to timely payment of health insurance claims and enrollee claims; to provide relative to coordination of benefits; to provide for enforcement, including cease and desist orders, penalties, and suspension or revocation of a certificate of authority; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 2052 by Representative Thornhill

AMENDMENT NO. 1
On page 2, line 25, after "1974." delete the remainder of the line and delete line 26 in its entirety

AMENDMENT NO. 2
On page 4, after line 26, insert the following:

"E. The provisions of this Part, shall not apply to the State Employees Group Benefits Program."

AMENDMENT NO. 3
On page 6, between lines 5 and 6, insert the following:

"D. The provisions of this Part, shall not apply to the State Employees Group Benefits Program."

On motion of Senator Hainkel, 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. 2061—
BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact R.S. 33:2002, relative to extra compensation for firemen; to provide eligibility for supplemental pay for ten Chitimacha tribe of Louisiana firemen; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 2061 by Representative Jack D. Smith

AMENDMENT NO. 1
On page 2, line 17, after "R.S. 40:1541 et seq.;" and before "and it" insert "it shall expressly exclude employees who work less than forty hours per week;"

On motion of Senator Hainkel, 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. 2079—
BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 38:2311(A)(1)(a) and (2) and 2316, relative to the selection of architects for professional services contracts; to provide for the Architects Selection Board; to provide for the selection of architects; to provide for professional services contracts; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. 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. 2099—
BY REPRESENTATIVE GAUTREAUX
AN ACT

To amend and reenact R.S. 32:393(A), relative to traffic violations; to provide for the definition of "final disposition"; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 2099 by Representative Gautreaux

AMENDMENT NO. 1
On page 1, line 16, delete the period "." and insert: after the time for filing a motion for a new trial has expired or after the motion for a new trial has been dismissed, unless the sentence is suspended, the conviction is set aside, and the prosecution dismissed, all pursuant to Code of Criminal Procedure Articles 892.1 and 894."

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

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

HOUSE BILL NO. 2116—
BY REPRESENTATIVE DONELON
AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; to create the Sons of Confederate Veterans prestige license plate; to provide for fees; to provide for disbursement and use of fees; to provide for the promulgation of rules; to provide for the design of the plate; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. 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. 2145—
BY REPRESENTATIVE LEBLANC
AN ACT

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

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Reengrossed House Bill No. 2145 by Representative LeBlanc

AMENDMENT NO. 1
On page 23, between lines 18 and 19, insert "Assessment District"

On motion of Senator Hainkel, 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. 2197—
BY REPRESENTATIVE FLAVIN
AN ACT

To enact R.S. 38:2220.1 through 2220.4, relative to public contracts; to authorize and provide for certain causes of action; to authorize a cause of action against violators of the Public Bid Law; to provide relative to the persons eligible to institute such an action; to provide certain procedures, requirements, terms and conditions; to provide relative to the office of the attorney general; to provide for orders, recovery, and certain awards by the court; to provide for protection from disciplinary proceedings; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Reengrossed House Bill No. 2197 by Representative Flavin

AMENDMENT NO. 1
On page 1, line 8, after the semicolon ";" add "to provide for summary procedure;"

AMENDMENT NO. 2
On page 2, delete lines 24 and 25 in their entirety and insert:

"C. Any action brought pursuant to the provisions of this Section shall be afforded preferential hearing by the court pursuant to summary proceeding provisions in Code of Civil Procedure Arts 2591, et seq."

AMENDMENT NO. 3

On page 3, delete lines 1 through 2 in their entirety

AMENDMENT NO. 4
On page 4, line 6, after "B." add "(1)"

AMENDMENT NO. 5
On page 4, line 9, after the period "." delete the remainder of the line

AMENDMENT NO. 6
On page 4, delete line 10

AMENDMENT NO. 7
On page 4, at the beginning of line 11, delete "sufficient to cover costs and reasonable attorney fees."

AMENDMENT NO. 8
On page 4, between lines 13 and 14, add the following:

"(2) When the public entity has depended upon the written opinion of the attorney general that the action taken by the public entity would be in compliance with law, the public entity shall not be liable for the costs and attorney fees of the adverse party."

On motion of Senator Landry, 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. 2198—
BY REPRESENTATIVE FRITH
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for the Fiscal Year 1999-2000 to the Department of Wildlife and Fisheries to pay the judgment in the class action suit entitled "Odilon Marceaux, et al v. State of Louisiana, Virginia Van Sickle, Department of Wildlife and Fisheries, Louisiana Wildlife and Fisheries Commission, and Herbert L. Sumrall"; to provide for interest, court costs, and certain retirement obligations; and to provide for related matters.

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

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

June 10, 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. 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.

Respectfully submitted,
 JAY DARDENNE
 Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

June 10, 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. 65—
 BY SENATOR COX

AN ACT

To amend and reenact R.S. 13:477(14) and 621.14, relative to district courts; to provide for an additional judgeship in the Fourteenth Judicial District; to provide for the election and term of office; to provide for qualifications; to provide relative to compensation; and to provide for related matters.

SENATE BILL NO. 251—

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

AN ACT

To amend and reenact R.S. 17:24.4(F)(3), and to enact R.S. 17:24.4(F)(4), relative to the Louisiana Educational Assessment Program; to require that alternate assessments be administered to certain students with disabilities who meet specific criteria developed by the Department of Education; and to provide for related matters.

SENATE BILL NO. 253—

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

AN ACT

To enact R.S. 17:10.4, relative to school and district accountability; to require the establishment of a program of distinguished educators; to provide for required inclusions in the program; to provide relative to the employment status and the terms of employment of persons identified and selected as distinguished educators; to provide relative to the responsibilities of the state Department of Education and city and parish school boards; and to provide for related matters.

SENATE BILL NO. 255—

BY SENATORS HOLLIS AND HINES AND REPRESENTATIVES MURRAY AND SCHNEIDER

AN ACT

To enact R.S. 45:1166(G), relative to telecommunications; to prohibit telecommunications service providers charging unauthorized services to subscribers; to provide for rules and regulations; and to provide for related matters.

SENATE BILL NO. 386—

BY SENATOR GREENE

AN ACT

To enact R.S. 33:1236.25, relative to the powers of parish governing authorities; to authorize the governing authorities of the parishes of Pointe Coupee and St. Landry to serve notice once a year on

property owners to cut grass and obnoxious weeds on their property; to authorize the police juries to amend local ordinances to reflect the once a year notice requirement; and to provide for related matters.

SENATE BILL NO. 391—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 49:956(5)(b), and to enact R.S. 49:999.1; all relative to administrative procedures; to provide for service of process; to authorize the division of administrative law to provide services on a contractual basis to other governmental agencies; and to provide for related matters.

SENATE BILL NO. 888—

BY SENATOR JONES

AN ACT

To enact R.S. 33:1428(C), relative to sheriffs' fees in civil matters; to allow certain fees to be taxed as costs of court in civil matters; and to provide for related matters.

SENATE BILL NO. 897 (DUPLICATE OF HOUSE BILL NO. 849)—

BY SENATOR BEAN AND REPRESENTATIVE GAUTREAUX AND COAUTHORED BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 47:473(H), relative to the authorized use of motor vehicle dealer inventory plates; to provide that a transaction treated as a taxable fringe benefit under federal tax provisions shall not be considered renting or leasing; and to provide for related matters.

SENATE BILL NO. 960—

BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 51:421(G)(2)(b) and (d) and to enact R.S. 51:421(G)(2)(e), relative to the Unfair Sales Law; to include within the definition of "cost to the wholesaler" any federal gasoline tax; and to provide for related matters.

SENATE BILL NO. 1009—

BY SENATOR HAINKEL

AN ACT

To enact R.S. 56:1847(56) and 1855(J), relative to the scenic rivers system; to include that segment of the Tangipahoa River from the Interstate 12 crossing to its entrance into Lake Pontchartrain in Tangipahoa Parish in the Louisiana Natural and Scenic Rivers System; to provide exceptions; and to provide for related matters.

SENATE BILL NO. 768 (Duplicate of House Bill No. 1761)—

BY SENATOR HOLLIS AND REPRESENTATIVE TRAVIS AND COAUTHORED BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 37:3171, 3172, 3173(A)(2), 3176, 3177(A)(1) introductory paragraph, 3179(A)(1) and (B) through (H), 3179.2, 3180, 3181(A)(6), (7), (10), (11), (12)(a)(i), and (14), (B), (E), (F), (G), (H), (I), and (J), 3183, and 3184, and to enact 3173(A)(3), 3178, and 3185, 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; and to provide for related matters.

SENATE BILL NO. 247—

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

To amend and reenact R.S. 17:3761 and to repeal R.S. 17:3762 through 3764, relative to the Leadership Development Center; to replace the Administrative Leadership Academy with the Leadership Development Center; to repeal provisions regarding an advisory council concerning matters related to the academy; to repeal provisions regarding the operation of the academy; to repeal provisions regarding mandatory training for certain school administrators; to provide relative to the administration and operation of the Leadership Development Center; to provide relative to the nature of the programs to be offered by the center; and to provide for related matters.

SENATE BILL NO. 252—

BY SENATORS DARDENNE, HAINKEL AND BARHAM AND REPRESENTATIVES DEWITT, DOWNER AND MCMAINS AN ACT

To enact R.S. 17:221.3, relative to a collection of certain student information; to require certain notification regarding the school enrollment of certain students; to provide for the contents of such notice; and to provide for related matters.

SENATE BILL NO. 459—

BY SENATOR BARHAM AN ACT

To amend and reenact R.S. 22:1118(F)(1) and to enact R.S. 22:1118(F)(4), relative to insurance agents of record; to provide that an insured shall have the right to choose a new agent of record; to require written notice to the agent of record fifteen days prior to removal; to provide for the effective date of the change of agent of record; and to provide for related matters.

Respectfully submitted, JAY DARDENNE Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

June 10, 1999

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 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. 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 REPRESENTATIVES FARVE, ALARIO, BAUDOIN, CLARKSON, COPELIN, DEVILLE, DEWITT, DONELON, FRITH, FRUGE, GAUTREAU, GUILLORY, HOLDEN, JETSON, MCCAIN, MITCHELL, MORRELL, NEVERS, SCHWEGMANN, THORNHILL, WADDELL, AND WILLARD 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.

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 REPRESENTATIVES DURAND, ALARIO, ALEXANDER, ANSARDI, BARTON, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUNEAU, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DEWITT, DIEZ, DOERGE, DONELON, DOWNER, DUPRE, 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, MARIONNEAU, 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 AND SENATOR CAIN 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, DOWNER, ANSARDI, AND BRUNEAU, DONELON 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 REPRESENTATIVES FARVE, DOWNER, BAYLOR, CLARKSON, COPELIN, GLOVER, HUDSON, HUNTER, KENNEY, MITCHELL, MORRELL, MURRAY, PIERRE, PRATT, ROMERO, SCHWEGMANN, WELCH, AND WILLARD AND SENATORS BAJOE AND JOHNSON A CONCURRENT RESOLUTION

To commend and congratulate the Sisters of the Holy Family on their Jubilee Celebration.

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

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

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

Message from the House
SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS

June 10, 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. 45—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 49:969 and to enact R.S. 49:982.1, relative to administrative procedure; to provide relative to the publication of concurrent resolutions adopted by the legislature affecting rules, regulations, or fees adopted by an agency; to provide for the effectiveness of such changes; and to provide for related matters.

HOUSE BILL NO. 341—
BY REPRESENTATIVES WINDHORST AND MARIONNEAUX
AN ACT

To amend and reenact R.S. 14:135 and 136(1), relative to official misconduct and corrupt practices; to provide an exception for public salary deduction; to provide for public salary extortion; to provide for rebuttal of presumptive evidence; and to provide for related matters.

HOUSE BILL NO. 413 (Duplicate of Senate Bill No. 514)—
BY REPRESENTATIVE MONTGOMERY AND SENATOR GREENE AND COAUTHORED BY REPRESENTATIVES MCDONALD, ALARIO, ALEXANDER, ANSARDI, BARTON, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUNEAU, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DEWITT, DIEZ, DOERGE, DONELON, DOWNER, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREAU, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCMAINS, MICHOT, MITCHELL, MORRELL, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JOHN SMITH, STELLY, THERIOT, THOMPSON, THORNHILL, TRAVIS, TRICHE, WADELLE, WALSWORTH, WARNER, WELCH, AND WESTON

AN ACT

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

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.

HOUSE BILL NO. 616—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 22:230.2, 250.10(D)(2), and 250.11(B) and (C) and to enact R.S. 22:250.11(E), relative to health insurance; to provide relative to individual insurance coverage portability, including limitations on preexisting condition exclusions; to provide with respect to conversion policies; to provide for enforcement provisions; to provide relative to the time period to add a newborn child to an individual policy or subscriber agreement; and to provide for related matters.

HOUSE BILL NO. 669—
BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact R.S. 22:9(A)(1)(introductory paragraph), (h), (i), (k), (l), (m), (v), (2), (6), and (7), (B), and (C) and R.S. 36:686 and to enact R.S. 22:9(A)(1)(gg) and R.S. 36:802.16, relative to the Louisiana Health Care Commission; to provide with respect to the membership of the commission; to provide relative to its powers, duties, and responsibilities; to provide relative to its placement within the Department of Insurance; to delete the termination date for the commission; and to provide for related matters.

HOUSE BILL NO. 697—
BY REPRESENTATIVE GREEN
AN ACT

To enact R.S. 9:315.25 and Subpart F of Part III of Chapter 1 of Code Title V of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:356 and to amend and reenact R.S. 40:236.1(K)(3), all relative to children; to provide with respect to matters which may be raised in actions concerning child support and custody and visitation rights; to provide that child custody and visitation matters may be raised in proceedings for child support; to provide that child support matters may be raised in proceedings for child custody or visitation; to provide with respect to certain state attorneys; and to provide for related matters.

HOUSE BILL NO. 783—
BY REPRESENTATIVE WINDHORST AND SENATORS HAINKEL AND LANDRY

AN ACT

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

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

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

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HOUSE BILL NO. 846—

BY REPRESENTATIVES DURAND, WINDHORST, AND BRUCE
AN ACT

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

HOUSE BILL NO. 847—

BY REPRESENTATIVE DURAND
AN ACT

To amend and reenact R.S. 13:971(C)(1)(a) and (2) and to enact R.S. 13:961(F)(1)(j), relative to court reporters in the Eighth and Sixteenth Judicial District Courts; to provide for the cost per page for original transcription and copies in civil and criminal matters; and to provide for related matters.

HOUSE BILL NO. 1015—

BY REPRESENTATIVE FLAVIN
AN ACT

To amend and reenact R.S. 9:3891(10) and R.S. 37:1439(A), 1442(A), 1446(G), 1455(A)(introductory paragraph) and (9), 1456(A)(1), and 1462, to enact R.S. 9:3893(F) and 3897(G), and to repeal R.S. 37:1437(C)(6)(c) and 1437.2(F) through (I), relative to the licensure and regulation of real estate licensees; to provide relative to dual agency; to provide for issuance of certificates; to provide for compensation; to provide for the levying of fines for violations; to provide for notice of disciplinary charges; to provide for conditions for recovery; to repeal certain provisions relative to application for licensure; and to provide for related matters.

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.

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.

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.

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.

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.

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.

HOUSE BILL NO. 1246—

BY REPRESENTATIVE THOMPSON AND SENATORS ELLINGTON AND LANDRY
AN ACT

To enact R.S. 32:473.1 and 1728.3, relative to abandoned motor vehicles; to provide a procedure for municipal and parochial authorities to remove certain abandoned vehicles from public streets; to provide relative to the procedure for tow truck owner-operators to dispose of certain vehicles; to provide for the application thereof; and to provide for related matters.

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.

HOUSE BILL NO. 1327—

BY REPRESENTATIVES CARTER AND TRAVIS
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.

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.

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.

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.

HOUSE BILL NO. 1550—

BY REPRESENTATIVE DAMICO

AN ACT

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

HOUSE BILL NO. 1562—

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

AN ACT

To amend and reenact R.S. 56:8(105)(a)(ii) and 116.1(D), relative to hunting; to provide relative to outlaw quadrupeds; to provide definitions; to provide relative to the hours for taking of outlaw quadrupeds; and to provide for related matters.

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.

HOUSE BILL NO. 1640—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To authorize and provide the state through the Department of Transportation and Development to transfer or lease certain tracts of land situated in St. James Parish to the St. James Parish Council; and to provide for related matters.

HOUSE BILL NO. 1823—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 22:175(B)(introductory paragraph) and (3) and 215(A)(1)(a)(ii), relative to group life and health and accident insurance; to provide relative to the required employee participation if the entire premium is not paid by the employer; and to provide for related matters.

HOUSE BILL NO. 1944—

BY REPRESENTATIVES THERIOT AND MCCAIN

AN ACT

To enact R.S. 38:2212(G), relative to letting of public contracts; to provide relative to professional maintenance contracts by public entities; to authorize public entities to enter into multiyear contracts for the repair and maintenance of water storage tanks; to provide for the payment of such contracts; to provide for the duration of such contracts; to require such contracts to include a nonappropriation clause; and to provide for related matters.

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

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

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

Adjournment

Senator Bean moved that the Senate adjourn until Friday, June 11, 1999 at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Friday, June 11, 1999.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk