

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

FORTY-SIXTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, June 15, 1999

The Senate was called to order at 9:00 o'clock A.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	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones	Ullo
Dean	Jordan	
Total—38		

ABSENT

Siracusa
Total—1

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

Prayer

The prayer was offered by Rev. Robert Owens, 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 Cox, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

Messages from the Governor

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

State of Louisiana
OFFICE OF THE GOVERNOR
Baton Rouge

June 15, 1999

The Honorable President and Members of the Senate

Ladies and Gentlemen:

I have appointed Mr. Richard J. Caiton, Jr. to the Southern University Board of Supervisors.

In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, I do hereby present this name for your review.

Sincerely,
M. J. "Mike" Foster, Jr.
Governor

**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. 163—
BY SENATOR HOLLIS**

A CONCURRENT RESOLUTION

To create and provide with respect to a joint legislative committee to study and make recommendations with respect to a "do not call" list for Louisiana telephone subscribers who do not wish to receive telephone solicitation calls.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Hainkel	Robichaux
Cain	Heitmeier	Romero
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Dyess	Lambert	
Total—32		

NAYS

Total—0

ABSENT

Mr. President	Greene	Siracusa
Branch	Irons	
Cravins	Schedler	
Total—7		

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

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 15, 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. 485— BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 38:2260, relative to public contracts; to provide relative to authorized preferences for certain Louisiana products or businesses; to require penalties for falsification of claims for such preferences; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 574— BY SENATOR JORDAN

AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; to create a prestige license plate for veterans of the Cold War; to provide relative to the design of such plate; to provide relative to the issuance of such plate; to prohibit transference of such plate; to require promulgation of rules and regulations; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 486— BY SENATOR LANDRY

AN ACT

To enact R.S. 38:2318, relative to public contracts; to provide relative to professional services for such contracts; to establish prescriptive periods related to contracts for professional services; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 596— BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 13:3715.3(A), relative to confidentiality of records of certain healthcare authorities and agencies; to provide that the reports and conclusions of nationally recognized healthcare accreditation authorities and certain licensure agencies of the Department of Health and Hospitals and those committees who make determinations relative to sentinel events are confidential; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 487— BY SENATOR LANDRY

AN ACT

To enact R.S. 38:2216(M), relative to public contracts; to require any provision of such contracts to comply with Public Bid Law; provides for severability of contract provisions; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 831— BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 17:3921.2(E), relative to the Classroom-based Technology Fund; to provide relative to the deposit of monies in the fund; to provide for the use of such monies deposited into the fund; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 564— BY SENATOR JORDAN

AN ACT

To amend and reenact Code of Criminal Procedure Art. 345(D)(3), relative to surrender of defendants; to require that the defendant's sureties pay the reasonable cost of returning the defendant prior to the defendant's return; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 940— BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 46:153.3(B)(3) and to enact R.S. 46:153.3(B)(4), relative to the Medicaid drug formulary; to authorize the Department of Health and Hospitals to develop peer-based prescribing and dispensing practice patterns for health care providers participating in Medicaid and to develop a process to promote such practice patterns; to provide for promulgation of rules and regulations; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1038— BY SENATOR ROBICHAUX

AN ACT

To enact R.S. 56:14, and to repeal R.S. 56:13 and 13.1, relative to saltwater fisheries; to create the Saltwater Fishery Enforcement Fund; to transfer funds from the Commercial Fisherman's Economic Assistance Fund into the Saltwater Fishery Enforcement Fund; to provide for enforcement of fishery rules and regulations in coastal parishes; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 353— BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 47:332.1, relative to disposition of certain collections in the parish of Jefferson; to provide for deposit of revenues from certain sales taxes collected in the town of Grand Isle; to create the Town of Grand Isle Tourist Commission Enterprise Fund within the state treasury; to provide that the fund be utilized solely for tourism development purposes; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 491— (Duplicate of House Bill No. 404) BY SENATOR THOMAS (BY REQUEST) AND REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact the introductory paragraph of R.S. 56:302(A), R.S. 56:302(B), and (C) and to enact R.S. 56:8(57.1) and 302.3(B)(8) and (9), relative to recreational fishing; to provide for certain gear for which a fishing license shall not be required; to provide for licenses for certain fishing gear; to define certain fishing gear; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 403—
BY SENATOR LAMBERT

AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; to provide relative to license plates; to create the River Region Cancer Center prestige license plate; to provide relative to the design of such plate; to establish the fee for such plate; to provide for the disbursement and use of such fee; to require promulgation of rules; to provide for department approval of logo or symbol; to provide for a handling fee; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 502—
BY SENATOR HAINKEL

AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; to provide relative to license plates; to create the Charles E. Dunbar Award recipient prestige license plate; to provide relative to certification of applicants; to provide relative to fees; to require the promulgation of rules; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 177—
BY SENATOR DYESS

AN ACT

To amend and reenact R.S. 40:34(B)(1)(a)(iv), relative to vital records forms; to provide for contents of the birth certificate; to provide for the surname of an illegitimate child in certain circumstances; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 545—
BY SENATOR BRANCH

AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; provides relative to license plates; to create the Louisiana Notary Association prestige license plate; to provide relative to the fee for such plate; to provide for the design of such plate; to provide relative to the application process for such plate; to provide for department approval of logo or symbol; to require the promulgation of rules; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 735—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 13:782(A), relative to the compensation of certain clerks of district courts of the various parishes; to provide for an increase in such compensation; to provide for effective dates; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1021— (Substitute for Senate Bill No. 729 by Senator Jones)

BY SENATOR JONES

AN ACT

To enact R.S. 42:874(B)(9), relative to the powers of the Board of Trustees of the State Employees Group Benefits Program; to authorize the board to direct and supervise an internal audit program; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 488—
BY SENATOR LANDRY

AN ACT

To enact R.S. 9:2444.1, relative to statutory wills; to authorize a certified interpreter for the deaf or deaf blind to assist in the execution of a statutory will; to provide for a form; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 736—
BY SENATOR ELLINGTON

AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; to provide relative to license plates; to create the Catahoula Cur prestige license plate; to provide relative to fees for such plates; to require promulgation of rules; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 507— (Duplicate of House Bill No. 712)
BY SENATORS CASANOVA AND REPRESENTATIVE WESTON AND SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 9:2799.5(B) and (D)(1), relative to liability of health care providers; to provide for the limitation of liability of health care providers providing gratuitous health care services pursuant to an agreement with a community health care clinic; to provide for the distribution or posting of notice of the limitation of liability; to provide a definition of a community health care clinic; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 114—
BY SENATOR DYESS

AN ACT

To amend R.S. 46:2635(D), relative to the Traumatic Head and Spinal Cord Injury Trust Fund; to increase the maximum expenditures for a traumatic head or spinal cord injury survivor; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 871—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 23:311 and 341, to enact R.S. 23:302(4) and 303 and Part VII of Chapter 3-A of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:361, and to repeal R.S. 23:313, 321, 325, 331, 333, 351, and 353, relative to employment discrimination, to define employer; to provide for filing civil suits and the award of damages, fees, and court costs; to prohibit retaliation against certain employees; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 15—
BY SENATOR ROMERO

AN ACT

To enact R.S. 46:2135(I) and to amend and reenact Code of Civil Procedure Art. 3604(C), relative to domestic abuse assistance; to provide for hearing officers to hear certain rules to show cause in the process of the enforcement of protective orders; to provide for hearing officer selection and qualifications and for hearing procedures; to provide for the duration of a temporary restraining order; and to provide for related matters.

Reported with amendments.

June 15, 1999

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

June 15, 1999

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 314—
BY REPRESENTATIVE BAYLOR

A CONCURRENT RESOLUTION

To commend Holy Rosary School of Shreveport upon being named a 1998-1999 Blue Ribbon School of Excellence by the United States Department of Education.

HOUSE CONCURRENT RESOLUTION NO. 315—
BY REPRESENTATIVE MONTGOMERY

A CONCURRENT RESOLUTION

To commend and congratulate Jane H. Smith upon her selection as Louisiana Superintendent of the Year and to recognize her outstanding contributions to the education of the youth of Bossier Parish.

HOUSE CONCURRENT RESOLUTION NO. 316—
BY REPRESENTATIVE WELCH

A CONCURRENT RESOLUTION

To express sincere condolences of the Legislature of Louisiana upon the death of Leslie Scott of Baton Rouge, Louisiana.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 314—
BY REPRESENTATIVE BAYLOR

A CONCURRENT RESOLUTION

To commend Holy Rosary School of Shreveport upon being named a 1998-1999 Blue Ribbon School of Excellence by the United States Department of Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Barham	Ellington	Landry
Bean	Fields C	Lentini
Boissiere	Fields W	Malone
Cain	Hainkel	Robichaux
Campbell	Heitmeier	Romero

Casanova
Cox
Dardenne
Dean
Total—30

Hines
Hollis
Irons
Jones

Smith
Tarver
Theunissen
Ullo

NAYS

Total—0

ABSENT

Bajoie
Branch
Cravins
Total—9

Greene
Johnson
Jordan

Schedler
Siracusa
Thomas

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

HOUSE CONCURRENT RESOLUTION NO. 315—
BY REPRESENTATIVE MONTGOMERY

A CONCURRENT RESOLUTION

To commend and congratulate Jane H. Smith upon her selection as Louisiana Superintendent of the Year and to recognize her outstanding contributions to the education of the youth of Bossier Parish.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Barham
Bean
Boissiere
Cain
Campbell
Casanova
Cox
Dardenne
Dean
Dyess
Total—31

Ellington
Fields C
Fields W
Hainkel
Heitmeier
Hines
Hollis
Irons
Johnson
Jones
Lambert

Landry
Lentini
Malone
Robichaux
Romero
Smith
Tarver
Theunissen
Ullo

NAYS

Total—0

ABSENT

Bajoie
Branch
Cravins
Total—8

Greene
Jordan
Schedler

Siracusa
Thomas

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

HOUSE CONCURRENT RESOLUTION NO. 316—
BY REPRESENTATIVE WELCH

A CONCURRENT RESOLUTION

To express sincere condolences of the Legislature of Louisiana upon the death of Leslie Scott of Baton Rouge, Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Hainkel	Robichaux
Cain	Heitmeier	Romero
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Dardenne	Johnson	Ullo
Dean	Jones	
Dyess	Lambert	
Total—31		

NAYS

Total—0

ABSENT

Bajoie	Greene	Siracusa
Branch	Jordan	Thomas
Cravins	Schedler	
Total—8		

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

Senate Concurrent Resolutions on Second Reading to be Referred

The following Senate Concurrent Resolutions were read by title and referred to committees as follows:

Senator Barham in the Chair

SENATE CONCURRENT RESOLUTION NO. 162—
BY SENATORS HAINKEL AND EWING AND REPRESENTATIVES DOWNER AND BRUNEAU

A CONCURRENT RESOLUTION

To create and provide for a special commission to study the selection of judges for Louisiana courts and to report study findings and recommendations, including proposed legislation, to the legislature and the governor, and otherwise to provide for such study.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Barham	Fields C	Malone
Bean	Hainkel	Robichaux
Boissiere	Heitmeier	Romero
Cain	Hines	Smith
Campbell	Hollis	Tarver
Casanova	Irons	Theunissen
Cox	Johnson	Thomas
Dardenne	Jones	Ullo
Dean	Lambert	
Dyess	Landry	
Total—31		

NAYS

Fields W
Total—1

ABSENT

Bajoie	Greene	Siracusa
Branch	Jordan	
Cravins	Schedler	
Total—7		

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

House Concurrent Resolutions on Second Reading

The following House Concurrent Resolutions were read and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 303—
BY REPRESENTATIVE DIEZ

A CONCURRENT RESOLUTION

To commend the Red Star Soccer Club's U-17 girls soccer team upon winning the Louisiana Soccer Association's 1999 Snickers State Open Cup in their age bracket for the fourth year in a row, and to commend the Red Star Soccer Club's U-15 girls soccer team upon winning the Louisiana Soccer Association's 1999 Snickers State Open Cup in their age bracket for the second year in a row.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Greene	Schedler
Branch	Jones	Siracusa
Cravins	Jordan	
Total—8		

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

HOUSE CONCURRENT RESOLUTION NO. 304—
BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To recognize the First Annual Louisiana Beef, Rice, and Gravy Cook Off.

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

June 15, 1999

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Ellington	Landry
Barham	Fields C	Lentini
Boissiere	Fields W	Malone
Cain	Hainkel	Robichaux
Campbell	Heitmeier	Romero
Casanova	Hines	Smith
Cox	Hollis	Tarver
Dardenne	Irons	Theunissen
Dean	Johnson	Thomas
Dyess	Lambert	Ullo
Total—30		

NAYS

Total—0

ABSENT

Mr. President	Cravins	Jordan
Bean	Greene	Schedler
Branch	Jones	Siracusa
Total—9		

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

HOUSE CONCURRENT RESOLUTION NO. 305—
BY REPRESENTATIVE FARVE

A CONCURRENT RESOLUTION

To express sincere condolences of the Legislature of Louisiana upon the death of Dr. Joseph Logsdon of New Orleans, Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Hainkel	Robichaux
Cain	Heitmeier	Romero
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones	Ullo
Dyess	Lambert	
Total—32		

NAYS

Total—0

ABSENT

Mr. President	Greene	Siracusa
Branch	Jordan	
Cravins	Schedler	
Total—7		

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

HOUSE CONCURRENT RESOLUTION NO. 306—

BY REPRESENTATIVE WESTON

A CONCURRENT RESOLUTION

To express the condolences of the Louisiana Legislature to the family of Dr. Dupuy H. Anderson, and to reflect on his lifetime of contributions to this state and to his community of Baton Rouge.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields C	Lentini
Barham	Fields W	Malone
Bean	Hainkel	Robichaux
Cain	Heitmeier	Romero
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones	Ullo
Dyess	Lambert	
Ellington	Landry	
Total—31		

NAYS

Total—0

ABSENT

Mr. President	Cravins	Schedler
Boissiere	Greene	Siracusa
Branch	Jordan	
Total—8		

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

HOUSE CONCURRENT RESOLUTION NO. 307—

BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To commend Anne Katherine Lene upon her coronation as Miss LSU USA.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Hainkel	Robichaux
Cain	Heitmeier	Romero
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones	Ullo
Dyess	Lambert	
Total—32		

NAYS

Total—0

ABSENT

Mr. President	Greene	Siracusa
Branch	Jordan	
Cravins	Schedler	
Total—7		

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

HOUSE CONCURRENT RESOLUTION NO. 308—

BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To commend and congratulate Representative Jimmy D. Long for being selected by the *Shreveport Times* as one of the 100 most influential people of northwest Louisiana this century.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Ellington	Lentini
Barham	Fields C	Malone
Bean	Fields W	Robichaux
Boissiere	Hainkel	Romero
Cain	Heitmeier	Smith
Campbell	Hines	Tarver
Casanova	Hollis	Theunissen
Cox	Johnson	Thomas
Dardenne	Jones	Ullo
Dean	Lambert	
Dyess	Landry	
Total—31		

NAYS

Total—0

ABSENT

Mr. President	Greene	Schedler
Branch	Irons	Siracusa
Cravins	Jordan	
Total—8		

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

HOUSE CONCURRENT RESOLUTION NO. 309—

BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To commend and congratulate Jim Gardner for being selected by the *Shreveport Times* as one of the 100 most influential people of northwest Louisiana this century.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Hainkel	Robichaux

Cain	Heitmeier	Romero
Campbell	Hines	Smith
Casanova	Hollis	Theunissen
Cox	Irons	Thomas
Dardenne	Johnson	Ullo
Dean	Jones	
Dyess	Lambert	
Total—31		

NAYS

Total—0

ABSENT

Mr. President	Greene	Siracusa
Branch	Jordan	Tarver
Cravins	Schedler	
Total—8		

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

HOUSE CONCURRENT RESOLUTION NO. 310—

BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To commend former state representative Walter O. Bigby for being selected by the *Shreveport Times* as one of the 100 most influential people of northwest Louisiana this century.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Hainkel	Robichaux
Cain	Heitmeier	Romero
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Dyess	Lambert	
Total—32		

NAYS

Total—0

ABSENT

Mr. President	Greene	Siracusa
Branch	Irons	
Cravins	Schedler	
Total—7		

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

HOUSE CONCURRENT RESOLUTION NO. 311—

BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To commend and congratulate Dr. C. O. Simpkins for being selected by the *Shreveport Times* as one of the 100 most influential people in northwest Louisiana this century.

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

June 15, 1999

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields C	Lentini
Barham	Fields W	Malone
Bean	Hainkel	Robichaux
Boissiere	Heitmeier	Romero
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Dyess	Lambert	
Ellington	Landry	
Total—31		

NAYS

Total—0

ABSENT

Mr. President	Cravins	Schedler
Branch	Greene	Siracusa
Cain	Irons	
Total—8		

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

HOUSE CONCURRENT RESOLUTION NO. 312—
BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To commend and congratulate former state representative Alphonse Jackson for being selected by the *Shreveport Times* as one of the 100 most influential people of northwest Louisiana this century.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Ellington	Lentini
Barham	Fields C	Malone
Bean	Fields W	Robichaux
Boissiere	Heitmeier	Romero
Cain	Hines	Smith
Campbell	Hollis	Tarver
Casanova	Johnson	Theunissen
Cox	Jones	Thomas
Dardenne	Jordan	Ullo
Dean	Lambert	
Dyess	Landry	
Total—31		

NAYS

Total—0

ABSENT

Mr. President	Greene	Schedler
Branch	Hainkel	Siracusa
Cravins	Irons	
Total—8		

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

HOUSE CONCURRENT RESOLUTION NO. 313—
BY REPRESENTATIVE CLARKSON

A CONCURRENT RESOLUTION

To commend the Orleans Parish School Board for bringing their search for a superintendent to a final conclusion with the choice of a nontraditional school leader, Marine Corps Col. Alphonse "Al" Davis.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

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

June 14, 1999

To the President and Members of the Senate:

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

HOUSE BILL NO. 1320—
BY REPRESENTATIVE FONTENOT

AN ACT

To amend and reenact R.S. 33:381(D) and 461(C) and to enact R.S. 47:2051.2, relative to the collection of municipal ad valorem taxes in Livingston Parish; to authorize an agreement between the sheriff, the parish assessor, and the governing authority of the city of Denham Springs which agreement would provide for the collection by the sheriff of taxes and other amounts on the municipal tax rolls; to provide relative to the contents of such an agreement; to provide for a public hearing; to provide relative to the Lawrason Act requirements for municipal tax assessment and collection as they relate to such agreements; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DIANA E. BAJOIE
Chairwoman

SUPPLEMENTAL REPORT

REPORT OF COMMITTEE ON

JUDICIARY C

Senator Jordan, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

June 14, 1999

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 40—
 BY REPRESENTATIVES DEWITT, DOWNER, MCMAINS, DIEZ, AND
 CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND
 SCHEDLER

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 2000 Regular Session of the Legislature the provisions of Chapter 6-A of Title 15 of the Louisiana Revised Statutes of 1950, comprised of R.S. 15:601 through 620 and providing for the DNA Detection of Sexual and Violent Offenders Law.

Reported favorably.

HOUSE BILL NO. 206—
 BY REPRESENTATIVE THOMPSON
 AN ACT

To amend and reenact R.S. 14:34.3(B), relative to the crime of battery of a school teacher; to provide with regard to penalties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 818—
 BY REPRESENTATIVE MCCAIN
 AN ACT

To amend and reenact Code of Criminal Procedure Article 345(D)(3), relative to judgments of bond forfeiture in criminal proceedings; to provide for the time period for payment by sureties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1279—
 BY REPRESENTATIVES DEWITT, DOWNER, MCMAINS, DIEZ, AND
 CRANE AND SENATORS DARDENNE, HAINKEL, BARHAM, AND
 SCHEDLER

AN ACT

To enact R.S. 14:100(B)(4) and (C)(3), relative to hit-and-run driving; to define accident; to provide for greater penalties if the driver was previously convicted of certain other crimes involving operation of a vehicle; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1497—
 BY REPRESENTATIVE TOOMY
 AN ACT

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

Reported favorably.

HOUSE BILL NO. 1625—
 BY REPRESENTATIVES DIEZ, DEWITT, DOWNER, MCMAINS, AND
 CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND
 SCHEDLER

AN ACT

To amend and reenact R.S. 32:666(B) and 668(A)(introductory paragraph), relative to chemical tests to determine blood alcohol content of certain persons; to require law enforcement officers to execute a sworn report when the person submits to such testing; to require that the officer provide certain information about the test; to provide relative to hearings; to provide that such report is competent evidence; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1669—
 BY REPRESENTATIVES DEWITT, DOWNER, MCMAINS, DIEZ, AND
 CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND
 SCHEDLER

AN ACT

To amend and reenact R.S. 15:536, 537, 542(E), 574.4(C)(2)(a)(introductory paragraph), (H)(2)(introductory paragraph), and (O)(1), 828(A)(2)(a), and 893.1(A)(1) and Code of Criminal Procedure Articles 894.3(A) and 895(H)(introductory paragraph) and to enact R.S. 15:574.4(H)(2)(d), relative to sex offenders; to provide with regard to the definition of sexual offenders and sex offenses; to provide with regard to requirements for sentencing, registration, probation, parole, classification and treatment programs, and assignment to work training facilities for such offenders; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1670—
 BY REPRESENTATIVES DEWITT, DOWNER, MCMAINS, DIEZ, AND
 CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND
 SCHEDLER

AN ACT

To amend and reenact R.S. 15:542(B)(introductory paragraph) and (2)(a) and 574.4(H)(2)(b) and Code of Criminal Procedure Article 895(H)(2)(a), relative to registration and notification requirements for persons convicted of sex offenses; to provide for the period of time by which registration or notification must be completed; to provide for registration upon the establishment of residency; to provide for the time period by which required notices must be mailed or published; and to provide for related matters.

Reported favorably.

Respectfully submitted,
 J. LOMAX JORDAN, JR.
 Chairman

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

Senator Jordan 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. 206—
 BY REPRESENTATIVE THOMPSON
 AN ACT

To amend and reenact R.S. 14:34.3(B), relative to the crime of battery of a school teacher; to provide with regard to penalties; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 206 by Representative Thompson

AMENDMENT NO. 1
 On page 1, line 11, change "and" to "or"

AMENDMENT NO. 2
 On page 1, line 12, after "At least" change "fifteen days" to "forty-eight hours"

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

June 15, 1999

HOUSE BILL NO. 818—

BY REPRESENTATIVE MCCAIN

AN ACT

To amend and reenact Code of Criminal Procedure Article 345(D)(3), relative to judgments of bond forfeiture in criminal proceedings; to provide for the time period for payment by sureties; and to provide for related matters.

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

HOUSE BILL NO. 1279—

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

AN ACT

To enact R.S. 14:100(B)(4) and (C)(3), relative to hit-and-run driving; to define accident; to provide for greater penalties if the driver was previously convicted of certain other crimes involving operation of a vehicle; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 1279 by Representative DeWitt

AMENDMENT NO. 1

On page 2, line 7, change "should" to "must"

AMENDMENT NO. 2

On page 2, line 16, between "occasions" and the period "." insert "within ten years of this offense"

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

HOUSE BILL NO. 1320—

BY REPRESENTATIVE FONTENOT

AN ACT

To amend and reenact R.S. 33:381(D) and 461(C) and to enact R.S. 47:2051.2, relative to the collection of municipal ad valorem taxes in Livingston Parish; to authorize an agreement between the sheriff, the parish assessor, and the governing authority of the city of Denham Springs which agreement would provide for the collection by the sheriff of taxes and other amounts on the municipal tax rolls; to provide relative to the contents of such an agreement; to provide for a public hearing; to provide relative to the Lawrason Act requirements for municipal tax assessment and collection as they relate to such agreements; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 1320 by Representative Fontenot

AMENDMENT NO. 1

On page 3, line 24, change "Subsection A" to "Subsections A and B"

On motion of Senator Bajoie, 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. 1497—

BY REPRESENTATIVE TOOMY

AN ACT

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

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

HOUSE BILL NO. 1625—

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

AN ACT

To amend and reenact R.S. 32:666(B) and 668(A)(introductory paragraph), relative to chemical tests to determine blood alcohol content of certain persons; to require law enforcement officers to execute a sworn report when the person submits to such testing; to require that the officer provide certain information about the test; to provide relative to hearings; to provide that such report is competent evidence; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 1625 by Representative Diez

AMENDMENT NO. 1

On page 2, line 24, change "sufficient evidence" to "evidence admitted at the hearing"

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

HOUSE BILL NO. 1669—

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

AN ACT

To amend and reenact R.S. 15:536, 537, 542(E), 574.4(C)(2)(a)(introductory paragraph), (H)(2)(introductory paragraph), and (O)(1), 828(A)(2)(a), and 893.1(A)(1) and Code of Criminal Procedure Articles 894.3(A) and 895(H)(introductory paragraph) and to enact R.S. 15:574.4(H)(2)(d), relative to sex offenders; to provide with regard to the definition of sexual offenders and sex offenses; to provide with regard to requirements for sentencing, registration, probation, parole, classification and treatment programs, and assignment to work training facilities for such offenders; and to provide for related matters.

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

HOUSE BILL NO. 1670—

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

AN ACT

To amend and reenact R.S. 15:542(B)(introductory paragraph) and (2)(a) and 574.4(H)(2)(b) and Code of Criminal Procedure Article 895(H)(2)(a), relative to registration and notification requirements for persons convicted of sex offenses; to provide for the period of time by which registration or notification must be completed; to provide for registration upon the establishment of residency; to provide for the time period by which required notices must be mailed or published; and to provide for related matters.

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

Reconsideration

On motion of Senator Irons, pursuant to the previous notice given, the vote by which the following bill failed to pass on Monday, June 14, 1999 was reconsidered.

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.

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

Reconsideration

On motion of Senator Heitmeier, pursuant to the previous notice given, the vote by which the following bill failed to pass on Monday, June 14, 1999 was reconsidered.

HOUSE BILL NO. 1314— BY REPRESENTATIVE ALARIO AN ACT

To enact R.S. 27:93(A)(8), relative to allocation of riverboat boarding fees; to provide for the allocation of riverboat boarding fees in Jefferson Parish in certain cases; and to provide for related matters.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed House Bill No. 1314 by Representative Alario

AMENDMENT NO. 1 On page 2, delete lines 2 through 5.

On motion of Senator Heitmeier, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing YEAS: Bajoie, Bean, Boissiere, Cain, Cox, Ellington, Heitmeier, Hines, Hollis, Johnson, Jones, Jordan, Landry, Lentini, Robichaux, Romero, Tarver, Theunissen, Thomas, Ullo. Total—20

NAYS

Table listing NAYS: Barham, Campbell, Casanova, Dardenne, Dean, Dyess, Fields W, Hainkel, Lambert, Malone, Smith.

Total—11

ABSENT

Table listing ABSENT: Mr. President, Branch, Cravins, Fields C, Greene, Irons, Schedler, Siracusa. Total—8

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

Personal Privilege

Senator Jordan 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. 1314. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Reconsideration

On motion of Senator Heitmeier, pursuant to the previous notice given, the vote by which the following bill failed to pass on Monday, June 14, 1999 was reconsidered.

HOUSE BILL NO. 2128— BY REPRESENTATIVE MCCAIN AN ACT

To amend and reenact R.S. 27:15(B)(2)(a) and to enact R.S. 27:24(F), relative to the Louisiana Gaming Control Board; to provide with respect to the authority of the Louisiana Gaming Control Board; to provide with respect to rulemaking; and to provide for related matters.

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 listing YEAS: Bajoie, Bean, Boissiere, Cox, Cravins, Hainkel, Heitmeier, Hines, Hollis, Johnson, Jones, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Smith, Tarver, Theunissen, Thomas, Ullo. Total—22

NAYS

Table listing NAYS: Barham, Cain, Casanova, Dardenne, Dean, Dyess, Ellington, Fields W, Greene, Jordan. Total—10

ABSENT

Table listing ABSENT: Mr. President, Branch, Campbell, Fields C, Irons, Lambert, Siracusa. Total—7

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

June 15, 1999

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. 894— BY REPRESENTATIVE DANIEL AN ACT

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

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed House Bill No. 894 by Representative Daniel

AMENDMENT NO. 1

Delete Senate Committee Amendments proposed by the Senate Committee on Retirement and adopted by the Senate on June 7, 1999.

On motion of Senator Heitmeier, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Dyess, Siracusa, Total—2

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

HOUSE BILL NO. 913— BY REPRESENTATIVE TOOMY AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Dyess, Lentini, Barham, Ellington, Malone, Bean, Greene, Robichaux, Boissiere, Hainkel, Romero, Branch, Heitmeier, Schedler, Cain, Hines, Smith, Campbell, Hollis, Tarver, Casanova, Johnson, Theunissen, Cravins, Lambert, Thomas, Dardenne, Landry, Uilo, Total—30

NAYS

Dean, Jones, Fields W, Jordan, Total—4

ABSENT

Bajoie, Fields C, Siracusa, Cox, Irons, 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. 1516— BY REPRESENTATIVE PERKINS AN ACT

To enact R.S. 33:2489.1, relative to municipal fire and police civil service in Baton Rouge; to authorize the police chief to appoint members of the classified police service to command positions; to provide for the qualifications, authority, and civil service status of such persons; and to provide for related matters.

Motion

Senator W. Fields moved to return the bill to the Involuntary Calendar.

Senator Branch objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie, Hollis, Landry, Boissiere, Irons, Lentini

Cain	Johnson	Robichaux
Campbell	Jones	Romero
Cox	Jordan	Tarver
Fields W	Lambert	Theunissen
Total—18		

NAYS

Barham	Dean	Hines
Bean	Dyess	Malone
Branch	Greene	Smith
Cravins	Hainkel	Thomas
Dardenne	Heitmeier	Ullo
Total—15		

ABSENT

Mr. President	Ellington	Schedler
Casanova	Fields C	Siracusa
Total—6		

The Chair declared the bill was returned to the Involuntary Calendar.

HOUSE BILL NO. 1626—

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

AN ACT

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

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	Lentini
Barham	Greene	Robichaux
Bean	Hainkel	Romero
Boissiere	Heitmeier	Schedler
Branch	Hines	Smith
Cain	Hollis	Tarver
Campbell	Irons	Theunissen
Casanova	Johnson	Thomas
Dardenne	Jones	Ullo
Dean	Jordan	
Total—32		

NAYS

Cox	Landry
Fields W	Malone
Total—4	

ABSENT

Cravins	Fields C	Siracusa
Total—3		

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. 381—

BY REPRESENTATIVE CRANE

AN ACT

To enact Code of Criminal Procedure Article 914(C), relative to appeals from criminal convictions; to provide with regard to time period for

appeal; to provide with regard to method for making untimely appeals; and to provide for related matters.

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. 381 by Representative Crane

AMENDMENT NO. 1

On page 1, at the end of line 14, insert "However, an appellant may raise any issue or objection that he may otherwise have been able to raise on appeal."

Senator Jones moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields W	Landry
Bean	Hines	Robichaux
Boissiere	Irons	Tarver
Cain	Johnson	Ullo
Campbell	Jones	
Cox	Jordan	
Total—16		

NAYS

Barham	Greene	Romero
Casanova	Hainkel	Smith
Dardenne	Hollis	Theunissen
Dean	Lambert	Thomas
Dyess	Lentini	
Ellington	Malone	
Total—16		

ABSENT

Mr. President	Fields C	Siracusa
Branch	Heitmeier	
Cravins	Schedler	
Total—7		

The Chair declared the amendments were rejected.

Motion

Senator Jones moved to return the bill to the Involuntary Calendar.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields W	Landry
Bean	Hines	Robichaux
Boissiere	Irons	Romero
Cain	Johnson	Smith
Campbell	Jones	Tarver
Cox	Jordan	Ullo

June 15, 1999

Dean Total—20	Lambert NAYS	
Barham Casanova Dardenne Dyess Total—12	Ellington Greene Hainkel Hollis ABSENT	Lentini Malone Theunissen Thomas
Mr. President Branch Cravins Total—7	Fields C Heitmeier Schedler	Siracusa

The Chair declared the bill was returned to the Involuntary Calendar.

HOUSE BILL NO. 708—
BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact Civil Code Article 2366, relative to community property; to provide with respect to the compensation which is due to one spouse when community property is used for the benefit of the other spouse; and to provide for related matters.

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

HOUSE BILL NO. 1011—
BY REPRESENTATIVE CARTER
AN ACT

To amend and reenact R.S. 22:636.1(D)(4), relative to automobile liability policies; to provide for financed insurance premiums; to provide for the return of premium funds; and to provide for related matters.

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. 1011 by Representative Carter

AMENDMENT NO. 1
On page 2, line 3, after "insurance" insert "premium"

AMENDMENT NO. 2
On page 2, line 4, after "policy" insert "and the policy is cancelled"

AMENDMENT NO. 3
On page 2, line 6, after "amount" delete the remainder of the line and delete line 7, and insert the following:

"owed to the insurance premium finance company by the insured shall be forwarded to the"

AMENDMENT NO. 4
On page 2, line 8, after "agent" insert "to be returned to the insured"

AMENDMENT NO. 5
On page 2, line 9, after "would" insert "otherwise"

On motion of Senator Thomas, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Bajoie	Dyess	Jordan
Barham	Ellington	Lambert
Bean	Fields W	Landry
Boissiere	Greene	Malone
Branch	Hainkel	Robichaux
Cain	Heitmeier	Romero
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones	Uilo
Total—33		

NAYS

Total—0

ABSENT

Mr. President Cravins Total—6	Fields C Lentini	Schedler Siracusa
-------------------------------------	---------------------	----------------------

The Chair declared the amended 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. 1706—
BY REPRESENTATIVE MCCAIN
AN ACT

To enact R.S. 33:1448(G), relative to group insurance for sheriffs and deputy sheriffs; to require the sheriff of Assumption Parish to pay certain premium costs of specified group insurance for certain retired employees; to provide limitations; and to provide for related matters.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Siracusa to Engrossed House Bill No. 1706 by Representative McCain

AMENDMENT NO. 1
On page 1 line 14, after "Section." change "a percentage" to "one hundred percent"

AMENDMENT NO. 2
On page 2, line 2, after "at least" change "twelve" to "twenty"

AMENDMENT NO. 3
On page 2, line 3, after "dependents." delete the remainder of the line and delete lines 4 through 10

On motion of Senator Lambert, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields W	Landry
Barham	Greene	Lentini
Bean	Hainkel	Malone
Boissiere	Heitmeier	Romero
Branch	Hines	Smith
Cain	Hollis	Tarver
Campbell	Irons	Theunissen
Cox	Johnson	Thomas
Dardenne	Jones	Ullo
Dyess	Jordan	
Ellington	Lambert	
Total—31		

NAYS

Dean
Total—1

ABSENT

Mr. President	Fields C	Siracusa
Casanova	Robichaux	
Cravins	Schedler	
Total—7		

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

Senator Barham in the Chair

HOUSE BILL NO. 2024—
BY REPRESENTATIVE PERKINS
AN ACT

To amend and reenact R.S. 27:21(A)(2), relative to records of the Louisiana Gaming Control Board; to provide that certain records of an applicant are deemed to be public records; to delete provisions providing for confidentiality of certain information relating to an applicant's background; and to provide for related matters.

Floor Amendments Sent Up

Senator Jordan sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jordan to Engrossed House Bill No. 2024 by Representative Perkins

AMENDMENT NO. 1

Delete Senate Committee Amendments Nos. 1 through 7 proposed by Senate Committee on Judiciary B and adopted by the Senate on June 8, 1999.

AMENDMENT NO. 2

On page 1, line 2, after "amend and reenact" delete the remainder of the line and delete lines 3 through 6 and insert the following:

"R.S. 27:65(A), relative to riverboat gaming, to provide relative to the number of riverboat licenses which can be issued; to provide relative to the number of licenses which can be issued within a parish; and to provide for related matters."

AMENDMENT NO. 3

On 1, line 8, after "R.S" delete the remainder of the line and delete lines 9 through 17 and delete page 2 and insert the following:

"27:65(A) is hereby amended and reenacted to read as follows:

§65. Licenses to conduct gaming activities upon riverboats; limitations

A. Notwithstanding any other provisions of law to the contrary, upon application properly submitted and examined, the division may issue up to ~~fifteen~~ fourteen licenses to conduct gaming activities on a riverboat, which is of new construction in accordance with the provisions of this Chapter. No more than ~~six~~ five licenses may be granted for the operation of gaming activities on riverboats for operation from any one parish. If the holder of a license to conduct gaming activities on a riverboat voluntarily surrenders that license to the commission, or if the holder fails to renew a license to conduct gaming activities on a riverboat, or if a license to conduct gaming activities on a riverboat is revoked, the total number of licenses to conduct gaming activities on riverboat which are authorized by this Section shall be reduced by one license for each license which is voluntarily surrendered, or not renewed, or revoked. Nothing in this Section shall prohibit the sale, transfer or exchange of a license. Any such sale, transfer or exchange shall be approved by the Louisiana Gaming Control Board.

* * *

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 by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator Jordan, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Barham	Ellington	Landry
Branch	Fields W	Smith
Cain	Greene	Theunissen
Casanova	Hollis	Thomas
Dardenne	Irons	
Dean	Jordan	
Total—19		

NAYS

Bajoie	Hainkel	Malone
Bean	Heitmeier	Robichaux
Boissiere	Hines	Romero
Campbell	Johnson	Schedler
Cox	Jones	Tarver
Cravins	Lentini	Ullo
Total—18		

ABSENT

Fields C	Siracusa
Total—2	

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Jordan, 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.

June 15, 1999

Recess

On motion of Senator Ewing, the Senate took a recess until 1:00 o'clock P.M.

After Recess

The Senate was called to order at 1:00 o'clock P.M. by the 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	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones	Ullo
Dean	Jordan	
Total—38		

ABSENT

Siracusa
Total—1

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

Senate Business Resumed

Senator Ellington in the Chair

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of taking up Special Order No. 4 at this time.

Special Order of the Day

The following House Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 4, was taken up and acted upon as follows:

HOUSE BILL NO. 2—

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

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

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Re-reengrossed House Bill No. 2 by Representative Alario

AMENDMENT NO. 1

In Senate Committee Amendment No. 46 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 7, 1999, on page 9, line 18, after "delete" insert "line 5"

AMENDMENT NO. 2

On page 17, delete lines 35 and 36, and insert:

"(1081) Louisiana Genetics Research Consortium,
Renovation"

On motion of Senator Barham, the amendments were adopted.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Re-reengrossed House Bill No. 2 by Representative Alario

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 7 proposed by the Senate Committee on Finance and adopted by the Senate on June 14, 1999

AMENDMENT NO. 2

On page 17, delete line 40, and insert:

"Payable out of the State General Fund from Tobacco Settlement Revenues	\$4,500,000
Payable from General obligation Bonds	
Priority 5	\$2,000,000
Total	\$6,500,000

AMENDMENT NO. 3

Delete Senate Committee Amendment No. 13 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 7, 1999

AMENDMENT NO. 4

On page 40, line 42, change "\$50,000,000" to "\$55,000,000"

AMENDMENT NO. 5

On page 47, between lines 16 and 17, insert the following:

"19/318 WASHINGTON-ST. TAMMANY REGIONAL MEDICAL CENTER

(390) Primary Care Center and Land Acquisition, Planning and Construction (Washington)	
Payable from General Obligation Bonds	
Priority 3	\$2,800,000
Priority 4	\$2,730,000
Total	\$5,530,000

AMENDMENT NO. 6

On page 70, delete lines 42 through 44, and insert:

"Priority 2	\$ 150,000
Priority 5	\$1,350,000
Total	\$1,500,000

AMENDMENT NO. 7

On page 81, between lines 33 and 34, insert:

" 50/J44 ST. BERNARD PARISH

() Sewer Repair, Planning and Construction (St. Bernard)
Payable from General Obligation Bonds

Priority 2	\$150,000
Priority 5	<u>\$1,350,000</u>
Total	\$ <u>1,500,000</u>

AMENDMENT NO. 8
Delete Senate Committee Amendment No. 82 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 7, 1999

AMENDMENT NO. 9
On page 85, between lines 27 and 28, insert:

"(\$7,500 Local Match)"

AMENDMENT NO. 10
Delete Senate Committee Amendment No. 93 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 7, 1999

AMENDMENT NO. 11
Delete Senate Committee Amendment No. 95 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 7, 1999

AMENDMENT NO. 12
Delete Senate Committee Amendment No. 100 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 7, 1999

AMENDMENT NO. 13
On page 98, between lines 11 and 12, insert:

"50/MR3 SICILY ISLAND

() Emergency Repairs to Service Gas Lines, Planning and Construction (Local Match Required) (Catahoula)
Payable out of State General Fund Direct

	\$ <u>30,000</u>
--	------------------

AMENDMENT NO. 14
Delete Senate Committee Amendment No. 102 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 7, 1999

AMENDMENT NO. 15
On page 107, delete lines 46 through 48, and insert the following:

"Priority 2	\$ 550,000
Priority 5	\$ 450,000
Total	<u>\$1,500,000</u>

AMENDMENT NO. 16
On page 108, after line 47, insert the following:

"50/NC9 RAPIDES COLISEUM AUTHORITY

(850) Rapides Parish Coliseum Additions and Alterations (Local Match Required) (Rapides)
Payable from General Obligation Bonds

Priority 2	\$ 500,000
Priority 5	<u>\$6,505,000</u>
Total	<u>\$7,005,000</u>

AMENDMENT NO. 17
Delete Senate Committee Amendment No. 166 proposed by the Senate Committee on Revenue and Fiscal Affairs and adopted by the Senate on June 7, 1999

AMENDMENT NO. 18
On page 118, line 13, after "Program," change ", and" to "appropriations in this Act and in Act 29 of 1998, and the Department of Economic Development for"

On motion of Senator Barham, the amendments were adopted.

Floor Amendments Sent Up

Senator Theunissen sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Theunissen to Re-reengrossed House Bill No. 2 by Representative Alario

AMENDMENT NO. 1
On page 25, between lines 42 and 43, insert the following:

"(83) Common Street (Beauregard Drive to Tank Farm Road), Engineering, Construction, Right of Way, and Utilities (Calcasieu)
Payable from the Balance of General Obligation Bond Proceeds Previously Allocated Under the Authority of Act 1096 of 1995 for Common Street (from Airport - McNeese Street) Construction, Right of Way and Utilities \$620,000"

On motion of Senator Theunissen, the amendments were adopted.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert to Re-reengrossed House Bill No. 2 by Representative Alario

AMENDMENT NO. 1
On page 112, between lines 8 and 9, insert:

"ASCENSION-ST. JAMES AIRPORT AND TRANSPORTATION AUTHORITY

() Planning and Construction (Ascension, St. James)
Payable from General Obligation Bonds Priority 3

	<u>\$500,000</u>
--	------------------

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Re-reengrossed Senate Bill No. 2 by Representative Alario

June 15, 1999

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 12 proposed by the Senate Committee on Finance and adopted by the Senate on June 14, 1999.

AMENDMENT NO. 2

In Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on June 14, 1999, in Senate Committee Amendment No. 17, on page 4, between lines 5 and 6, insert "(Calcasieu)" and on line 8, change "300,000" to "300,000"

AMENDMENT NO. 3

In Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on June 14, 1999, in Senate Committee Amendment No. 18, on page 4, line 15, change "420,000" to "420,000"

AMENDMENT NO. 4

In Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on June 14, 1999, in Senate Committee Amendment No. 28, on page 6, between lines 17 and 18, insert the following:

"Provided, however, that the appropriation herein shall be deposited into the Drinking Water Revolving Loan Fund, and is hereby appropriated out of the Fund for the Municipal Facilities Revolving Loan Program."

AMENDMENT NO. 5

In Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on June 14, 1999, in Senate Committee Amendment No. 29, on page 6, on line 19, delete "between lines 19 and 20," and insert "delete lines 19 and 20, and"

AMENDMENT NO. 6

In Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on June 14, 1999, in Senate Committee Amendment No. 33, on page 7, line 7, change "(DeSoto)" to "(East Feliciana)"

AMENDMENT NO. 7

In Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on June 14, 1999, in Senate Committee Amendment No. 50, on page 9, between lines 24 and 25, insert "\$831,747 Non-State Match"

AMENDMENT NO. 8

In Senate Committee Amendments proposed by the Senate Committee on Finance and adopted by the Senate on June 14, 1999, in Senate Committee Amendment No. 56, on page 10, line 18, change "150,000" to "150,000"

On motion of Senator Hainkel, the amendments were adopted.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Re-reengrossed House Bill No. 2 by Representative Alario

AMENDMENT NO. 1

In Senate Committee Amendment No. 4, proposed by the Senate Committee on Revenue and Fiscal Affairs, and adopted by the Senate on June 7, 1999, on page 1, delete line 37, and insert the following:

"Priority 2	\$ 500,000
Priority 5	<u>\$2,300,000</u>
Total	<u>\$2,800,000"</u>

On motion of Senator Barham, the amendments were adopted.

Floor Amendments Sent Up

Senator Robichaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Robichaux to Re-reengrossed House Bill No. 2 by Representative Alario

AMENDMENT NO. 1

On page 104, between lines 12 and 13, insert the following:

"Provided, however, bonds shall not be issued until the Department of Transportation and Development are in receipt of a certified letter from the U. S. Corps of Engineers verifying that the above appropriation and project are a part of its comprehensive barrier plan. Be it further provided that bonds shall not be sold until the Department of Transportation and Development are in receipt of a certified letter from the Terrebonne Parish Consolidated Government indicating that the local match described in the original capital outlay request is for the project as it is currently designed."

On motion of Senator Robichaux, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Dean	Lambert
Bajoie	Dyess	Landry
Barham	Ellington	Lentini
Bean	Fields W	Malone
Boissiere	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Cravins	Jones	Thomas
Dardenne	Jordan	Ullo
Total—36		
NAYS		
Total—0		
ABSENT		
Fields C	Johnson	Siracusa
Total—3		

The Chair declared the amended 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.

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of taking up Special Order No.5 at this time.

Special Order of the Day

The following House Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 5, was taken up and acted upon as follows:

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Fields C	Siracusa	Ullo
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.

Rules Suspended

Senator Landry asked for a suspension of the rules for the purpose of invoking 5 minute cloture.

Senator Campbell objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Ellington	Landry
Barham	Greene	Lentini
Bean	Hainkel	Robichaux
Boissiere	Heitmeier	Romero
Cain	Hines	Schedler
Casanova	Hollis	Smith
Dardenne	Johnson	Tarver
Dean	Jones	Theunissen
Dyess	Lambert	Thomas
Total—27		

NAYS

Branch	Cravins	Malone
--------	---------	--------

Campbell	Fields W	Ullo
Cox	Jordan	
Total—8		

ABSENT

Mr. President	Irons
Fields C	Siracusa
Total—4	

The Chair declared the rules were suspended and 5 minute cloture was invoked.

Regular Order of the Day Resumed

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. 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.

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	Dyess	Landry
Bean	Fields W	Lentini
Boissiere	Heitmeier	Robichaux
Branch	Hines	Romero
Cain	Hollis	Schedler
Campbell	Johnson	Tarver
Cox	Jones	Theunissen
Cravins	Jordan	Thomas
Dean	Lambert	
Total—26		

NAYS

Mr. President	Ellington	Malone
Casanova	Greene	Smith
Dardenne	Hainkel	Ullo
Total—9		

ABSENT

Barham	Irons
Fields C	Siracusa
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.

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

June 15, 1999

Bill No. 2156. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

Rules Suspended

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of taking up Special Order No.6 at this time.

Mr. President in the Chair

Special Order of the Day

The following House Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 6, was taken up and acted upon as follows:

HOUSE BILL NO. 1784—

BY REPRESENTATIVE MCMAINS AN ACT

To amend and reenact Civil Code Article 2315, relative to damages; to provide for compensable damages; and to provide for related matters.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Fields to Engrossed House Bill No. 1784 by Representative McMains

AMENDMENT NO. 1

On page 1, line 15, delete "manifest"

Senator W. Fields moved adoption of the amendments.

Senator Hainkel objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing yeas: Bajoie, Cain, Campbell, Cox, Cravins, Dyess, Fields C, Fields W, Hines, Jones, Jordan, Landry, Lentini, Robichaux, Schedler. Total—16

NAYS

Table listing nays: Mr. President, Barham, Bean, Boissiere, Branch, Casanova, Dardenne, Dean, Ellington, Greene, Hainkel, Hollis, Irons, Johnson, Malone, Romero, Smith, Theunissen, Thomas, Ullo. Total—20

ABSENT

Table listing absent: Lambert, Siracusa, Tarver. Total—3

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed House Bill No. 1784 by Representative McMains

AMENDMENT NO. 1

On page 1, line 16, after "disease" add "or directly related to medically accepted clinical warning signs or symptoms of developing disease, developmental disease and toxic exposure"

Rules Suspended

Senator Robichaux asked for a suspension of the rules for the purpose of granting the speaker an additional 5 minutes.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing yeas: Bajoie, Barham, Branch, Campbell, Cox, Cravins, Dardenne, Dyess, Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Johnson, Jones, Jordan, Landry, Lentini, Robichaux, Romero, Schedler, Smith, Theunissen, Ullo. Total—26

NAYS

Table listing nays: Bean, Boissiere, Cain, Dean, Hollis, Malone. Total—6

ABSENT

Table listing absent: Mr. President, Casanova, Irons, Lambert, Siracusa, Tarver, Thomas. Total—7

The Chair declared the rules were suspended and the speaker was granted an additional 5 minutes.

Senator Landry moved adoption of the amendments.

Senator Hainkel objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing yeas: Mr. President, Bajoie, Bean, Cain, Campbell, Cox, Cravins, Dyess, Fields C, Fields W, Heitmeier, Hines, Irons, Jones, Jordan, Landry, Lentini, Robichaux, Schedler. Total—19

NAYS

Barham	Ellington	Romero
Boissiere	Greene	Smith
Branch	Hainkel	Theunissen
Casanova	Hollis	Thomas
Dardenne	Johnson	Ullo
Dean	Malone	

Total—17

ABSENT

Lambert	Siracusa	Tarver
---------	----------	--------

Total—3

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Engrossed House Bill No. 1784 by Representative McMains

AMENDMENT NO. 1

On page 2, delete lines 1 through 3, in their entirety

AMENDMENT NO. 2

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

Motion

Senator Robichaux moved to table the bill.

Senator Hainkel objected.

ROLL CALL

The roll was called with the following result:

YEAS

Campbell	Fields W	Tarver
Cox	Jones	
Fields C	Robichaux	

Total—7

NAYS

Mr. President	Dyess	Landry
Barham	Ellington	Lentini
Bean	Greene	Malone
Boissiere	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Smith
Casanova	Hollis	Theunissen
Cravins	Irons	Thomas
Dardenne	Johnson	Ullo
Dean	Jordan	

Total—29

ABSENT

Bajoie	Lambert	Siracusa
--------	---------	----------

Total—3

The Chair declared the Senate refused to table the bill.

Motion

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

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—33

NAYS

Casanova	Johnson	Landry
----------	---------	--------

Total—3

ABSENT

Mr. President	Lambert	Siracusa
---------------	---------	----------

Total—3

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

Senator Cain moved adoption of the amendments.

Senator Hainkel objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields C	Jones
Cain	Fields W	Jordan
Campbell	Greene	Landry
Cox	Hines	Robichaux
Dyess	Johnson	Tarver

Total—15

NAYS

Mr. President	Dean	Malone
Barham	Ellington	Romero
Bean	Hainkel	Schedler
Boissiere	Heitmeier	Smith
Branch	Hollis	Theunissen
Casanova	Irons	Thomas
Dardenne	Lentini	Ullo

Total—21

ABSENT

Cravins	Lambert	Siracusa
---------	---------	----------

Total—3

The Chair declared the amendments were rejected.

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

June 15, 1999

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Jordan
Barham	Ellington	Lentini
Bean	Greene	Malone
Boissiere	Hainkel	Romero
Branch	Heitmeier	Schedler
Campbell	Hines	Smith
Casanova	Hollis	Theunissen
Cravins	Irons	Thomas
Dardenne	Johnson	Ullo
Dean	Jones	

Total—29

NAYS

Bajoie	Fields C	Robichaux
Cain	Fields W	Tarver
Cox	Landry	

Total—8

ABSENT

Lambert Siracusa

Total—2

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

Regular Order of the Day Resumed

Senator Barham in the Chair

Special Order of the Day

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

HOUSE BILL NO. 640—

BY REPRESENTATIVES DOWNER, LEBLANC, LONG, ALARIO, COPELIN, GULLORY, HOPKINS, MCMAINS, RIDDLE, STELLY, ANSARDI, BARTON, BAUDOIN, BRUCE, BRUNEAU, CARTER, CLARKSON, CRANE, CURTIS, DAMICO, DANIEL, DIEZ, DOERGE, DUPRE, DURAND, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREUX, HEBERT, HILL, HUDSON, HUNTER, ILES, JOHNS, KENNARD, KENNY, LANCASTER, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MICHOT, MONTGOMERY, MORRISH, NEVERS, ODINET, PIERRE, POWELL, PRATT, QUEZAIRE, SCALISE, SCHWEGMANN, SHAW, JACK SMITH, SNEED, THOMPSON, TOOMY, TRICHE, WADDELL, WALSWORTH, WARNER, WELCH, WIGGINS, WILLARD, WINSTON, AND WOOTON AND SENATORS EWING AND HAINKEL

A JOINT RESOLUTION

Proposing to add Article VII, Section 10.8 of the Constitution of Louisiana, relative to state funds; to create the TOPS Trust Fund, the Health Trust Fund, and the Louisiana Fund in the state treasury; to provide for deposit of monies into the funds; to provide for investment and uses of monies in the funds; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Floor Amendments Sent Up

Senator Ewing sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Ewing and Campbell to Reengrossed House Bill No. 640 by Representative Downer

AMENDMENT NO. 1

Delete Senate Committee Amendments No. 1 through 5 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 1999

AMENDMENT NO. 2

On page 1, line 3, after "state funds;" delete the remainder of the line and delete lines 4 and 5 and on line 6, delete "monies in the funds;" and insert:

"to provide for the disposition of money accruing to the state as a result of the settlement of litigation between several states and certain tobacco companies; to establish and provide for the Education Trust Fund out of a portion of such money as a permanent trust fund; to establish and provide for the Louisiana Educational Excellence Fund out of the investment earnings attributable to the investment of money in the Education Trust Fund; to establish and provide for the Education Support Fund out of a portion of such money; to establish and provide for the Health Care and Research Fund out of a portion of such money; to establish and provide for the Louisiana Investment for Tomorrow Fund as an alternative to the deposit of a portion of the money to the Education Support Fund and the Health Care and Research Fund upon approval by the legislature; to provide for the authorization to use a portion of such money to secure revenue bonds; to provide for the expenditure of such money and its earnings; to provide for related matters;"

AMENDMENT NO. 3

On page 2, delete lines 3 through 26 and delete pages 3 through 6 and insert:

"§10.8, Master Settlement Agreement Disposition
Section 10.8. (A)(1)(a) Education Trust Fund. The Education Trust Fund is hereby established as a special permanent trust fund in the state treasury. Excluding any amounts appropriated during the 1999 Regular Session of the Louisiana Legislature and after allocation of money to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of this constitution, the treasurer shall deposit in and credit to the Education Trust Fund fifty percent of all money which is received as a result of the Master Settlement Agreement, referred to in this Article 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.
(b) The treasurer shall deposit into the Education Trust Fund so much of the investment earnings attributable to the investment of the money in the Education Trust Fund as the Revenue Estimating Conference annually determines is necessary to protect the corpus of the fund from losing value as the result of inflation.
(c) The amounts deposited as provided in this Paragraph shall be permanently credited and no appropriation shall be made from the Education Trust Fund.
(2) Investment. The treasurer shall invest the money in the Education Trust Fund with the same authority and subject to the same limitations as for the Louisiana Education Quality Trust Fund. The treasurer may contract, subject to the approval of the State Bond Commission, for the management of such investments and, if a contract is entered into, an amount necessary to pay the costs of the contract shall be appropriated out of the investment earnings.
(3) Appropriations. (a) Except for the amount determined annually by the Revenue Estimating Conference required to protect the corpus from the effect of inflation and the amount required to pay the contract entered into to manage the investment of the money in the corpus, all interest earnings, dividends, realized capital gains or other earnings accruing from the investment of the money in the Education Trust Fund, referred to in this Article as

"investment earnings", shall, after allocation of the money to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of this constitution be deposited in and credited to the Louisiana Education Excellence Fund, referred to in this Section as the "LEEF Fund".

(b) The money in the LEEF Fund shall be invested by the state treasurer as is money in the state general fund and such investment earnings shall, after allocation of the money to the Bond Security and Redemption Fund, be deposited in the LEEF Fund. The money in the LEEF Fund shall annually be disbursed or appropriated as provided in Subparagraphs (4) and (5) of this Paragraph.

(4)(a) Fifty percent of the balance of the LEEF Fund shall annually be disbursed by the state treasurer to each city, parish or other local school system, 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, 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, and the state superintendent on behalf of all school children attending private elementary and secondary schools in the state that have been approved by the State Board of Elementary and Secondary Education, both academically and as required for such school to receive money from the state, referred to in this Section as "private schools". Such disbursement shall be in amounts determined by the calculation provided in Subsubparagraph (b) of this Subparagraph and such amounts shall be indicative of the undivided interest each such recipient has in the monies deposited in the Education Trust Fund.

(b) Out of one-half of the investment earnings from the Education Trust Fund, the state treasurer shall credit fifteen percent of such amount to all private schools collectively; two hundred and fifty thousand dollars annually each to 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, 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; and, of the remaining funds, thirty percent shall be equally divided among all city, parish, and other local school system and seventy percent shall be divided among all city, parish, and other local school systems in an amount to each system 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.

(c) The state treasurer shall annually report to each participating school and system the value of its undivided interest in the Education Trust Fund.

(d)(i) All money disbursed as provided in this Subparagraph shall be expended to enhance instruction or academic achievement by students. No expenditures shall be made for building maintenance, renovation, or upkeep; capital improvements; or increases in salary for any employee. Five percent shall be spent on programs to prevent smoking and substance abuse.

(ii) The state superintendent of education shall be responsible for receiving and allocating all money due private schools.

(iii) Each school and school system participating shall annually prepare and submit to the state Department of Education a plan developed and prepared by a committee comprised of teachers as provided by law, for the expenditure of funds disbursed pursuant to this Paragraph. The department shall review such plans for compliance with the requirements of this Subparagraph and to assure that the expenditure plans will support excellent educational practice. No money shall be disbursed to any participating school or school system if the submitted plan is rejected by the department; however, any undisbursed money shall remain

credited to the school or school system. All such plans shall be available to the standing committees of the legislature for review. Such plans shall be used by the Legislative Auditor to determine whether the money is being expended in compliance with the requirements of law.

(e) No amount appropriated as required in this Subparagraph shall displace, replace, or supplant appropriations from the general fund for elementary and secondary education, including implementing the Minimum Foundation Program. This Subsubparagraph means that no appropriation for any fiscal year from the balance of the LEEF Fund shall be made for any purpose for which a general fund appropriation was made the previous year unless the total appropriations for the fiscal year from the state general fund for such purposes exceed general fund appropriations of the previous year. Nor shall any money allocated to a city or parish school board pursuant to this Section displace, replace, or supplant locally generated revenue which means that no allocation to any city or parish school board from the investment earnings attributable to the Education Trust 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 amount expended that fiscal year exceeds the total of such local revenue amounts for the previous year.

(5) Fifty percent of the balance of the LEEF Fund shall be appropriated to meet the costs to the state of a program of tuition assistance for students attending Louisiana institutions of postsecondary education. At any time the amount provided for in this Subparagraph exceeds what is required, the excess shall be appropriated as provided in Subparagraph (4) of this Paragraph.

(B) Education Support Fund. (1) After allocation of money to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of this constitution, the treasurer shall deposit in and credit to the Education Support Fund ten percent of the remaining amount of money attributable to the settlement agreement and ten percent of any proceeds from any bonds issued as authorized in Paragraph (B) of this Article. The money in the fund shall be invested by the state treasurer as provided for money in the state general fund and, after allocation of money to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of this constitution, all earnings on the investment of the money shall be deposited and credited to the Education Support Fund. The money in the Education Support Fund shall annually be appropriated for the purposes provided in this Paragraph.

(2) The balance in the Education Support Fund shall annually be appropriated to each city and parish or other local school system in an amount that bears the same relationship to such balance 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.

(3) The amounts appropriated pursuant to this Paragraph shall be expended for early childhood education programs focused on enhancing the preparation of at-risk children for school and on remediation and assistance to those children who fail to achieve the required scores on any tests passage of which are required pursuant to state law or rule for advancement to a succeeding grade or other educational programs approved by the legislature.

(C) Health Care and Research Fund. (1) After allocation of money to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of this constitution, the remaining amount of money attributable to the settlement agreement and any remaining proceeds from any bonds issued as authorized in Paragraph (B) of this Article after the amounts required in Paragraph (C) of this Article are deposited and credited to the Education Support Fund shall be deposited in and credited to the Health Care and Research Fund. The money in the fund shall be invested by the state treasurer as provided for money in the state general fund and, after allocation of money to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of this constitution, all earnings on the investment of the money shall

be deposited and credited to the Health Care and Research Fund. The money in the Health Care and Research Fund shall annually be appropriated for the purposes provided in this Paragraph.

(2)(a) Twenty-five percent of the money in the Health Care and Research Fund shall be appropriated to the Board of Regents for allocation by them to fund health science research project grants submitted to the Board of Regents and recommended to the legislature for funding by the Board of Regents after competitive review by a committee established by the Board of Regents for such purpose and comprised of persons with expertise in the areas of health research and the needs of the state.

(b) The Board of Regents shall annually submit to the legislature and the governor not less than sixty days prior to the beginning of each regular session of the legislature a proposed program and budget for the expenditure of the money. In addition, the program and budget shall be submitted in a concurrent resolution for the approval or rejection of the legislature. If it is rejected it may be resubmitted by the board. The program and budget shall be approved by a vote of two-thirds of the elected members of both houses prior to appropriation of the money provided for in this Subparagraph.

(3) Seventy-five percent of the money in the Health Care and Research Fund shall be appropriated, upon a vote of two-thirds of the elected members of both houses of the legislature, for any or all of the following programs or purposes:

(a) Early intervention in health or health-related problems.

(b) School-based health clinics.

(c) Infant mortality prevention.

(d) Drug prevention and treatment programs, including but not limited to, judicial programs of intensive court-supervised probation for persons accused of drug offenses designed to rehabilitate the offender.

(e) Providing health insurance for indigent children.

(f) Teen pregnancy prevention.

(D) Louisiana Investment for Tomorrow Fund.(1) Notwithstanding the provisions of Paragraphs (B) and (C) of this Article and in lieu of the deposit of money attributable to the settlement agreement in the funds established in such Paragraphs, upon two-thirds vote of the elected members of each house of the legislature fifty percent of the money received by the state as a result of the settlement agreement shall be deposited into the Louisiana Investment for Tomorrow Trust Fund which is hereby created as a special permanent trust fund in the state treasury and is referred to in this Article as the "LIFT Fund".

(2) Investment. The treasurer shall invest the money in the LIFT Fund with the same authority and subject to the same limitations as for the Louisiana Education Quality Trust Fund. The treasurer may contract, subject to the approval of the State Bond Commission, for the management of such investments and, if a contract is entered into, an amount necessary to pay the costs of the contract shall be appropriated out of the investment earnings.

(3) Investment earnings from investment of money in the LIFT Fund shall be appropriated as provided in Paragraphs (B) and (C) of this Article.

(F) Revenue Bond Authority. Upon two-thirds vote of both houses of the legislature and the approval of the State Bond Commission, or its successor, the treasurer may issue and sell bonds, notes, or other obligations, hereinafter referred to as "bonds" secured by a pledge of not more than fifty percent of the monies received by the state as a result of the settlement agreement. Such bonds may be issued only up to the amounts authorized by the legislature. At no time may the cumulative principle balance of bonds exceed fifty percent of the LIFT Fund balance, including an amount equal to fifty percent of the amount of settlement agreement money due in the next succeeding fiscal year. The treasurer may pay from the fifty percent of the revenues attributable to the settlement agreement 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. 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."

AMENDMENT NO. 4

On page 7, line 1, change "Section 3." to "Section 2."

AMENDMENT NO. 5

On page 7, line 4, change "Section 4. " to "Section 3."

AMENDMENT NO. 6

On page 7, line 8, after "To" delete the remainder of the line and delete lines 9 through 26 and delete page 8 and insert"

"divide all tobacco settlement money accruing to the state, except such amounts as are appropriated by the 1999 Regular Session of the Legislature, into two funds; to establish the Education Trust Fund out of fifty percent of the money attributable to the tobacco settlement as a permanent special trust fund; to provide for the investment of such money, including a limited authority to invest in stocks; to provide for the deposit of investment earnings attributable to the Education Trust Fund into the Louisiana Educational Excellence Fund(LEEF Fund); to provide for the appropriation of fifty percent of the money in the LEEF Fund to be disbursed to each city, parish, and other local school system, certain state schools, and state approved private schools to be expended on instructional programs; to provide for the appropriation of fifty percent of the money in the LEEF Fund to meet the costs to the state of a program of tuition assistance for students attending Louisiana institutions of postsecondary education; to provide for the legislature to authorize the state treasurer by a vote of two-thirds of the elected members of each house of the legislature to issue and sell revenue bonds secured by not more than fifty percent of the tobacco settlement money; to establish and provide for the Education Support Fund out of ten percent of any revenue bond proceeds and ten percent of any remaining tobacco money; to provide for the balance in the Education Support Fund to annually be appropriated to local school systems for use in early childhood education and high stakes testing remediation; to establish and provide for the Health Care and Research Fund; to provide for any remaining amount of the forty percent of the tobacco settlement money and any revenue bond proceeds remaining after deposits in the Education Support Fund to be deposited in the Health Care and Research Fund; to provide that twenty-five percent of the money in the Health Care and Research Fund be appropriated to the Board of Regents for allocation to health science research project grants recommended after a competitive grant selection process and approved by the legislature by a vote of two-thirds of the elected members of each house of the legislature; to provide for seventy-five percent of the money in the Health Care Research Fund to be appropriated by a vote of two-thirds of the elected members of each house of the legislature for any of all of certain health related intervention and prevention programs; to create and provide for the Louisiana Investment for Tomorrow Fund as a special permanent trust fund into which fifty percent of the money attributable to the settlement agreement shall, upon a two-thirds vote of the elected members of each house of the legislature, be deposited in lieu of the Education Support Fund and the Health Care and Research Fund. (Adds Article VII, Section 10.8)

On motion of Senator Ewing, the amendments were adopted.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Reengrossed House Bill No. 640 by Representative Downer

AMENDMENT NO. 1

In Senate Floor Amendment No. 3, proposed by Senator Ewing and adopted by the Senate on June 15, 1999, on page 5, between lines 20 and 21, insert the following:

"(g) Medically underserved areas."

On motion of Senator Ellington, the amendments were adopted.

Floor Amendments Sent Up

Senator Dean sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dean to Re-reengrossed House Bill No. 640 by Representative Downer

AMENDMENT NO. 1

In Senate Floor Amendment No. 3 proposed by Senator Ewing and adopted by the Senate on June 15, 1999, on page 1, line 32, after "fund" change "fifty" to "sixty"

AMENDMENT NO. 2

On page 5, line 45, change "fifty" to "forty"

Senator Dean moved adoption of the amendments.

Senator Ewing objected.

ROLL CALL

The roll was called with the following result:

YEAS

Dean	Malone
Greene	Schedler
Total—4	

NAYS

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

ABSENT

Casanova	Lambert
Hainkel	Siracusa
Total—4	

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Re-reengrossed House Bill No. 640 by Representative Downer

AMENDMENT NO. 1

In Senate Floor Amendment No. 3, proposed by Senator Ewing, and adopted by the Senate on June 15, 1999, on page 4, line 49, after "fund" change "health science" to "medical research" and after "grants" insert "with a significant amount allocated to Louisiana's Public Academic Health Centers"

On motion of Senator Hines, the amendments were adopted.

Floor Amendments Sent Up

Senator Greene sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Greene to Re-reengrossed House Bill No. 640 by Representative Downer

AMENDMENT NO. 1

Delete Senate Committee Amendments No. 1 through 5 proposed by the Senate Committee on Finance and adopted by the Senate on June 11, 1999

AMENDMENT NO. 2

Delete Senate Floor Amendments No. 1 through 6 proposed by Senator Ewing and adopted by the Senate on June 15, 1999

AMENDMENT NO. 3

On page 1, line 3, after "state funds;" delete the remainder of the line and delete lines 4 and 5 and on line 6, delete "monies in the funds;" and insert:

"to provide for the disposition of money accruing to the state as a result of the settlement of litigation between several states and certain tobacco companies; to establish and provide for the Louisiana Tobacco Trust Fund out such money as a permanent trust fund; to establish and provide for the Louisiana Tobacco Expenditure Fund out of the investment earnings attributable to the investment of money in the Louisiana Tobacco Trust Fund; to provide for the expenditure of such money and its earnings; to provide for related matters;"

AMENDMENT NO. 4

On page 2, delete lines 3 through 26 and delete pages 3 through 6 and insert:

"§10.8. Master Settlement Agreement Disposition

Section 10.8. (A)(1)(a) Louisiana Tobacco Trust Fund. The Louisiana Tobacco Trust Fund is hereby established as a special permanent trust fund in the state treasury. Excluding any amounts appropriated during the 1999 Regular Session of the Louisiana Legislature and after allocation of money to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of this constitution, the treasurer shall deposit in and credit to the Louisiana Tobacco Trust Fund one hundred percent of all money which is received as a result of the Master Settlement Agreement, referred to in this Article 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.

(b) The treasurer shall deposit into the Louisiana Tobacco Trust Fund so much of the investment earnings attributable to the investment of the money in the Louisiana Tobacco Trust Fund as the Revenue Estimating Conference annually determines is necessary to protect the corpus of the fund from losing value as the result of inflation.

(c) The amounts deposited as provided in this Paragraph shall be permanently credited and no appropriation shall be made from the Louisiana Tobacco Trust Fund.

June 15, 1999

(2) Investment. The treasurer shall invest the money in the Louisiana Tobacco Trust Fund with the same authority and subject to the same limitations as for the Louisiana Education Quality Trust Fund. The treasurer may contract, subject to the approval of the State Bond Commission, for the management of such investments and, if a contract is entered into, an amount necessary to pay the costs of the contract shall be appropriated out of the investment earnings.

(3) Appropriations. (a) Except for the amount determined annually by the Revenue Estimating Conference required to protect the corpus from the effect of inflation and the amount required to pay the contract entered into to manage the investment of the money in the corpus, all interest earnings, dividends, realized capital gains or other earnings accruing from the investment of the money in the Louisiana Tobacco Trust Fund, referred to in this Article as "investment earnings", shall, after allocation of the money to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of this constitution be deposited in and credited to the Louisiana Tobacco Expenditure Fund.

(b) The money in the Louisiana Tobacco Expenditure Fund shall be invested by the state treasurer as is money in the state general fund and such investment earnings shall, after allocation of the money to the Bond Security and Redemption Fund, be deposited in the Louisiana Tobacco Expenditure Fund. The money in the Louisiana Tobacco Expenditure Fund shall annually be appropriated as provided in Subparagraphs (4) of this Paragraph.

(4) Ninety per-cent of the interest earned annually on the money in the Louisiana Tobacco Trust Fund shall be allocated to the Louisiana Tobacco Expenditure Fund, of which one-half shall be expended for education and one-half expended for health care. The remaining ten per-cent of the interest earned shall be deposited into the Louisiana Tobacco Trust Fund.

AMENDMENT NO. 5

On page 7, line 1, change "Section 3." to "Section 2."

AMENDMENT NO. 6

On page 7, line 4, change "Section 4. " to "Section 3."

AMENDMENT NO. 7

On page 7, line 8, after "To" delete the remainder of the line and delete lines 9 through 26 and delete page 8 and insert"

"deposit all tobacco settlement money accruing to the state, except such amounts as are appropriated by the 1999 Regular Session of the Legislature, into a permanent special trust fund; to establish the Louisiana Tobacco Trust Fund out of the money attributable to the tobacco settlement as a permanent trust fund; to provide for the investment of such money, including a limited authority to invest in stocks; to provide for the deposit of ninety per-cent of the investment earnings attributable to the Louisiana Tobacco Trust Fund into the Louisiana Tobacco Expenditure Fund, and the remaining ten percent of the earnings into the Louisiana Tobacco Trust Fund; to provide for the appropriation of fifty per-cent of the money in the Louisiana Tobacco Expenditure Fund to be expended for education and the remaining fifty percent to be expended for health care. (Adds Article VII, Section 10.8)

Rules Suspended

Senator Dean asked for a suspension of the rules for the purpose of granting the speaker an additional 5 minutes.

Senator Cain objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Dardenne	Jordan
Bean	Dean	Lentini
Boissiere	Dyess	Malone
Branch	Fields C	Robichaux
Campbell	Greene	Schedler
Casanova	Hines	Smith
Cox	Hollis	Theunissen
Cravins	Johnson	Ullo

Total—24

NAYS

Cain	Romero
Irons	Thomas

Total—4

ABSENT

Mr. President	Hainkel	Landry
Bajoie	Heitmeier	Siracusa
Ellington	Jones	Tarver
Fields W	Lambert	

Total—11

The Chair declared the rules were suspended and the speaker was granted an additional 5 minutes.

Rules Suspended

Senator Casanova asked for a suspension of the rules for the purpose of granting the speaker an additional 5 minutes.

Senator Schedler objected.

ROLL CALL

The roll was called with the following result:

YEAS

Campbell	Ellington	Jones
Casanova	Fields C	Romero
Dardenne	Greene	Smith
Dean	Johnson	Ullo

Total—12

NAYS

Bajoie	Fields W	Schedler
Bean	Hines	Tarver
Boissiere	Hollis	Theunissen
Branch	Irons	Thomas
Cain	Landry	
Cravins	Malone	

Total—16

ABSENT

Mr. President	Hainkel	Lentini
Barham	Heitmeier	Robichaux
Cox	Jordan	Siracusa
Dyess	Lambert	

Total—11

The Chair declared the Senate refused to suspend the rules.

Senator Greene moved adoption of the amendments.

Senator Ewing objected.

ROLL CALL

The roll was called with the following result:

YEAS

Casanova Hainkel Malone
Dean Jordan Romero
Greene Lentini Schedler
Total—9

NAYS

Mr. President Dardenne Jones
Bajoie Dyess Landry
Barham Ellington Robichaux
Bean Fields C Smith
Boissiere Fields W Tarver
Branch Heitmeier Theunissen
Cain Hines Thomas
Campbell Hollis Ullo
Cox Irons
Cravins Johnson
Total—28

ABSENT

Lambert Siracusa
Total—2

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Cox sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cox to Reengrossed House Bill No. 640 by Representative Downer

AMENDMENT NO. 1

In Senate Floor Amendment No. 3, proposed by Senator Ewing and adopted by the Senate on June 15, 1999, on page 5, between lines 20 and 21, insert the following:

"(h) Prescription drugs for the elderly not provided by government programs."

On motion of Senator Cox, the amendments were adopted.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Reengrossed House Bill No. 640 by Representative Downer

AMENDMENT NO. 1

In Senate Floor Amendment No. 3, Set No. 1023, proposed by Senator Ewing and adopted by the Senate on June 15, 1999, on page 5, between lines 20 and 21, insert the following:

"(h) Hospice medicaid programs."

On motion of Senator Schedler, the amendments were adopted.

Motion

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

Senator Schedler objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie Dean Jordan
Boissiere Ellington Malone
Branch Greene Romero
Campbell Hainkel Tarver
Casanova Hollis
Dardenne Irons
Total—16

NAYS

Barham Heitmeier Smith
Bean Hines Theunissen
Cain Landry Thomas
Cox Lentini Ullo
Dyess Robichaux
Fields W Schedler
Total—16

ABSENT

Mr. President Johnson Siracusa
Cravins Jones
Fields C Lambert
Total—7

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

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Reengrossed House Bill No. 640 by Representative Downer

AMENDMENT NO. 1

In Senate Floor Amendment No. 3, Set No. 1023, proposed by Senator Ewing and adopted by the Senate on June 15, 1999, on page 5, between lines 20 and 21, insert the following:

"(h) Any other significant health care program or project as determined by the legislature."

On motion of Senator Hines, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Lentini
Bajoie Fields C Malone
Barham Fields W Robichaux
Bean Greene Romero
Branch Heitmeier Schedler

June 15, 1999

Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones	Ullo
Dyess	Landry	
Total—32		

NAYS

Dean	Jordan
Total—2	

ABSENT

Boissiere	Hainkel	Siracusa
Cain	Lambert	
Total—5		

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

Special Order of the Day

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

HOUSE BILL NO. 1547—

BY REPRESENTATIVES DOWNER, LEBLANC, LONG, ALARIO, COPELIN, GULLORY, HOPKINS, RIDDLE, STELLY, ANSARDI, BARTON, BAUDOIN, BRUCE, BRUNEAU, CARTER, CLARKSON, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DIEZ, DOERGE, DUPRE, DURAND, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREAUX, HEBERT, HILL, HUDSON, HUNTER, ILES, JOHNS, KENNARD, KENNY, LANCASTER, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MCMAINS, MICHOT, MONTGOMERY, MORRISH, NEVERS, ODINET, PIERRE, POWELL, PRATT, QUEZAIRE, SCALISE, SCHWEGMANN, SHAW, JACK SMITH, SNEED, THOMPSON, WADDELL, WALSWORTH, WARNER, WELCH, WIGGINS, WILLARD, WINSTON, AND WOOTON AND SENATORS EWING AND HAINKEL

AN ACT

To enact Subpart E of Part II-A of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:98.1 and 98.2, and to repeal R.S. 46:977, relative to state funds; to provide for disposition of tobacco settlement proceeds; to create the TOPS Trust Fund, the Health Trust Fund, and the Louisiana Fund as special treasury funds; to provide for deposit of monies into the funds; to provide for investment and uses of monies in the funds; and to provide for related matters.

Floor Amendments Sent Up

Senator Ewing sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ewing to Reengrossed House Bill No. 1547 by Representative Downer

AMENDMENT NO. 1
On page 1, line 4, delete "and 98.2"

AMENDMENT NO. 2
On page 1, line 5, delete "TOPS"

AMENDMENT NO. 3
On page 1, delete line 6 and insert "Louisiana Fund as a special"

AMENDMENT NO. 4
On page 1, line 7, after "treasury" change "funds" to "fund" and after "into the" change "funds;" to "fund"

AMENDMENT NO. 5

On page 1, line 8, delete "investment and" and after "in the " change "funds" to "fund"

AMENDMENT NO. 6
Delete pages 2 through 12 and on page 13, delete lines 1 through 21

AMENDMENT NO. 7
On page 13, line 22, change "Section 2." to "Section 1."

AMENDMENT NO. 8
On page 14, line 7, after "money" insert ", except for amounts appropriated by an act enacted during the 1999 Regular Session of the Legislature."

AMENDMENT NO. 9
On page 14, line 19, after "purposes" delete the remainder of the line and delete lines 20 through 26 and delete pages 15 through 17 and on page 18, delete lines 1 through 21 and insert a colon and the following:

- (1) Early childhood programs.
- (2) Elementary and secondary education programs.
- (3) Health science research projects.
- (4) Early intervention in health or health-related problems.
- (5) School-based health clinics.
- (6) Infant mortality prevention.
- (7) Drug prevention and treatment programs, including but not limited to, judicial programs of intensive court-supervised probation for persons accused of drug offenses designed to rehabilitate the offender.
- (8) Providing health insurance for indigent children.
- (9) Teen pregnancy prevention.
- (10) Medically underserved areas.
- (11) Hospice medicaid programs.
- (12) Prescription drugs for the elderly not provided by government programs.

(13) Any other significant health care program or project as determined by the legislature.
C. The provisions of this Section shall be effective until provisions for the disposition of the money directed to this fund are provided in the constitution and are effective."

AMENDMENT NO. 10
On page 18, line 22, change "Section 3." to "Section 2."

AMENDMENT NO. 11
On page 18, delete lines 23 through 26 and on page 19, delete lines 1 through 7 and insert:

"Section 3. This Act shall become effective"

On motion of Senator Ewing, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Cravins
Dardenne
Total—34

Johnson
Jones

NAYS

Jordan
Total—1

ABSENT

Hainkel
Lambert
Total—4

Robichaux
Siracusa

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

Motion to Make Special Order

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of making House Bill No. 301, which is on Third Reading and Final Passage, Special Order of the Day No. 7 on Tuesday, June 15, 1999 immediately following the evening recess.

Motion to Make Special Order

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of making House Bill No. 900, which is on Third Reading and Final Passage, Special Order of the Day No. 8 on Tuesday, June 15, 1999 immediately following the evening recess.

Motion to Make Special Order

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of making House Bill No. 2027, which is on Third Reading and Final Passage, Special Order of the Day No. 9 on Tuesday, June 15, 1999 immediately following the evening recess.

Motion to Make Special Order

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of making House Bill No. 2145, which is on Third Reading and Final Passage, Special Order of the Day No. 10 on Tuesday, June 15, 1999 immediately following the evening recess.

Motion to Recommit

Senator Romero asked for and obtained a suspension of the rules and recommitted House Bill No. 1263 from the Committee on Finance to the Committee on Natural Resources.

Rules Suspended

Senator Romero asked for and obtained a suspension of the rules for the purpose of hearing House Bill No. 1263 in the Committee on Natural Resources without the required 24 hour notice.

Rules Suspended

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

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
FINANCE**

Senator Hainkel, Chairman on behalf of the Committee on Finance, submitted the following report:

June 15, 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. 2035—
BY REPRESENTATIVES WINDHORST AND LANDRIEU
AN ACT

To amend and reenact R.S. 15:150(C)(1) and 151.2(E) and to enact R.S. 15:149.1, 151.5, and 151.6, relative to legal representation of indigent defendants; to provide for such representation in certain cases; to provide for powers of the Indigent Defense Assistance Board; to provide for method of appointment of counsel; to provide for applicable time periods; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JOHN HAINKEL
Chairman

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

Senator Hainkel 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. 2035—
BY REPRESENTATIVES WINDHORST AND LANDRIEU
AN ACT

To amend and reenact R.S. 15:150(C)(1) and 151.2(E) and to enact R.S. 15:149.1, 151.5, and 151.6, relative to legal representation of indigent defendants; to provide for such representation in certain cases; to provide for powers of the Indigent Defense Assistance Board; to provide for method of appointment of counsel; to provide for applicable time periods; and to provide for related matters.

Reported favorably by the Committee on 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
Legislative Bureau**

June 15, 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.

HOUSE BILL NO. 206—
BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 14:34.3(B), relative to the crime of battery of a school teacher; to provide with regard to penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 818—

BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact Code of Criminal Procedure Article 345(D)(3), relative to judgments of bond forfeiture in criminal proceedings; to provide for the time period for payment by sureties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1279—

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

AN ACT

To enact R.S. 14:100(B)(4) and (C)(3), relative to hit-and-run driving; to define accident; to provide for greater penalties if the driver was previously convicted of certain other crimes involving operation of a vehicle; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1320—

BY REPRESENTATIVE FONTENOT
AN ACT

To amend and reenact R.S. 33:381(D) and 461(C) and to enact R.S. 47:2051.2, relative to the collection of municipal ad valorem taxes in Livingston Parish; to authorize an agreement between the sheriff, the parish assessor, and the governing authority of the city of Denham Springs which agreement would provide for the collection by the sheriff of taxes and other amounts on the municipal tax rolls; to provide relative to the contents of such an agreement; to provide for a public hearing; to provide relative to the Lawrason Act requirements for municipal tax assessment and collection as they relate to such agreements; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1497—

BY REPRESENTATIVE TOOMY
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 1625—

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

AN ACT

To amend and reenact R.S. 32:666(B) and 668(A)(introductory paragraph), relative to chemical tests to determine blood alcohol content of certain persons; to require law enforcement officers to execute a sworn report when the person submits to such testing; to require that the officer provide certain information about the test; to provide relative to hearings; to provide that such report is competent evidence; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1669—

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

AN ACT

To amend and reenact R.S. 15:536, 537, 542(E), 574.4(C)(2)(a)(introductory paragraph), (H)(2)(introductory paragraph), and (O)(1), 828(A)(2)(a), and 893.1(A)(1) and Code of Criminal Procedure Articles 894.3(A) and 895(H)(introductory paragraph) and to enact R.S. 15:574.4(H)(2)(d), relative to sex

offenders; to provide with regard to the definition of sexual offenders and sex offenses; to provide with regard to requirements for sentencing, registration, probation, parole, classification and treatment programs, and assignment to work training facilities for such offenders; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1670—

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

AN ACT

To amend and reenact R.S. 15:542(B)(introductory paragraph) and (2)(a) and 574.4(H)(2)(b) and Code of Criminal Procedure Article 895(H)(2)(a), relative to registration and notification requirements for persons convicted of sex offenses; to provide for the period of time by which registration or notification must be completed; to provide for registration upon the establishment of residency; to provide for the time period by which required notices must be mailed or published; 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 Bills and Joint Resolutions were read by title and passed to a third reading.

Messages from the House

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 15, 1999

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 2 by Representative Alario, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Alario, Downer, and LeBlanc.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 15, 1999

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1 by Representative LeBlanc, and ask

the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives LeBlanc, Downer, and DeWitt.

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

**Appointment of Conference Committee
on House Bill No. 110**

The President of the Senate appointed on the Conference Committee on House Bill No. 110 the following members of the Senate: Senators Ullo, Landry, and Greene.

**Appointment of Conference Committee
on House Bill No. 1732**

The President of the Senate appointed on the Conference Committee on House Bill No. 1732 the following members of the Senate: Senators Romero, Smith, and Ellington.

**Appointment of Conference Committee
on House Bill No. 1848**

The President of the Senate appointed on the Conference Committee on House Bill No. 1848 the following members of the Senate: Senators Dardenne, Hines, and Schedler.

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 15, 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. 325—
BY SENATOR HEITMEIER**

AN ACT

To amend and reenact R.S. 11:511(5), relative to the Louisiana State Employees' Retirement System; to provide for the eligibility to run for a retired member position on the board of trustees; to remove the requirement that a retired member be retired for at least two years before becoming eligible to run for a trustee position; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 339—
BY SENATOR LANDRY**

AN ACT

To amend and reenact R.S. 9:5626, relative to prescription; to provide that all claims and actions for land and improvements taken for levee and levee drainage purposes shall prescribe within two years

from actual occupancy, use or destruction; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 449—
BY SENATOR DARDENNE**

AN ACT

To enact R.S. 42:1157.3, relative to enforcement of violations and penalties by the Board of Ethics; to authorize the board to contract with outside counsel for the enforcement of certain judgments; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 630—

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

To amend and reenact Children's Code Art. 683(A), relative to children in need of care; to provide relative to disposition hearings; to clarify the meaning of "least restrictive disposition"; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 453—
BY SENATOR DARDENNE**

AN ACT

To amend and reenact R.S. 42:1102(13) relative to ethics; to provide that the term "immediate family" of a public servant includes certain in-laws; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 542—
BY SENATOR HINES**

AN ACT

To enact R. S. 40:964, Schedule III(A)(5) and (6), and Schedule IV(35), and to repeal R. S. 40:964, Schedule II(A)(1)(g) and (C)(3),(5) and (6), relative to the Uniform Controlled Dangerous Substances Law; to remove Apomorphine, Phenmetrazine, Phendimetrazine and Phentermine from Schedule II; to add Phenmetrazine and Phendimetrazine to Schedule III; to add Phentermine to Schedule IV; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 771—
BY SENATOR DARDENNE**

AN ACT

To amend and reenact R.S. 37:21(B)(2), relative to limitations on disciplinary proceedings by professional or occupational boards and commissions; to exempt certain persons practicing dentistry or dental hygiene; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 370—
BY SENATOR ROMERO**

AN ACT

To amend and reenact R. S. 40:1379.8(B), relative to the Weights and Standards Mobile Police Force; to provide that certain members of the Weights and Standards Mobile Police Force shall be considered peace officers; to provide for the duties and powers of such peace officers; and to provide for related matters.

Reported without amendments.

June 15, 1999

SENATE BILL NO. 772—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 37:1745(A)(1) and (2), relative to health care providers; to revise certain definitions; to prohibit dentists and dental hygienists from soliciting, paying, or receiving payment for referring or soliciting patients; to revise certain definitions; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 494—
BY SENATOR THOMAS

AN ACT

To amend and reenact R.S. 13:2582(A), relative to justice of peace; to provide that a justice of peace must reside in the ward or district from which elected; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 6—
BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 40:1300.84(B)(3), relative to the Louisiana Kidney Health Care Program; to revise the financial criteria for eligibility to participate in the program; to provide an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1049—
BY SENATOR BOISSIERE

AN ACT

To enact R.S. 40:1797, relative to law enforcement agencies; to provide with respect to seized firearms; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 156—
BY SENATOR LENTINI

AN ACT

To enact Section 1-A of Chapter 4 of Title XXIV of Book III of the Louisiana Civil Code, to be comprised of Art. 3493.1, relative to prescription; to provide for a two-year prescriptive period for damages which are sustained as a result of certain criminal acts; to provide for the procedure in which prescription begins to run; to specify limits on the applicability; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1079—
BY SENATORS DYESS AND ELLINGTON AND REPRESENTATIVE WIGGINS

AN ACT

To repeal R.S. 17:62 and 73, as enacted by Act No. 973 of the 1995 Regular Session and amended by Act No. 74 of the 1998 First Extraordinary Session, and to repeal R.S. 17:62.1, as enacted by Act No. 74 of the 1998 First Extraordinary Session, relative to the provisions for a school system comprised of portions of Rapides Parish; to repeal such provisions; to provide for effectiveness and for implementation; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 110—
BY SENATORS HOLLIS, BEAN, CAIN, COX, DYESS, HAINKEL, HINES, LAMBERT, LANDRY, LENTINI, SCHEDLER, SIRACUSA, SMITH, TARVER, THEUNISSEN, THOMAS, ULLO, BAJOIE, BARHAM, BOISSIERE, CAMPBELL, CRAVINS, DARDENNE, DEAN, ELLINGTON, EWING, C. FIELDS, W. FIELDS, GREENE, IRONS, JORDAN, MALONE AND ROBICHAUX AND REPRESENTATIVES ANSARDI, BARTON, BAYLOR, BOWLER, BRUCE, BRUNEAU, CHAISSON, CLARKSON, DAMICO, DOERGE, DUPRE, DURAND, FAUCHEUX, FRITH, GAUTREAU, GLOVER, HEATON, HEBERT, HILL, HOLDEN, JENKINS, JOHNS, KENNARD, LANCASTER,

LANDRIEU, LONG, MCDONALD, MICHOT, MONTGOMERY, MURRAY, ODINET, PERKINS, PINAC, POWELL, QUEZAIRE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, STELLY, VITTER, WADDELL, WESTON, WIGGINS AND WINDHORST

AN ACT

To enact R.S. 32:429.1, relative to the Department of Public Safety and Corrections; to provide for the establishment of a toll free hotline in the Department of Public Safety and Corrections; to provide for the accurate and complete information to be provided and the hours of operation; to require the hotline be operated by a person; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 217—
BY SENATOR MALONE

A JOINT RESOLUTION

Proposing to amend Article IV, Section 5(E)(1) of the Constitution of Louisiana, relative to the powers and duties of the governor; to limit the automatic pardon provision to persons convicted of a non-violent crime; to specify an election date for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

SENATE BILL NO. 397—
BY SENATOR HOLLIS

AN ACT

To enact R.S. 42:874(B)(9), relative to the powers of the Board of Trustees of the State Employees Group Benefits Program; to authorize the board to delete certain debts from the financial records of the board; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 158—
BY SENATOR LENTINI

AN ACT

To enact R.S. 40:1299.44(D)(6), relative to medical malpractice; to prohibit certain indemnity agreements by the Patient's Compensation Fund Oversight Board and its employees, agents, and representatives; to provide for discovery of certain evidence; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 256—
BY SENATORS HINES, EWING, IRONS, BAJOIE, SCHEDLER, DARDENNE, HAINKEL, BARHAM, BEAN, BOISSIERE, CAIN, CAMPBELL, CASANOVA, CRAVINS, DYESS, ELLINGTON, C. FIELDS, W. FIELDS, HOLLIS, JOHNSON, JONES, LAMBERT, LANDRY, LENTINI, ROBICHAUX, SIRACUSA, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO AND REPRESENTATIVES DEWITT, DOWNER AND MCMAINS

AN ACT

To amend and reenact R.S. 46:976(A)(5), (B)(1) and (2), the introductory paragraph of (C), (D), and (E) and to repeal R.S. 46:976(F), relative to the Children's Health Insurance Program; to expand eligibility criteria for the program and for implementation thereof; to provide relative to a private insurance model; to provide an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 441—
BY SENATOR COX

AN ACT

To amend and reenact R.S. 33:4065.1(A) and 4065.2(A), (B) and (F), 4065.3(C) and (G), 4065.4(B) and (C), and 4065.5 and R.S. 40:5.6, to repeal R.S. 33:4065.2(D) and (H), and to rename the title of Subpart F-1 of Part II of Chapter 9 of Title 33 of the Louisiana Revised Statutes of 1950, relative to safe drinking water; to provide for the development, management, and maintenance of safe water supplies for residential, commercial, and governmental users; to provide for monitoring of public water supplies; to provide for certain sewage and water districts and for the

composition and functions of such districts to develop, monitor, and maintain safe public water supplies and the disposal or treatment of contaminated public water supplies in certain municipalities; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 198—
BY SENATOR W. FIELDS

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(a), relative to the Tuition Opportunity Program for Students; to provide relative to eligibility; to provide for residency requirements; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 257—

BY SENATORS DYESS AND ELLINGTON AND REPRESENTATIVE WIGGINS

A JOINT RESOLUTION

Proposing to amend Article VIII, Section 13(D) of the Constitution of Louisiana, to remove the grant to the school system operated in Wards 9, 10, and 11 of Rapides Parish that it shall be regarded and treated as a parish and shall have the authority granted parishes, including the purposes of funding and the raising of certain local revenues for the support of elementary and secondary schools; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 540—

BY SENATORS HINES, SCHEDLER, DYESS AND ROMERO

AN ACT

To amend and reenact R.S. 9:344, relative to visitation rights of grandparents and siblings in certain circumstances; to provide for reasonable visitation rights for grandparents and siblings when the parent of the minor child is incarcerated; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 323—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:1481(2), relative to the Assessors' Retirement Fund; to authorize each assessor and the board of trustees of the fund to pay all or a portion of the employee's contribution into the retirement fund; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1084—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:3384(B), relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to provide for a retirement benefit for certain members; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 308—
BY SENATOR COX

AN ACT

To amend and reenact R.S. 40:2019 and 44:7(A) and to enact R.S. 44:4(25) relative to the Louisiana State Child Death Review Panel; to provide for findings and purpose; to provide for definitions; to revise the membership of the panel; to provide for the functions and duties of the panel; to provide for access to certain records; to

provide for confidentiality of information, documents, and records; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1067—
BY SENATOR BOISSIERE

AN ACT

To amend and reenact R.S. 11:3385.1(C), (G), (H), (I), (J), (K)(3), (5), and (6) and to enact R.S. 11:3385.2, relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to provide for a Deferred Retirement Option Plan; to increase the duration of possible participation in the plan; to provide for the accrual of interest on an individual account; to provide for the assessment of fees on an individual account; to provide for the withdrawal of funds from the individual account; to provide for an initial lump sum benefit option for certain members; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 454—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 42:1102(8), relative to ethics; to provide for the definition of "controlling interest"; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 602—
BY SENATOR SCHEDLER

AN ACT

To enact R.S. 13:3715.3(G), relative to peer review committee records; to provide for access to certain documents necessary for investigative adjudication by a licensing board; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 685—

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

AN ACT

To amend and reenact the introductory paragraph of Children's Code Art. 617(A) and Art. 617(A)(1), (B), and (D), the introductory paragraph of Art. 618(A) and Art. (A)(4), relative to the procedures for the protection of children; to expand the scope of such provisions to include neglected children; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 563—
BY SENATOR JORDAN

AN ACT

To enact R.S. 15:85(12), relative to satisfaction of judgment of bond forfeiture; to provide a period of one year for the surety to satisfy a judgment of bond forfeiture for certain bail obligations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 549—
BY SENATOR ROMERO

AN ACT

To enact Code of Criminal Procedure Art. 740, relative to restrictions on subpoenas; to provide for a subpoena duces tecum for certain records in the possession of the Department of Public Safety and Corrections; and to provide for related matters.

Reported with amendments.

June 15, 1999

SENATE BILL NO. 624—

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

To amend and reenact Children's Code Art. 603(14), relative to children in need of care; to provide for the definition of "neglect"; to provide for effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 684—

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

To amend and reenact Children's Code Art. 612(A), relative to child abuse reporting and investigation; to provide that certain low level risk reports may be subject to assessment rather than investigation; to provide for effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 754—

BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 9:3576.19, relative to a licensee; to provide for collection; to provide for assignment; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 601—

BY SENATOR SCHEDLER

AN ACT

To enact R.S. 49:956(8)(d), relative to administrative procedures; to permit the use of certain confidential or privileged documents in adjudication proceedings; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 670—

BY SENATOR JONES

AN ACT

To amend and reenact R.S. 23:1272(A), relative to administrative procedure; to provide for settlement before workers' compensation judges; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 686—

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

To amend and reenact Children's Code Art. 619(E), relative to children in need of care; to exclude local employees of child protection units as an authorized party to serve a summons upon a parent or caretaker; to require local employees of child protection to provide written notice of hearing to the parent or caretaker; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1031—

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

To amend and reenact R.S. 40:1299.35.1, 1299.35.2, 1299.35.4, and 1299.35.10(A)(18) and to repeal R.S. 40:1299.35.3, relative to abortion; to provide for definitions; to provide with respect to abortion after viability of the unborn child; to provide for legislative findings and purpose; to prohibit the performance or inducement of an abortion unless performed or induced by a physician licensed by the state; to require the performance of an ultra-sound test prior to performing or inducing an abortion or termination of pregnancy after viability; to prohibit the performance or inducement of an abortion after viability; to provide for termination of pregnancy

after viability under certain circumstances and for certification of reason thereof; to provide for certain information contained in an abortion report; to provide for severability provisions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 991—

BY SENATORS COX AND IRONS

AN ACT

To enact Part LI of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.151 through 1300.153, relative to hepatitis C; to provide for legislative findings and purpose; to provide for protocols and guidelines for educating health care providers and community service providers on hepatitis C detection, diagnosis, treatment, and therapeutic decisions making; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 378—

BY SENATOR DYESS

AN ACT

To enact R.S. 49:155.5, relative to state symbols; to designate "Leadership" by Jean McGivney Boese as the official state legislative poem; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1007—

BY SENATOR BEAN

AN ACT

To enact R.S. 11:1921(A)(6), relative to the Parochial Employees' Retirement System; to provide for membership of unclassified employees of Caddo Parish; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 836—

BY SENATOR JOHNSON

AN ACT

To enact R.S. 13:4751(C)(2)(d), relative to authorizing the custodial parent of a minor child to change the name of a minor child under certain conditions; to provide for an increased time period; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1068—

BY SENATOR EWING

AN ACT

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

Reported with amendments.

SENATE BILL NO. 445—

BY SENATOR COX

AN ACT

To amend and reenact R.S. 33:1967(A), relative to fire protection; to provide that a captain shall be in charge of each force on each shift employing seven or more employees, including the fire chief; to provide relative to the fire departments to which such provision is applicable; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1080—
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 11:1318, relative to State Police Retirement Fund; to provide for payment of survivor's benefits to a totally disabled child; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 795—
BY SENATOR IRONS

AN ACT

To enact Children's Code Art. 606(A)(6), relative to grounds for determining child in need of care status; to add unlawful possession of a firearm by a child as an additional ground; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 246—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 1:55(A)(6), relative to days of public rest and legal holidays; to make Dr. Martin Luther King, Jr.'s birthday a legal holiday for public schools; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 886—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 33:1563(G), relative to coroners; to require submission of information required for a death certificate within ten days after the receipt of all test results associated with the investigation into the cause and manner of death; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 54—
BY SENATORS LANDRY AND BAJOE

AN ACT

To amend and reenact R.S. 51:1, 293, and 471, relative to trade and commerce related to the Louisiana Stadium and Exposition District; to prohibit the sale of the name of the Superdome building without legislative approval; and to provide for related matters.

Reported with amendments.

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

**Privilege Report of the
Legislative Bureau**

June 15, 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.

HOUSE BILL NO. 2035—

BY REPRESENTATIVES WINDHORST AND LANDRIEU
AN ACT

To amend and reenact R.S. 15:150(C)(1) and 151.2(E) and to enact R.S. 15:149.1, 151.5, and 151.6, relative to legal representation of indigent defendants; to provide for such representation in certain cases; to provide for powers of the Indigent Defense Assistance Board; to provide for method of appointment of counsel; to provide for applicable time periods; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
ARTHUR J. LENTINI
Chairman

Adoption of Legislative Bureau Report

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

Recess

On motion of Senator Johnson, the Senate took a recess until 8:15 o'clock P.M.

After Recess

The Senate was called to order at 8:15 o'clock P.M. by the 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	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Cravins	Johnson	Thomas
Dardenne	Jones	Ullo
Dean	Jordan	

Total—38

ABSENT

Siracusa
Total—1

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

Senate Business Resumed

Mr. President in the Chair

Rules Suspended

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

June 15, 1999

**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. 60—
BY SENATOR DARDENNE

A RESOLUTION

To acknowledge and recognize the contributions of Americans and Louisianians of Scottish descent, and in honor thereof to express the congratulations and commendations of the Louisiana Senate.

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

SENATE RESOLUTION NO. 61—
BY SENATOR COX

A RESOLUTION

To commend Troy Mire on his years of service as the governor's appointee to the Louisiana State Interagency Council on the Prevention of Sex Offenses and Treatment of Sex Offenders.

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

SENATE RESOLUTION NO. 62—
BY SENATOR COX

A RESOLUTION

To commend Brenda Carlin on her years of service and untiring efforts as the governor's appointee to the Louisiana State Interagency Council on the Prevention of Sex Offenses and Treatment of Sex Offenders.

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

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:

REPORT OF COMMITTEE ON

NATURAL RESOURCES

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

June 15, 1999

To the President and Members of the Senate:

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

HOUSE BILL NO. 1263—
BY REPRESENTATIVES JOHN SMITH, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 30:86(C) and to enact R.S. 30:86(E)(5), relative to the Oilfield Site Restoration Fund; to provide for an additional

purpose for which monies in the fund may be disbursed and expended; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CRAIG F. ROMERO
Chairman

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

Senator Romero 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. 1263—
BY REPRESENTATIVES JOHN SMITH, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 30:86(C) and to enact R.S. 30:86(E)(5), relative to the Oilfield Site Restoration Fund; to provide for the determination of the fund balance; to provide for an additional purpose for which monies in the fund may be disbursed and expended; and to provide for related matters.

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

Rules Suspended

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

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.

Motion

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

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Dyess	Romero
Bean	Ellington	Smith
Boissiere	Hines	Tarver
Branch	Hollis	Theunissen
Cain	Johnson	Ullo
Dardenne	Lentini	
Dean	Robichaux	
Total—19		

NAYS

Fields C	Irons	Thomas
Fields W	Landry	
Hainkel	Malone	
Total—7		

ABSENT

Mr. President	Cravins	Lambert
Bajoie	Greene	Schedler
Campbell	Heitmeier	Siracusa
Casanova	Jones	
Cox	Jordan	
Total—13		

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

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

Regular Order of the Day Resumed

Special Order of the Day

The following House Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 7, was taken up and acted upon as follows:

HOUSE BILL NO. 301—
BY REPRESENTATIVE LEBLANC
AN ACT

To provide for the establishment and reestablishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary funds, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Lentini
Barham	Fields W	Malone
Bean	Hainkel	Robichaux
Boissiere	Heitmeier	Romero
Branch	Hines	Smith
Cain	Hollis	Tarver
Campbell	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones	Ullo
Dyess	Lambert	
Ellington	Landry	
Total—31		

NAYS

Total—0

ABSENT

Bajoie	Cravins	Schedler
Casanova	Greene	Siracusa
Cox	Jordan	
Total—8		

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

Special Order of the Day

The following House Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 8, was taken up and acted upon as follows:

HOUSE BILL NO. 900—
BY REPRESENTATIVES LEBLANC AND DOWNER AND SENATORS
HAINKEL, ULLO, AND DARDENNE
AN ACT

To appropriate funds to defray the expenses of the Louisiana Judiciary, including the Supreme Court, Courts of Appeal, District Courts, Criminal District Court of Orleans Parish, and other courts; and to provide for related matters.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Reengrossed House Bill No. 900 by Representative LeBlanc

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Finance and adopted by the Senate on June 14, 1999, on page 1, line 3, delete "Federal Funds" and insert "the State General Fund (Direct)"

On motion of Senator Hainkel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Dyess	Siracusa
Total—2	

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

Special Order of the Day

The following House Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 9, was taken up and acted upon as follows:

June 15, 1999

HOUSE BILL NO. 2027—
BY REPRESENTATIVE LEBLANC
AN ACT

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

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Reengrossed House Bill No. 2027 by Representative LeBlanc

AMENDMENT NO. 1

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Finance and adopted by the Senate on June 14, 1999 on page 1, delete lines 4 and 5 and insert in lieu thereof the following:

"Section 1. The sum of Fifty-seven Million Four Hundred Seventy-eight Thousand Four Hundred-four and 78/100 (\$57,478,404.78) Dollars is hereby"

AMENDMENT NO. 2

In Senate Committee Amendment No. 6 proposed by the Senate Committee on Finance and adopted by the Senate on June 14, 1999 on page 2, delete lines 9 and 10 and insert in lieu thereof the following:

"Section 3. The sum of Forty-nine Million Five Hundred Fifty-eight Thousand Three Hundred Two and 78/100 (\$49,558,302.78) Dollars is hereby"

On motion of Senator Hainkel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Robichaux
Boissiere	Hainkel	Romero
Branch	Heitmeier	Smith
Cain	Hines	Tarver
Campbell	Hollis	Theunissen
Cox	Irons	Thomas
Dardenne	Johnson	Ullo
Dean	Jones	
Dyess	Lambert	
Total—31		

NAYS

Malone
Total—1

ABSENT

Bajoie	Greene	Siracusa
Casanova	Jordan	
Cravins	Schedler	
Total—7		

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

Special Order of the Day

The following House Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 10, was taken up and acted upon as follows:

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Barham	Ellington	Landry
Bean	Fields C	Lentini
Boissiere	Fields W	Malone
Branch	Greene	Romero
Cain	Hainkel	Smith
Campbell	Hines	Tarver
Casanova	Hollis	Theunissen
Cox	Irons	Thomas
Dardenne	Johnson	Ullo
Dean	Jones	
Total—32		

NAYS

Total—0

ABSENT

Bajoie	Jordan	Siracusa
Cravins	Robichaux	
Heitmeier	Schedler	
Total—7		

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.

Rules Suspended

Senator Johnson 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. 1188—
BY REPRESENTATIVES SCHWEGMANN, DEWITT, DOWNER, MCMAINS,
DIEZ, CRANE, AND WELCH 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Cravins	Jordan
Casanova	Greene	Siracusa
Total—6		

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—32

NAYS

Total—0

ABSENT

Bajoie	Heitmeier	Thomas
Campbell	Schedler	
Cravins	Siracusa	
Total—7		

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. 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.

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	Hines	Smith
Campbell	Hollis	Tarver
Casanova	Irons	Theunissen
Cox	Johnson	Thomas
Dardenne	Jones	Ullo
Dean	Jordan	
Total—35		

NAYS

Total—0

ABSENT

Cravins	Schedler
Heitmeier	Siracusa
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. 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.

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

June 15, 1999

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	Hines	Smith
Campbell	Hollis	Tarver
Casanova	Irons	Theunissen
Cox	Johnson	Thomas
Dardenne	Jones	Ullo
Dean	Jordan	
Total—35		

NAYS

Total—0

ABSENT

Cravins	Schedler
Heitmeier	Siracusa
Total—4	

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. 1242—

BY REPRESENTATIVE HOLDEN

AN ACT

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

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Dyess	Jordan
Barham	Ellington	Lambert
Bean	Fields C	Landry
Boissiere	Fields W	Lentini
Branch	Greene	Malone
Cain	Hainkel	Romero

Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Dardenne	Johnson	Thomas
Dean	Jones	Ullo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Heitmeier	Schedler
Cravins	Robichaux	Siracusa
Total—6		

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

HOUSE BILL NO. 1262—

BY REPRESENTATIVES GAUTREUX, 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Cravins	Jordan	Schedler
Heitmeier	Robichaux	Siracusa
Total—6		

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. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—33

NAYS

Total—0

ABSENT

Bean	Heitmeier	Schedler
Cravins	Jordan	Siracusa

Total—6

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

HOUSE BILL NO. 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.

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

Dean	Lambert
Total—37	NAYS

Total—0	ABSENT
---------	--------

Dyess	Siracusa
Total—2	

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

HOUSE BILL NO. 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.

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	Landry
Barham	Ellington	Lentini
Bean	Fields C	Malone
Boissiere	Fields W	Romero
Branch	Greene	Smith
Cain	Hainkel	Tarver
Campbell	Hines	Theunissen
Casanova	Irons	Thomas
Cox	Johnson	Ullo
Dardenne	Jones	

Total—32

NAYS

Total—0

ABSENT

Cravins	Jordan	Siracusa
Heitmeier	Robichaux	
Hollis	Schedler	
Total—7		

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. 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.

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

June 15, 1999

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

Total—35

NAYS

Total—0

ABSENT

Cravins Schedler
Heitmeier Siracusa
Total—4

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

HOUSE BILL NO. 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.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Reengrossed House Bill No. 1353 by Representative Weston

AMENDMENT NO. 1 On page 2, line 14, after "Colleges" insert "or any private or accredited college in the state"

On motion of Senator Hainkel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Bean Fields W Malone
Boissiere Greene Robichaux
Branch Hainkel Romero
Cain Hines Smith
Campbell Hollis Tarver
Casanova Irons Theunissen
Cox Johnson Thomas
Dardenne Jones Ullo
Dean Jordan

Total—35

NAYS

Total—0

ABSENT

Cravins Schedler
Heitmeier Siracusa
Total—4

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

HOUSE BILL NO. 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.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1378 by Representatives Kennard and Morrell

AMENDMENT NO. 1 Delete Senate Committee Amendment No. 4 proposed by the Senate Committee on Judiciary C and adopted by the Senate on June 9, 1999.

AMENDMENT NO. 2 On page 2, line 13, delete "the destruction or"

AMENDMENT NO. 3 On page 2, line 15, after "Procedure." delete the remainder of the line and delete lines 16 through 18 and on line 19, delete "drugs, as denounced by R.S. 14:98 or 98.1."

AMENDMENT NO. 4 On page 3, delete lines 14 through 18

Motion

Senator Jordan moved to return the bill to the Calendar.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Boissiere Fields W Jordan
Campbell Heitmeier Landry

Cox
Cravins
Fields C
Total—15

Irons
Johnson
Jones

NAYS

Robichaux
Romero
Tarver

Bajoie
Barham
Bean
Branch
Cain
Casanova
Dardenne
Total—19

Dean
Dyess
Ellington
Greene
Hainkel
Hines
Hollis

ABSENT

Lentini
Malone
Schedler
Smith
Theunissen

Mr. President
Lambert
Total—5

Siracusa
Thomas

Ullo

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

Senator Dardenne moved adoption of the amendments.

Senator Jordan objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Barham
Bean
Branch
Cain
Casanova
Dardenne
Dean
Total—23

Ellington
Greene
Hainkel
Heitmeier
Hines
Hollis
Johnson
Lentini

Malone
Robichaux
Romero
Schedler
Smith
Theunissen
Ullo

NAYS

Bajoie
Boissiere
Campbell
Cox
Cravins
Total—13

Dyess
Fields C
Fields W
Irons
Jones

Jordan
Landry
Tarver

ABSENT

Lambert
Total—3

Siracusa

Thomas

The Chair declared 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 Reengrossed House Bill No. 1378 by Representative Kennard

AMENDMENT NO. 1

On page 2, after line 25, insert the following:

"(4) However a criminal background check requested by a health care provider pursuant to R.S. 40:1300.51, et seq. shall include records which would inform a potential employer of any crimes enumerated in said statute which were committed by an applicant for employment."

On motion of Senator Hines, the amendments were adopted.

Motion

Senator Landry moved to return the bill to the Involuntary Calendar.

Senator Hainkel objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie
Bean
Boissiere
Campbell
Casanova
Cox
Cravins
Total—19

Fields C
Fields W
Greene
Heitmeier
Irons
Johnson
Jones

Jordan
Landry
Robichaux
Tarver
Ullo

NAYS

Barham
Branch
Cain
Dardenne
Dean
Dyess
Total—16

Ellington
Hainkel
Hines
Hollis
Lambert
Lentini

Malone
Romero
Smith
Theunissen

ABSENT

Mr. President
Schedler
Total—4

Siracusa
Thomas

The Chair declared the bill was returned to the Involuntary Calendar.

Senator Casanova in the Chair

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.

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
Bajoie

Ellington
Fields C

Landry
Lentini

June 15, 1999

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

NAYS

Total—0

ABSENT

Dyess
Total—2

Siracusa

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. 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.

Floor Amendments Sent Up

Senator Jordan sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jordan to Engrossed House Bill No. 1424 by Representative Crane, et al

AMENDMENT NO. 1

On page 1, delete lines 9 through 15 and insert the following:

"A. In any civil proceeding, no state agency shall be obliged by subpoena to provide any document, record, or any other item for which reasonable cost or fee has not been paid. Advance payment for any document, record or other item shall be governed by the applicable procedures as provided for in the Louisiana Code of Civil Procedure.

B. For the purpose of this Section, a "state agency" is defined as any board, commission, department, division, agency, office, or other entity within the executive branch of state government."

On motion of Senator Jordan, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lambert
Bajoie	Fields C	Landry
Barham	Fields W	Lentini
Bean	Greene	Malone

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

NAYS

Total—0

ABSENT

Dean
Total—3

Dyess

Siracusa

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

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.

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. 1480 by Representative Travis

AMENDMENT NO. 1

On page 1, line 2, after "(B)" insert "and 3576.19"

AMENDMENT NO. 2

On page 1, line 4, after "fee;" insert "to provide relative to a licensee; to provide for collection; to provide for assignment;"

AMENDMENT NO. 3

On page 1, line 7, after "(B)" insert "and 3576.19"

AMENDMENT NO. 4

On page 2, after line 23, insert the following:

* * *

§3576.19. Presumption of validity of assignment

A. In any suit brought by a licensee to collect a claim acquired from a client or customer via assignment, an agreement in writing by the licensee to expend time, effort, money, or other resources in pursuit of such claim, and to pay the credit grantor a net percentage of the amount collected on the claim shall be deemed a valid and enforceable assignment pursuant to this Section, Book III, Title VII, Chapter 15, of the Louisiana Civil Code, and all other applicable laws of Louisiana.

B. Where ~~When~~ **When** a licensee attempts the collection of a debt owed a credit grantor, the representation of the credit grantor by the licensee shall in all instances be deemed as an assignment and authorization for the particular purpose of allowing the licensee to bring legal action through an attorney licensed to practice law by the Supreme Court of Louisiana and shall not be a violation of any state law, rule, or regulation including but not limited to R.S. 37:211.

R.S. 9:3576.19(C) has been redesignated from R.S. 9:3576.19(A).

C. In any suit brought by a licensee to collect the claim of a client or customer, the formal assignment of the claim to the licensee shall be presumed valid if a copy of the assignment is filed in court with the petition. If the defendant fails to object to the validity of the assignment prior to the filing of an answer, then the assignment shall be conclusively presumed valid.

E. D. Subsections A and B shall apply in all instances whether or not the claim is assigned for valuable consideration; whether or not the services performed by the attorney were for the licensee alone; whether or not the licensee exercised control of the account or exercised control over the attorney; whether or not the licensee hired the attorney; and whether or not the licensee's fees are contingent upon the amount collected by the attorney."

On motion of Senator Hollis, the amendments were adopted.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Engrossed House Bill No. 1480 by Representative Travis

AMENDMENT NO. 1

On page 1, line 2, after "(B)," and before "relative" insert "and to enact R.S. 6:1074.1 and 1074.2" and on line 3, after "brokers" and before the semicolon ";" insert "and check cashing and currency exchanges" and on line 4, after "fee;" and before "and" insert "to provide for license fees for licensure and regulation of check cashing and currency exchange facilities; to provide for civil penalties for violations"

AMENDMENT NO. 2

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

"Section 1. R.S. 6:1074.1 and 1074.2 are hereby enacted to read as follows:

§1074.1. License fees

A.(1) The applicant shall pay to the commissioner a non-refundable application fee of three hundred fifty dollars with the initial application.

(2)(a) The licensee shall pay an annual license renewal fee of two hundred fifty dollars on or before the first day of December of each year for a license to engage in currency exchange during the following calendar year.

(b) If the commissioner has not received the annual renewal fee from a licensee by the sixteenth day of January, as determined by the postmarked date, he shall notify the licensee by United States mail and assess a late fee of one hundred dollars.

(c) If the commissioner has not received the annual renewal fee and late fee by March thirty-first, the license to engage in currency exchange and all certificates issued for currency exchange locations shall lapse without a hearing or notification, and the license and certificates shall not be reinstated. However, the person whose license and certificates have lapsed may apply for a new license and certificates.

§1074.2. Civil penalties

A. The commissioner, in addition to or in place of suspension or revocation of a license, may fine up to five hundred dollars for each violation any person who violates any provision of this Chapter.

B. The commissioner may maintain a civil action in a court of competent jurisdiction to recover such fines, together with any costs and attorney fees incident to such action."

AMENDMENT NO. 3

On page 1, line 7, after "Section" change "1." to "2."

On motion of Senator Cravins, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean	Hainkel	Romero
Total—3		

ABSENT

Dyess	Siracusa
Total—2	

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

HOUSE BILL NO. 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.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Reengrossed House Bill No. 1503 by Representative Thompson

AMENDMENT NO. 1

On page 1, line 2, after "(D)" and before "to permit" delete the comma ",", and insert "and 421.6,"

AMENDMENT NO. 2

On page 1, line 4, after "awards" and before "to" delete the semicolon ";," and insert the following:

"and to require such programs, including salary increases, under specified circumstances; to provide guidelines for salary increases for

June 15, 1999

certain employees; to provide for certain determinations by the state Department of Education; to provide limitations;"

AMENDMENT NO. 3

On page 1, line 10, after "(D)" and before "hereby" change "is" to "and 421.6 are"

AMENDMENT NO. 4

On page 2, between lines 22 and 23, insert the following:

* * *

§421.6. Incentive compensation programs for board employees; salary increases; guidelines; determinations; limitations; definitions

A. Beginning with the 1999-2000 school year and for each school year thereafter, the state Department of Education shall determine the average teacher salary for each city and parish school system paid as of October first of each year and shall include such determination in the applicable minimum foundation program budget letter approved by the State Board of Elementary and Secondary Education.

B. In any year in which there is an increase in state funds appropriated pursuant to the applicable minimum foundation program formula for any city or parish school system over the amount of such appropriations for that system for the prior year, that school system shall increase teacher salaries so that the average teacher salary paid to teachers in that system increases by either of the following, whichever is less:

(1) The percentage increase in total state funds appropriated pursuant to the applicable minimum foundation program formula for all school systems as compared with the total state funds appropriated pursuant to the applicable minimum foundation program formula for all school systems for the prior year, all as determined by the state Department of Education.

(2) The percentage increase in total state funds appropriated pursuant to the applicable minimum foundation program formula for that school system as compared with the total state funds appropriated pursuant to the applicable minimum foundation program formula for that school system for the prior year, all as determined by the state Department of Education.

C. In any year in which there is an increase in state funds appropriated pursuant to the applicable minimum foundation program formula for any city or parish school system over the amount of such appropriations for that system for the prior year and such appropriations are insufficient to fund the teacher salary increase as provided in Subsection B of this Section, then the increase in the average teacher salary paid to teachers in that school system shall be as determined by the state Department of Education. This increase shall be the maximum increase in the average teacher salary for that school system that can be funded with the increase in state funds appropriated pursuant to the applicable minimum foundation program formula for that year. The department shall include the determination required by this Subsection in the applicable minimum foundation program budget letter approved by the State Board of Elementary and Secondary Education. The department shall report in writing to the House Committee on Education and the Senate Committee on Education relative to any determinations made pursuant to the provisions of this Subsection not later than thirty days after any such determination has been made.

D.(1) Any city or parish school system that does not receive an increase in state funds appropriated pursuant to the applicable minimum foundation program formula for the 1999-2000 school year shall budget and expend at least eighty-five percent of the savings provided from the reduction in the Teachers' Retirement System employer contribution rate for 1999-2000, and thereafter, for an increase in salaries for teachers employed by the system.

(2) The state Department of Education shall assist each school system that does not receive an increase as specified in Paragraph (1) of this Subsection in determining the amount of total savings for Fiscal Year 1999-2000 to be provided from employer retirement contributions and shall verify and report the estimated amount of savings no later than February 1, 2000, to each such school system and to the Joint Legislative Committee on the Budget. Each school system that is required to pay increases pursuant to this Subsection shall report to the state Department of Education no later than March 1, 2000, the total amount of such pay increases and shall distribute the pay increases no later than March 1, 2000.

E. In any year in which there is an increase in average teacher salaries in a city or parish school system pursuant to the provisions of this Section, there also shall be an increase in average support personnel salaries. However, the amount of such increase shall not exceed fifteen percent of the total funds expended for teacher salary increases.

F. The salary increase paid to any teacher in a school year pursuant to the provisions of this Section shall be in addition to any other increases provided for such person pursuant to law or school board policy, including but not limited to step increases provided for by school system salary schedules, and shall continue to be paid to the teacher in each subsequent year and shall be included in the pay schedule of that teacher by not later than March first each year.

G. For purposes of this Section, the term "teacher" shall mean any regular employee reported by the employing school system as of October first of each school year to the state Department of Education as a teacher having a primary duty of professional activities of instructing pupils in courses in classroom situations for which daily pupil attendance figures are kept as specified in Object Code 112 in an area of instruction as specified in Function Code 1000-series, all as contained in the state Department of Education's "Louisiana Accounting and Uniform Governmental Handbook", Bulletin 1929 as revised December 1996.

H. For purposes of this Section, "support personnel" shall mean those public school personnel in noncertificated positions as defined in the state Department of Education's "Louisiana Accounting and Uniform Governmental Handbook", Bulletin 1929 as revised December 1996."

Motion

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

Senator Jones objected.

ROLL CALL

The roll was called with the following result:

YEAS		
Bajoie	Dean	Schedler
Bean	Johnson	
Cain	Lentini	
Total—7		
NAYS		
Barham	Fields W	Landry
Boissiere	Greene	Malone
Branch	Hainkel	Robichaux
Campbell	Heitmeier	Romero
Casanova	Hines	Smith
Cox	Hollis	Tarver
Cravins	Irons	Theunissen
Dardenne	Jones	Thomas

Ellington
Fields C
Total—29

Jordan
Lambert

ABSENT

Ullo

Mr. President
Total—3

Dyess
Siracusa

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

On motion of Senator Cravins, the amendments were withdrawn.

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	Hainkel	Romero
Boissiere	Heitmeier	Schedler
Branch	Hines	Smith
Cain	Hollis	Tarver
Campbell	Irons	Theunissen
Casanova	Johnson	Thomas
Cox	Jones	Ullo
Dardenne	Lambert	
Dean	Landry	
Total—34		

NAYS

Greene
Total—1

ABSENT

Cravins	Jordan
Dyess	Siracusa
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.

Personal Privilege

Senator Greene 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. 1503. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields W	Lentini
Bajoie	Greene	Robichaux
Barham	Hainkel	Romero
Bean	Heitmeier	Schedler
Branch	Hines	Smith
Cain	Hollis	Tarver
Campbell	Irons	Theunissen
Casanova	Johnson	Thomas
Cox	Jones	Ullo
Dardenne	Lambert	
Ellington	Landry	
Total—31		

NAYS

Dean
Total—1

ABSENT

Boissiere	Fields C	Siracusa
Cravins	Jordan	
Dyess	Malone	
Total—7		

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

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.

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

June 15, 1999

NAYS

Total—0

ABSENT

Cravins Jordan
Dyess Siracusa
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. 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.

Floor Amendments Sent Up

Senator Boissiere sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Boissiere to Reengrossed House Bill No. 1576 by Representative Travis

AMENDMENT NO. 1

On page 3, between lines 11 and 12, insert the following:

"I. The provisions of this Section shall not apply to any political subdivision which has adopted a model fire prevention code as of the effective date of this Section, including review and approval by the state fire marshal of any future amendments, additions, or new editions of the model fire prevention code adopted by the political subdivision."

Motion

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

Without objection, so ordered.

Senator Boissiere moved adoption of the amendments.

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields C	Malone
Barham	Greene	Robichaux
Bean	Hainkel	Schedler
Boissiere	Heitmeier	Smith
Branch	Hines	Tarver
Cain	Irons	Theunissen
Campbell	Johnson	Thomas
Cox	Jones	Ullo
Cravins	Lambert	
Dardenne	Lentini	
Total—28		

NAYS

Casanova	Ellington	Landry
Dean	Hollis	
Total—5		

ABSENT

Mr. President	Fields W	Romero
Dyess	Jordan	Siracusa
Total—6		

The Chair declared the amendments were adopted.

Personal Privilege

Senator Romero asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on the amendment by Senator Boissiere to House Bill No. 1576. He had intended to vote yea on the amendment. He asked that the Official Journal so state.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean
Total—1

ABSENT

Dyess	Jordan	Siracusa
Total—3		

The Chair declared the amended 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. 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.

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	Malone
Bajoie	Ellington	Robichaux
Barham	Fields C	Romero
Bean	Greene	Schedler
Boissiere	Hainkel	Smith
Branch	Hines	Tarver
Cain	Hollis	Theunissen
Campbell	Johnson	Thomas
Casanova	Jones	Ullo
Cox	Lambert	
Dardenne	Lentini	
Total—31		

NAYS

Landry
Total—1

ABSENT

Cravins	Heitmeier	Siracusa
Dyess	Irons	
Fields W	Jordan	
Total—7		

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. 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.

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

NAYS

Total—0

ABSENT

Bean	Dyess	Siracusa
Cravins	Jordan	
Total—5		

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. 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.

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

NAYS

Dean
Total—1

ABSENT

Dyess	Jordan	Siracusa
Total—3		

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. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lambert
Bajoie	Fields C	Landry
Barham	Fields W	Lentini

June 15, 1999

Bean	Greene	Malone
Boissiere	Hainkel	Robichaux
Branch	Heitmeier	Romero
Cain	Hines	Schedler
Campbell	Hollis	Smith
Casanova	Irons	Tarver
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Dardenne	Jordan	Ullo
Total—36		

NAYS

Dean
Total—1

ABSENT

Dyess
Total—2

Siracusa

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. 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.

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. 1604 by Representative Jetson

AMENDMENT NO. 1

On page 1, at the end of line 12, after "waterways" insert "through the state lands covered by the lease"

AMENDMENT NO. 2

On page 1, line 13, after "lessee," insert "The provisions of this Section shall not apply in cases involving title disputes."

AMENDMENT NO. 3

On page 2, at the end of line 2, after "waterways" insert "through the state lands covered by the lease"

AMENDMENT NO. 4

On page 2, line 3, after "lessee," insert "The provisions of this Section shall not apply in cases involving title disputes."

AMENDMENT NO. 5

On page 2, at the end of line 8, after "waterways" insert "through the state lands covered by the lease"

AMENDMENT NO. 6

On page 2, line 9, after "lessee," insert "The provisions of this Section shall not apply in cases involving title disputes."

AMENDMENT NO. 7

On page 2, at the end of line 13, after "waterways" insert "through the state lands covered by the lease"

AMENDMENT NO. 8

On page 2, line 14, after "lessee," insert "The provisions of this Section shall not apply in cases involving title disputes."

AMENDMENT NO. 9

In Senate Committee Amendment No 2, proposed by the Senate Committee on Natural Resources and adopted by the Senate on June 9, 1999, on page 1, line 7, delete "Department of Wildlife and Fisheries" and insert "agency having control over the property"

AMENDMENT NO. 10

In Senate Committee Amendment No 3, proposed by the Senate Committee on Natural Resources and adopted by the Senate on June 9, 1999, on page 1, line 12, delete "Department of Wildlife and Fisheries" and insert "agency having control over the property"

AMENDMENT NO. 11

In Senate Committee Amendment No 4, proposed by the Senate Committee on Natural Resources and adopted by the Senate on June 9, 1999, on page 1, line 17, delete "Department of Wildlife and Fisheries" and insert "agency having control over the property"

AMENDMENT NO. 12

In Senate Committee Amendment No 5, proposed by the Senate Committee on Natural Resources and adopted by the Senate on June 9, 1999, on page 1, line 22, delete "Department of Wildlife and Fisheries" and insert "agency having control over the property"

On motion of Senator Hines, the amendments were adopted.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed House Bill No. 1604 by Representative Jetson

AMENDMENT NO. 1

On page 1, line 2, after "1217(E)," delete the remainder of the line and insert in lieu thereof "R.S. 56:30.2 and 1855(J)."

AMENDMENT NO. 2

On page 1, line 4, after "lands;" insert

"to provide for exceptions for certain activities along the Tchefuncte River;"

AMENDMENT NO. 3

On page 2, line 10, after "56:30.2" change "is" to "and 1855(J) are"

AMENDMENT NO. 4

On page 2, after line 14, insert the following:

```

                "*      *      *
§1855. Exceptions
                *      *      *
```

R. S. 56:1855(J) is all proposed new law.

J. Notwithstanding any provisions of law or administrative rule to the contrary, no provision of this Part shall be applicable to those tracts of land located along the banks of the Tchefuncte River between Louisiana Highway No. 22 to Lake Pontchartrain which possess a commercial or suburban agricultural zoning classification granted by the appropriate local government zoning authority, nor shall the provisions of this Part be applicable to tracts of land located along the banks of such sections of the Tchefuncte River and situated between and in the same ownership as tracts of land which possess a commercial or a suburban agricultural zoning classification granted by the appropriate local government zoning authority."

On motion of Senator Schedler, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Dean	Lambert
Bajoie	Ellington	Landry
Barham	Fields C	Lentini
Bean	Fields W	Malone
Boissiere	Greene	Robichaux
Branch	Heitmeier	Romero
Cain	Hines	Schedler
Campbell	Hollis	Smith
Casanova	Irons	Tarver
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Dardenne	Jordan	Ulló
Total—36		
NAYS		
Total—0		
ABSENT		
Dyess	Hainkel	Siracusa
Total—3		

The Chair declared the amended 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. 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.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Fields, Dardenne, Jordan, and Malone to Engrossed House Bill No. 1634 by Representative Lancaster

AMENDMENT NO. 1

On page 1, line 2, after "R.S.18:" delete the remainder of the line, and delete lines 3 through 17 in their entirety and insert "44(A) and (B)(5)(b), 110(B)(1), 197, 402(B), (C), and (F)(2) and (G), 431(A)(1)(b), 433(G)(1) and (H)(1)(introductory paragraph), 434(A)(1), (C)(introductory paragraph), and (D)(1) and (2), 435(A) and (B), 436, 453, 467(2), 468(A), 552(A)(introductory paragraph), 1272, 1278(B), 1279, 1300(C)(1)(a), 1300.7(A), 1306(A)(4) and (C)(2), 1307(A)(5) and (D), 1308(A)(2)(a), 1311(D)(5)(a), 1314(C)(1) and (2) and (D), 1333(D)(1)(e) and (E)(1), 1355(6), 1401(B), 1402(B)(1)(c), 1405(A), 1406(B), 1407, 1409(B)(1) and (2), 1432(A), 1461(A)(17) and 1470; to enact R.S. 18:1275.1 through R.S. 1275.23, relative to elections; to provide for a party primary system of elections for congressional offices, including provisions to provide for nomination of candidates for general elections for congressional offices by party primary elections, including a first primary election and a second primary election if no candidate receives a majority vote in the first primary election; for qualification of candidates for congressional office having no party affiliation in the general election; for election in the

general election by plurality vote; for voting for congressional offices by a voter registered as affiliated with the party in the party primary elections; to provide for voting of unaffiliated voters in party primaries; to provide for election dates; 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.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 18:44(A) and (B)(5)(b), 110(B)(1), 197, 402(B) and (C), and (F)(2) and (G), 431(A)(1)(b), 433(G)(1) and (H)(1)(introductory paragraph), 434(A)(1), (C)(introductory paragraph), and (D)(1) and (2), 435(A) and (B), 436, 453, 467(2), 468(A), 552(A)(introductory paragraph), 1272, 1278(B), 1279, 1300(C)(1)(a), 1300.7(A), 1306(A)(4) and (C)(2), 1307(A)(5) and (D), 1308(A)(2)(a), 1311(D)(5)(a), 1314(C)(1) and (2) and (D), 1333(D)(1)(e) and (E)(1), 1355(6), 1401(B), 1402(B)(1)(c), 1405(A), 1406(B), 1407, 1409(B)(1) and (2), 1432(A), 1461(A)(17), 1470 are hereby amended and reenacted and R.S. 18:1275.1 through R.S. 1275.23 are hereby enacted to read as follows:

§44. Contesting election; referral for prosecution

A. Whenever the board determines as a result of an investigation that violations of law, irregularities, error, or fraud have occurred in the conduct of an election which in the judgment of the board has resulted in the apparent qualification for the second party primary election or for the general election or the apparent election of a candidate not entitled to be so qualified or elected, the board, upon the favorable vote of three members, may institute suit to contest the election in order to protect the interest and rights of the state in fair and honest elections. In addition, for the same cause and upon the same vote, the board may intervene in any suit instituted by any other party to contest an election.

B. In any suit instituted by the board to contest an election, the provisions of Chapter 9 of Title 18 shall apply, except that:

(5) The petition shall contain, but shall not be limited to, the following:

(b) The allegation that except for substantial irregularities or error, fraud, or other unlawful activities in the conduct of the election, a different candidate would have qualified for a second party primary election or a general election or would have been elected.

§110. Removal from precinct; removal from parish

B.(1) A change of registration based upon a change of residence from one precinct to another within a parish received after the closing of registration for a primary or first party primary election shall become effective the day after the general election or special general election when a special primary election is held in conjunction with a general election except for a person whose registration has been canceled pursuant to R.S. 18:193(G) or whose registration address has been changed pursuant to R.S. 18:196(C).

§197. Registration; cancellation

No registrar of voters shall cancel the registration of any voter in his parish between any primary or first party primary election and the subsequent general election occurring in that parish as a result of any of the processes authorized by this Part, except in the case of a person who has been fraudulently placed upon the registration records or in the case of a person whose registration is canceled pursuant to the annual canvass conducted by the registrar.

§402. Dates of primary and general elections

B. Congressional elections. Elections for members of Congress and officers elected at the same time as members of Congress shall be held every two years, beginning in 1982.

June 15, 1999

(1) Congressional first party primary elections for recognized political parties shall be held on the first Saturday in September of an election year.

~~(1)~~(2) Congressional second party primary elections for recognized political parties and primary elections for officers elected at the same time as members of congress shall be held on the first Saturday in October of an election year.

~~(2)~~(3) Congressional general elections shall be held on the first Tuesday after the first Monday in November of an election year.

* * *

C. Municipal and ward elections. In all municipalities with a population of less than four hundred seventy-five thousand, elections for municipal and ward officers who are not elected at the same time as the governor or members of congress shall be held every four years. The primary election for municipal and ward officers who are elected at the same time as members of congress shall be held on the same date as the congressional second party primary, and the general election shall be held at the same time as the general election for congressional offices.

* * *

F. Bond, tax, or other elections. Every bond, tax, or other election at which a proposition or question is to be submitted to the voters shall be held only on one of the following dates:

* * *

(2) The first Saturday in ~~September, October~~ or the first Tuesday after the first Monday in November of even-numbered years.

* * *

G. Prohibited days. No election of any kind shall be held in this state on any of the days of Rosh Hashanah, Yom Kippur, Sukkoth, Shimini Atzereth, Simchas Torah, the first two days and the last two days of Passover, Shavuoth, Fast of AV, the two days preceding Labor Day, or the three days preceding Easter. If the date of any election falls on any of the above named days, the election shall be held on the same weekday of the preceding week.

* * *

§431. Commissioners; courses of instruction; certificates; reports; list of certified persons furnished by parish board of election supervisors

A.(1)

* * *

(b) The clerk shall furnish to the persons who attend the course of instruction a copy of the informational pamphlet provided by the secretary of state, and he shall instruct them in the use of voting machines and the duties of commissioners in conducting primary and general ~~election elections~~. The clerk shall instruct the commissioners that it is their duty to offer any voter who does not have picture identification as provided in R.S. 18:562(A) an affidavit to sign to that effect. All such instruction and materials shall be provided pursuant to minimum standards issued by the secretary of state and the commissioner of elections for the course of instruction.

* * *

§433. Commissioners-in-charge; course of instruction, selection; commission; disqualification; replacement

* * *

G. Replacement. (1) Except as provided in Subsection H hereof, if it becomes certain that a commissioner-in-charge will not be able to serve for a primary election, or if a commissioner-in-charge fails to attend a course of instruction held immediately prior to a primary or first party primary election as provided in R.S. 18:431(B), the parish board of election supervisors shall select a replacement commissioner-in-charge who shall serve for both the primary and general elections. Except as provided in Subsection H hereof, if it becomes certain that a commissioner-in-charge will not be able to serve for a second party primary election or a general election, or if a commissioner-in-charge fails to attend the course of instruction held prior to a second party primary or a general

election, the parish board of election supervisors shall select a replacement commissioner-in-charge ~~for that election who shall serve for both the second party primary and the general election.~~

* * *

H. Replacement. (1) If a commissioner-in-charge fails to appear at the polling place at least thirty minutes before the time when the polls are to open on election day, the commissioners in attendance at the polling place shall immediately notify the clerk of court of the absence. Immediately upon receipt of the notice, the clerk of court shall select a replacement commissioner-in-charge for that precinct. Subject to the provisions of Subsection G herein, a replacement commissioner-in-charge selected for a primary or first party primary election also shall serve for the second party primary and the general election. The replacement commissioner-in-charge shall be selected from the following categories in the order of priority listed:

* * *

§434. Commissioners and alternate commissioners; selection; commission; disqualification; replacement

A. Time and place of selection. (1) The parish board of election supervisors shall meet at 10:00 a.m. on the twenty-ninth day before a primary or first party primary election to select the commissioners and alternate commissioners for each precinct. The meeting shall be open to the public. Except that, for purposes of the primary election scheduled on the second Tuesday in March of the presidential election year, said meeting shall be held on the twentieth day before the primary election. The board shall have previously posted a notice on the front courthouse door designating the location within the courthouse where the meeting is to be held.

* * *

C. Commission. Once the commissioners and alternate commissioners are selected for a primary, first party primary, second party primary, and general election, the parish board of election supervisors shall immediately:

* * *

D. Replacement of a commissioner. (1) If prior to the day of the election a commissioner notifies the parish board of election supervisors that he is unable to serve as commissioner, the parish board of election supervisors shall select an alternate commissioner to serve in place of the absent commissioner. An alternate commissioner who replaces an absent commissioner in a primary or first party primary election shall replace the absent commissioner in the second party primary and in the general election. An alternate commissioner who replaces an absent commissioner in a second party primary election shall replace the absent commissioner in the general election. If there are no alternate commissioners or an insufficient number of alternate commissioners available, the parish board of election supervisors shall select a person to serve as commissioner from the list containing the names of persons within that ward who have received certificates of instruction from the clerk of court pursuant to R.S. 18:431(A)(1). If no person on that list is available to serve as commissioner, the parish board of election supervisors shall select any person within the parish who has received a certificate of instruction from the clerk of court pursuant to R.S. 18:431(A)(1). If there is no such qualified person available, the parish board of election supervisors shall select a watcher.

(2) If a commissioner fails to appear at the polling place at least thirty minutes before the time when the polls are to open on election day, or if a commissioner is selected as commissioner-in-charge, the commissioner-in-charge shall select an alternate commissioner to serve in place of the absent commissioner. An alternate commissioner who replaces an absent commissioner in a primary or first party primary election shall replace the absent commissioner in the second party primary and in the general election. An alternate commissioner who replaces an absent commissioner in a second party primary election shall replace the absent commissioner in the general election. If there are no alternate commissioners or an insufficient number of alternate

commissioners available, the commissioner-in-charge shall select a person to serve as commissioner from the list containing the names of those who have received certificates of instruction that was furnished him by the parish board of election supervisors pursuant to R.S. 18:431(A)(5). If no person on that list is available to serve as commissioner, the commissioner-in-charge shall select any person present at the polls who possesses the qualifications of a commissioner as set forth in R.S. 18:425(B). If there is no such qualified person available, the commissioner-in-charge shall select a watcher.

* * *

§435. Watchers; appointment and commission

A. Right to have watchers. Each candidate is entitled to have one watcher at every precinct where the office he seeks is voted on in a any primary or general election. However, in the case of a presidential election, each slate of candidates for presidential elector is entitled to have one watcher at every precinct.

B. Lists of watchers. A list of watchers shall be filed with the parish board of election supervisors before five o'clock p.m. on the tenth day before the any primary or general election. If any candidate submits a list for the primary or first party primary election and does not submit a list for the second party primary or the general election, the list submitted in the primary or first party primary election shall be treated as his list submitted for the second party primary election and the general election. If any candidate submits a list for the second party primary election and does not submit a list for the general election, the list submitted in the second party primary election shall be treated as his list submitted for the general election. A list of watchers shall only contain one watcher and one alternate watcher for each precinct where the candidate submitting the list is entitled to have a watcher. The list shall be typed or legibly written, and it shall contain the name and mailing address of each watcher and a designation of the precinct where he is to serve.

* * *

§436. Election officials at certain special elections

A. When a special primary election to fill a vacancy or an anticipated vacancy in elective public office is called to be held at the same time as a previously scheduled general election, or if a previously scheduled election is delayed for any reason, the commissioners who were selected to serve at the previously scheduled primary, first party and second party primary and general election elections also shall be the commissioners for the special primary and general elections and any such delayed primary or general election, and the compensation for each shall be only that amount provided for in R.S. 18:424 and R.S. 18:425 for a day of service as a commissioner or commissioner-in-charge. Each candidate to be voted on in the special primary election or delayed primary election may appoint one watcher for each precinct in which that candidate is to be voted on. Notwithstanding the provisions of R.S. 18:427(C) or of any other law to the contrary, the watchers so appointed shall be allowed to remain in the polling place at all times.

B. When a special general election to fill a vacancy or an anticipated vacancy in elective public office is called to be held at the same time as a previously scheduled primary election, the commissioners who were selected to serve at the special primary election for which the special general election is to be held shall also be the commissioners for both the previously scheduled primary, including any first or second party primary, and general elections. In such case the compensation for each shall be only that amount provided for in R.S. 18:424 and R.S. 18:425 for a day of service as a commissioner or commissioner-in-charge.

* * *

§453. Dual candidacy

A. General prohibitions. A person shall not become a candidate in a any primary, first party or second party primary or general election for more than one office unless one of the offices is membership on a political party committee, nor shall a person be a candidate at the same time for two or more different offices to be filled at separate elections.

B. Unexpired and succeeding term of office. A person may become a candidate in a primary or first or second party primary election or general election for the unexpired and the succeeding term of an office when both terms are to be filled at the same election.

C. Political party committees. A person may become a candidate in a any primary or general election for membership on more than one committee of a political party, but a person may only become a candidate for one position, either at-large or from a political subdivision, on the same committee of a political party.

* * *

§467. Opening of qualifying period

The qualifying period for candidates in a the first party primary or primary election shall open:

* * *

(2) For candidates in a congressional primary or first party primary election and those in any special primary or first party primary election to be held at the same time, on the third Wednesday in ~~August~~ July of the year of the election.

* * *

§468. Close of the qualifying period

A. The qualifying period for candidates in a primary or first party primary election shall close at 5:00 p.m. on the Friday after the opening of the qualifying period for candidates in the primary or first party primary election or, if that Friday is a legal holiday, at 5:00 p.m. on the next day which is not a legal holiday.

* * *

§552. Election materials

A. Materials furnished. At least twenty-two days before a primary election and as soon as possible for a second party primary and a general election:

* * *

§1272. United States senators, representatives in Congress; time of electing

A. All general elections for representatives in Congress, sometimes referred to in this Title as congressional elections, shall be held on the first Tuesday next following the first Monday in November, 1982, and every two years thereafter. The first party and second party primary election elections shall be held ~~on the first Saturday in October next preceding the date of the general election in accordance with the provisions of Chapter 5 of this Title.~~

* * *

§1275.1. Purpose and nature of congressional primary and general elections

A. Nature of primary elections. All recognized political parties shall make all nominations of candidates for United States senator or United States representative by direct primary elections held under the provisions of this Part and applicable general election law. In congressional primary elections including elections for the United States Senate, each qualified voter of this state may vote only on the candidates for public office who are affiliated with the same political party with which the voter is affiliated. However, insofar as the state central committee of a political party shall by its rules and regulations choose to allow voters who are not affiliated with a recognized political party to participate in the primary elections of that political party, such unaffiliated voters shall be allowed to vote on candidates affiliated with that political party, provided that each such political party shall notify the secretary of state and the commissioner of elections no later than January first of the year in which regularly scheduled congressional elections are to be held if unaffiliated voters will be allowed to vote on candidates affiliated with such party.

B. Nature of congressional general elections. Each qualified voter of this state may vote on candidates for the United States Congress and Senate in general elections without regard to the voter's party affiliation or lack thereof, and all candidates for such offices who qualify for a general

election may be voted on without regard to the candidates' party affiliation or lack thereof.

§1275.2. Dates of congressional primary and general elections

Congressional elections. Elections for members of congress shall be held every two years as follows:

(1) Congressional first party primary elections shall be held on the first Saturday in September of an election year.

(2) Congressional second party primary elections shall be held on the first Saturday in October of an election year.

(3) Congressional general elections shall be held on the first Tuesday after the first Monday in November of an election year.

§1275.3. Manner of qualifying for the first primary election

A. A person who desires to become a candidate in the first party primary election shall qualify as a candidate by timely filing notice of his candidacy, which shall be accompanied either by a nominating petition or by the qualifying fee and any additional fee imposed. No person, whether or not currently registered as a voter with the registrar of voters, shall qualify to become a candidate if he is under an order of imprisonment for conviction of a felony. A candidate whose notice of candidacy is accompanied by a nominating petition shall not be required to pay any qualifying fee or any additional fee.

B. A person who desires to become a candidate in the first party primary election must be affiliated with a recognized political party. A person may qualify as a candidate only in the first party primary election of the party with which he is affiliated as shown on his voter registration.

C. When a candidate has filed multiple notices of candidacy for election to more than one office at the same election, which multiple candidacies would be in violation of R.S. 18:453, and no action objecting to candidacy on the grounds provided in R.S. 18:492(4) has been commenced in a court of competent jurisdiction within the time for such objections as provided in R.S. 18:493, then, upon expiration of the time for such objections to candidacy, the person filing such multiple notices of candidacy shall be disqualified as a candidate in the primary or first party primary election for all but the last of such offices for which he filed notices of candidacy, and any qualifying fees for those offices paid by the candidate shall be refunded as provided in R.S. 18:501. The secretary of state shall include the name of the candidate on the ballot for election to the last of such offices for which the candidate filed notices of candidacy and to no other such office for which dual candidacy would be prohibited.

§1275.4. Officials with whom candidates qualify

Candidates shall qualify for the first party primary election with the secretary of state or a person in his office designated to receive qualifying papers.

§1275.5. Notice of candidacy; qualifying fees

A. A notice of candidacy shall be in writing and shall state the candidate's name, the office he seeks, the address of his domicile, the parish, ward, and precinct where he is registered to vote, and the political party with which he is registered as being affiliated. No candidate shall change or add his political party designation, for purposes of printing on the election ballot as provided by R.S. 18:551(D) after he has qualified for the election.

B. Qualifying fees shall be paid as provided in this Code.

§1275.6. Nominating petitions

A. A nominating petition shall be filed with the official with whom the candidate qualifies and shall accompany the notice of candidacy.

B. A person may only be nominated as a candidate in the first party primary election by persons within the same political party who are registered to vote on the office he seeks who sign a nominating petition for him no more than one hundred twenty days before the qualifying period opens for candidates in the first party primary election. In addition to

his signature, each voter who signs a nominating petition shall date his signature and shall provide the ward and precinct in which he is registered to vote, his residence address, including the municipal number, the apartment number, if any, the rural route and box number, or any other physical description that will identify his actual place of residence and his political party affiliation. Once a voter has signed a nominating petition, he may not withdraw the nomination. The secretary of state shall prepare forms which may be used by any person who seeks nomination as a candidate by nominating petition. The secretary of state shall furnish copies of the forms to each clerk of court, and the forms shall be available, upon request, at the office of the secretary of state or at the office of the clerk of court. Nothing in this Subsection shall be construed to require nominating petitions to be filed only on forms prepared by the secretary of state.

C. The number of qualified voters who must timely sign a nominating petition is:

(1) For a candidate for the United States Senate - five thousand with not less than five hundred being from each congressional district;

(2) For the United States House of Representatives - one thousand from within the congressional district.

D. Form. Each sheet of the nominating petition shall set forth the candidate's name, the address of his domicile, the office for which the signers nominate him, the political party with which he is affiliated, and the date of the first party primary election for which he seeks to qualify. The name of each voter who signed the nominating petition shall be typed or legibly written on the petition, and each signature on the nominating petition shall be dated and witnessed by the candidate or the person who obtained the signature on his behalf. The candidate and all persons who obtained signatures on his behalf shall certify on the nominating petition that to the best of their knowledge, information, and belief all of the signatures on the nominating petition are genuine and all of the statements contained in the nominating petition are true and correct.

E. Certification. (1) A nominating petition shall be submitted to the registrars of voters in the parishes where the signers reside not less than thirty days before the qualifying period ends for candidates in the first party primary election, except that in a special election the nominating petition shall be submitted by the candidate to the registrars of voters in the parishes where the signers reside prior to the opening of the qualifying period.

(2) The registrar for each parish shall endorse upon the nominating petitions, whether original or supplemental, the date and time of submission and shall promptly certify the nominating petitions, in the order received, by determining and certifying on each nominating petition which of the signers who provided a residence address in the parish signed the nominating petition timely, are registered with the same political party as the candidate, and are entitled to vote on the office the candidate seeks. A supplemental nominating petition shall be certified in the order in which it is received, without regard to the time when the original nominating petition for that candidate was submitted. A registrar may stop certifying the signatures on a nominating petition when the total number of the signers he has certified as having signed the petition timely and as being registered to vote on the office the candidate seeks equals one hundred fifteen percent of the number of qualified voters required to nominate the candidate for the office he seeks. A registrar's certification shall be conclusive as to the number of qualified voters who timely signed a nominating petition, and evidence to the contrary shall not be admitted in an action objecting to the candidacy of the candidate who filed the nominating petition.

§1275.7. Time for qualifying in a first primary election

A notice of candidacy, accompanied either by the qualifying fee or by a nominating petition, is filed timely only if received by the secretary of state during the qualifying period for candidates in the first party primary election.

§1275.8. Opening of qualifying period

The qualifying period for candidates in the first party primary election shall open for candidates in a congressional or United States Senate first party primary election and those in any special first party primary election to be held at the same time, on the third Wednesday in July of the year of the election.

§1275.9. Opening of qualifying period in event of change of date for the first primary election

In the event that the date for the first party primary election is advanced in accordance with R.S. 18:402(G), the qualifying period for candidates in the primary and first party primary election shall be advanced from the date specified in R.S. 18:1275.8 the same number of weeks as the first party primary election.

§1275.10. Close of the qualifying period

The qualifying period for candidates in a first party primary election shall close at 5:00 p.m. on the Friday after the opening of the qualifying period for candidates in the first party primary election or, if that Friday is a legal holiday, at 5:00 p.m. on the next day which is not a legal holiday.

§1275.11. Reopening of qualifying period; effect

A. When a person who qualified as a candidate in a first party primary election for a public office dies after the close of the qualifying period and before the time for closing the polls on the day of the first party primary election, the qualifying period for candidates in the first party primary election for that office shall reopen for the party from which the candidate died for candidates on the day after the death and shall close at 5:00 p.m. on the third day after the death or, if that day is a legal holiday, at 5:00 p.m. on the next day which is not a legal holiday. The name of the deceased candidate shall not be printed on the first party primary election ballot. If the first party primary election ballot was printed with the deceased candidate's name on it, any votes received by the deceased candidate shall be void and shall not be counted for any purpose whatsoever.

B. When, at the close of the qualifying period, no candidate has qualified for an office, the qualifying period shall be reopened for candidates from the recognized political party from which no candidate qualified, on the first Wednesday after the close of the qualifying period and shall close at 5:00 p.m. on the Friday thereafter or, if that day is a legal holiday, at 5:00 p.m. on the next day which is not a legal holiday.

C. Whenever the qualifying period is reopened as required by Subsections A or B hereof, the secretary of state shall cause notice of the reopening, listing the dates and times the period shall run, to be published in the official journal of the state.

D. Effect on primary election. (1) If the qualifying period for candidates reopens within thirty days before a first party primary election, all the votes cast in the first party primary election for that public office are void, unless the qualifying period for the office reopened and closed without additional candidates qualifying for the office. If additional candidates qualify for the office and the votes for the first party primary will be void for that reason, the secretary of state shall immediately publish in the official journal of the state a notice to the electorate that the election for that office has been voided because new candidates qualified. Such notice shall include the dates for the rescheduled first party primary, second party primary, and general elections.

(2) If all the votes cast in a first party primary election for a public office are void because of the death of a candidate, the first party primary election for the office shall be held on the date of the second party primary election, the second party

primary election for the office, if necessary, shall be held on the date of the general election, and the general election for the office shall be held on the fifth Saturday after the second party primary election. However, if the first party primary election is held on the date scheduled for a congressional general election, the second party primary election for the office shall be held on the fifth Saturday after the first party primary election and the general election for the office shall be held on the fourth Saturday after the second party primary election.

§1275.12. List of candidates

The secretary of state shall furnish the appropriate listing of candidates for each of the offices to be voted on in each election to any applicable federal or state official responsible for enforcement of laws regulating the conduct of campaigns. All other matters regarding the disposition of notice fees and actions shall be as provided in R.S. 18:470.

§1275.13. Majority vote required; second primary

No candidate for office shall be declared nominated to the office he seeks if such candidate has received less than a majority of the votes cast in a first party primary, and a second party primary shall be held for those offices for which no candidate received a majority of the votes cast in the first party primary. The second party primary shall be held in accordance with the provisions of this Part. If only one candidate qualifies for the office, that candidate shall be declared the party nominee.

§1275.14. Second primary; effect of the tie vote, withdrawal or death of a candidate

A. In the event that no candidate receives a majority vote in the first party primary, the two candidates from the political party, who received the greatest number of votes in the first primary shall be voted on in the second primary.

(1) In the case of a tie vote for the first place in the first party primary, all candidates affiliated with the same political party who received the same number of votes qualify for the second party primary.

(2) In the case of a tie vote for second place in the first party primary, all of the candidates affiliated with the same political party who received both the same number of votes and the highest number of votes qualify for the second party primary.

(3) If one of the persons receiving the highest number of votes in the first party primary withdraws his candidacy, dies, or is otherwise disqualified, thereby leaving only one candidate from the same political party in the race, the remaining candidate who has received the highest number of votes for the office for which he was a candidate shall be declared the nominee of the party.

B. There shall be no third party primary. For any situation not specifically provided for herein, the state central committee of the recognized political party involved shall provide for the selection of a nominee from the candidates.

§1275.15. Candidates who qualify for a general election

All nominations by recognized political parties for the general election shall be in accordance with the provisions relative to primary elections. The candidate or candidates from each recognized political party who received the highest number of votes in the second party primary election, unless the candidate or candidates obtained a majority in the first party primary election, was unopposed, or is the only candidate remaining after the death or withdrawal of a candidate after the first primary election shall be the party nominee and qualify for the general election. A candidate who received a majority of the votes cast in the first party primary election shall qualify for the general election.

§1275.16. Number of candidates who may qualify for a general election

The number of candidates for an office who may qualify for the general election by party nomination is one candidate from each political party.

§1275.17. Candidates not affiliated with a recognized political party; qualifying for the general election

A. Any person desiring to become a candidate in a general election who is not registered as being affiliated with a recognized political party shall qualify by either paying the qualifying fee as provided in R.S. 18:464(B) or by filing his notice of candidacy which shall be accompanied by a ballot access petition. The number of signatures required on a ballot access petition shall be twice the number as that required for candidates seeking the same office in the primary election as set forth in this Part.

B. The notice of candidacy shall comply with all of the requirements of this Chapter relative to notice of candidacy, except that the candidate shall indicate "none" relative to his party affiliation.

C. The ballot access petition shall comply with all of the requirements of this Chapter relative to nominating petitions, except that no person affiliated with a recognized political party shall be eligible to sign such ballot access petition.

D. The time of qualifying and the official with whom a candidate qualifies shall be in accordance with all of the provisions of this Chapter relative to qualifying for a first party primary election.

§1275.18. Time for objecting to candidacy

An action objecting to candidacy, including the candidacy of a person who qualified as provided in R.S. 18:1275.17, shall be commenced in a court of competent jurisdiction within seven days after the close of qualifications for candidates in a first party primary election. The grounds for objecting to the candidacy shall be as provided in R.S. 18:492. After the expiration of the time period set forth in this Section, no action shall be commenced objecting to candidacy based on the grounds for objections to candidacy contained in R.S. 18:492. All other matters regarding objecting to candidacy shall be as provided by law in this Code.

§1275.19. Nomination of candidates in a party primary election; general election

If, after the close of the qualifying period for candidates in a first party primary election, the number of candidates for a public office does not exceed the number of persons to be nominated by a recognized political party for the office, the candidates for that office, or those remaining after the withdrawal of one or more candidates, are declared nominated by the people, and their names shall not appear on the ballot in the first party primary election but shall be on the ballot for the general election If the first or second party primary election ballot was printed with the name of a candidate who withdrew on it, any votes received by a candidate who withdrew shall be void and shall not be counted for any purpose whatsoever.

§1275.20. Qualifications of voters

All persons who have registered to vote in this state prior to the time the registration records are closed as required in R.S. 18:135 may vote in the first and second party primary election only for the candidates who are affiliated with the same political party as the voter. However, insofar as the state central committee of a political party shall by its rules and regulations choose to allow voters who are not affiliated with a recognized political party to participate in the primary elections of that political party, such unaffiliated voters shall be allowed to vote on candidates affiliated with that political party provided that each such political party shall notify the secretary of state and the commissioner of elections no later than January first of the year in which the regularly scheduled elections are to be held if unaffiliated voters will be allowed to vote on candidates affiliated with such party.

§1275.21. Ballots

A. Preparation. The secretary of state shall prepare and certify the absentee ballots and the ballots to be used on the

voting machines in the first and second party primary and general elections.

B. Titles of offices. The titles of the offices to be voted on in any primary or general election shall be printed on the ballot in capital letters in the following order:

- (1) United States Senator
- (2) United States Representative

C. Names and numbers of candidates. The names of the candidates in any primary or general election shall be printed on the ballot as follows:

(1) In any primary election only the names of candidates who qualified for election and were not subsequently disqualified by a judgment rendered in an action objecting to candidacy or who were not unopposed shall be printed on the ballot. The name of each candidate shall be printed on the ballot in the form designated by the candidate in his notice of candidacy on file with the secretary of state. The parties shall be arranged alphabetically, and under such party affiliation, the names of the candidates for each office shall be listed alphabetically by surname within each party and printed below the title of the office and below the respective party designation, in smaller capital letters. The names of the candidates shall be numbered from first to last. Once the secretary of state has assigned numbers to the candidates on the first party primary election ballot, the numbers shall not be changed. If the qualifying period reopens because of the death of a candidate, additional candidates who qualify for the primary election shall be given the numbers following the number assigned to the last candidate on the ballot. If two or more candidates have the same surname, the word "Incumbent" shall be printed after the name of each candidate having the same surname who is an incumbent and the residence address shall be printed after the name of each candidate having the same surname who is not an incumbent.

(2) In a general election only the names of the candidates who qualified for election shall be printed on the ballot, and the names shall be printed in the same form as they were printed on the ballot for the first party primary election. The names of candidates who qualified pursuant to R.S. 18:1275.17 shall be as they appear on the notice of candidacy. The parties shall be arranged alphabetically, and under such party affiliation, the names of the candidates for each office shall be arranged alphabetically by surname, and shall be printed below the title of the office and below the respective party designation in smaller capital letters. Names of candidates with no party affiliation shall be arranged alphabetically by surname below the title of the office and below the designation "No Party Affiliation" in smaller capital letters. The names of the candidates shall be given the same number assigned to them on the first party primary election ballot. Additional candidates who qualify who were not on the first primary election ballot shall be given the numbers following the number assigned to the last candidate on the ballot for the first party primary election.

§1275.22. Prerequisites to voting

The provisions of R.S. 18:562 shall be applicable to all congressional first and second party primary elections and congressional general elections. Additionally, any person who desires to vote in any first or second party primary election shall also give his party affiliation, if any, to a commissioner, who shall announce the applicant's name, address, and party affiliation, if any, to the persons at the polling place.

§1275.23. Compilation and promulgation of returns

A. On or before the twelfth day after the first or second party primary election or general election, as the case may be, the secretary of state shall promulgate the returns for candidates by publishing in the official journal of the state the names of the candidates for each office in the election, and the number of votes received by each such candidate, shown by the returns transmitted by the clerks of court from the compiled statements by the parish boards of election

supervisors. In a parish containing a municipality with a population of four hundred seventy-five thousand or more the promulgation shall be from the returns transmitted by the parish board of election supervisors.

§1278. Vacancies; United States senator

B. If a vacancy occurs in the office of United States senator and the unexpired term is more than one year, an appointment to fill the vacancy shall be temporary. Any senator so appointed shall serve until his successor is elected at a special election and takes office. Within ten days after receiving official notice of the vacancy, the governor shall issue his proclamation for special election to fill the vacancy for the unexpired term. The date of the special election ~~shall be established by the governor in accordance with the provisions of R.S. 18:402(E). The~~ and the dates of the qualifying period shall be established by the governor in accordance with R.S. 18:467, 467.1, and 468. Immediately after issuance of the proclamation, which shall include the dates of the first and second party primary and general elections and the dates of the qualifying period, the governor shall publish the proclamation in the official journal of each parish in which the election is to be held. Within twenty-four hours after its issuance, the governor shall send a copy of the proclamation to the secretary of state. Within twenty-four hours after he receives the copy, the secretary of state shall notify all election officials having any duty to perform in connection with a special election to fill such vacancy, including the parish boards of election supervisors for the parish or parishes in which the vacancy occurred. The election shall be conducted and the returns shall be certified as in regular elections for United States senator.

§1279. Vacancies; representatives in Congress

When a vacancy occurs in the office of representative in Congress, the governor shall determine the dates on which the special elections shall be held and the dates of the qualifying period and shall issue his proclamation ordering a special election and specifying the dates on which the first and second party primary and general elections will be held and the dates of the qualifying period for the election. Immediately thereafter he shall publish the proclamation in the official journal of each parish in which the election is to be held. Within twenty-four hours after issuing the proclamation, the governor shall send a copy of the proclamation to the secretary of state who shall within twenty-four hours of receipt of the information notify all election officials having any duty to perform in connection with a special election to fill such vacancy, including the parish boards of election supervisors for the parish or parishes in which the vacancy occurred. The election shall be conducted in the same manner and at the same places and the returns shall be certified as in regular congressional elections. If at a first or second party primary or general election in a congressional district one representative in Congress is to be elected for a full term and another to fill a vacancy, the ballots containing the names of the candidates shall, as a part of the title of the office, designate the term for which the candidates are respectively nominated.

§1300. Procedures; notice of election; expenses

C.(1)(a) When an election is called under the provisions of this Chapter, written notice of the election shall be transmitted to the secretary of state, the commissioner of elections, and each clerk of court and registrar of voters in the area affected by the election. If the election is to be held on a primary or first party primary election date, then such notice shall be received by the secretary of state on or before the last day for candidates to qualify in the first party primary election. ~~However, if the election is to be held on a first party primary election date as provided in R.S. 18:402(C)(1), then such notice shall be received by the secretary of state on or before the second Wednesday in January of the year of the election: seventy-first day prior to the first party primary~~

election. If the election is not to be held on a primary or first party primary election date, then such notice shall be received by the secretary of state on or before the forty-sixth day prior to the election.

§1300.7. Governor to order election; proclamation; publication

A. If the required number of qualified electors of the voting area sign the petition for recall, the governor shall issue a proclamation ordering an election to be held for the purpose of voting on the question of the recall of the officer. The total number of registered voters in the voting area and the total number of registered voters in the voting area signing the petition shall be calculated from the totals on the certificates of all of the registrars of voters received by the governor. The governor shall issue such proclamation within fifteen days after he receives the certified petitions from all of the registrars of voters in the voting area who have received petitions for certification. The proclamation shall order the election to be held on the next available date specified in R.S. 18:402(F). If the election is to be held on a primary or first party primary election date, the proclamation shall be issued on or before the last day for candidates to qualify in the election. If the election is not to be held on a primary or first party primary election date, then the proclamation shall be issued on or before the forty-sixth day prior to the election.

§1306. Preparation and distribution of absentee ballots

(4) The secretary of state shall prepare a special absentee ballot for candidates and constitutional amendments to be voted on in second party primary or general elections, subject to approval as to content by the attorney general. This special ballot shall only be for use by a qualified voter who is either a member of the United States Service or who resides outside of the United States. Such special ballot shall contain a list of the titles of all offices being contested at the primary or first party primary election and the candidates qualifying for the primary or first party primary election for each office, and shall permit the elector to vote in the second party primary or general election by indicating his order of preference for each candidate for each office. On the special ballot shall also be printed each constitutional amendment to be voted on in the second party primary or general election. To indicate his order of preference for each candidate for each office to be voted on in the election, the voter shall put the number one next to the name of the candidate who is the voter's first choice, the number two for his second choice and so forth so that, in consecutive numerical order, a number indicating the voter's preference is written by the voter next to each candidate's name on the ballot. A space shall be provided for the voter to indicate his preference for or against each constitutional amendment contained on the ballot. The voter shall not be required to indicate his preference for more than one candidate on the ballot if the voter so chooses. The secretary of state shall also prepare instructions for use of the special ballot.

(2) At least twenty days before each primary or first party primary election the secretary of state shall deliver to the registrar in each parish in which the election is to be held the special absentee ballot for qualified voters who are either members of the United States Service or persons residing outside of the United States. The number of special ballots and other necessary paraphernalia, including instructions for the use of the special ballot, to be so delivered shall be up to one percent of the registered voters within each parish.

§1307. Application by mail

A. A person qualified to vote absentee by mail under this Chapter may make application therefor to the registrar by letter; over his signature; setting forth:

* * *

(5) If the person requests that a ballot for a second party primary election and a general election be sent in addition to a ballot for the primary or first party primary, he shall declare in writing to the registrar that he will be eligible to vote absentee by mail in the second party primary election and the general election.

* * *

D. A person entitled to vote absentee by mail may request in his application for an absentee ballot for a primary or first party primary election that an absentee ballot for the succeeding second party primary election and the general election be sent to him when such ballots become available for distribution. However, in such case, the applicant shall declare in writing to the registrar that he will be eligible to vote absentee by mail in the second party primary election and the general election.

§1308. Absentee voting by mail

A.

* * *

(2)(a) With respect to persons on active duty in the United States military service or outside the continental boundaries of the United States, these materials shall be mailed as provided by the Uniformed and Overseas Citizens Absentee Voting Act (39 USC 3406 and 42 USC 1973ff et seq.) and shall include both the first party primary election ballot and the special ballot ballots for the second party primary election and the general election. The envelope mailed to the voter shall contain ~~four~~ six envelopes, ~~two~~ three of which shall be the ballot envelopes and ~~two~~ three of which shall be return envelopes. Each return envelope shall bear the official title and mailing address of the registrar, whether it contains a primary, first party primary, second party primary or general election ballot, and the name, return address, and precinct or district number of the voter. The voter shall return his voted first party primary election ballot and special ballot ballots for the second party primary and the general election to the registrar in the appropriate envelopes. The registrar of voters shall not mail a regular second party primary and general election absentee ballot to a member of the United States Service or to persons residing overseas if the registrar has mailed ~~the a~~ special ballot, as provided herein, to such voter. The envelopes for the special ballots shall contain language on the outside of the envelope which will clearly designate which envelope is to be used for return of the second primary election ballot and which envelope is to be used for return of the general election ballot.

* * *

§1311. List of absentee voters; posting; delivery of alphabetized list to precincts; supplements

D.

* * *

(5)(a) Upon receipt of the special ballot for members of the United States Service and persons residing outside of the United States, the registrar shall endorse the day and hour of receipt on said ballots and place those received on the day of the general election for which the ballot is cast, in an envelope separate from any other mail ballot. The registrar shall include, on a separate list for this purpose, in alphabetical order and by precinct, the name of each voter submitting such special absentee ballot.

§1314. Absentee commissioners

C. Selection for a primary or first party primary election.

(1) The parish board of election supervisors shall determine the number of absentee commissioners necessary to count the absentee ballots in the parish. The parish board of election supervisors shall select a minimum of three absentee commissioners.

(2) The parish board of election supervisors shall meet at 10:00 a.m. on the fifth day before a primary or first party

primary election and shall select the absentee commissioners and alternate absentee commissioners for the parish in the manner provided by law for the selection of commissioners and alternate commissioners. If there are not enough certified commissioners to select the appropriate number of absentee commissioners and alternate absentee commissioners, the board of election supervisors may select a qualified elector of the parish to serve; however, no such elector shall serve as an absentee commissioner if a certified commissioner has been selected as an alternate absentee commissioner.

* * *

D. Selection for second party primary or general election.

(1)(a) The parish board of election supervisors shall determine if the number of absentee commissioners necessary to count the absentee ballots in the second party primary or general election can be reduced or should be increased from the number which counted absentee ballots in the previous primary election.

(b) If it determines that the number cannot be reduced or should be increased, those persons who served as absentee commissioners and alternate absentee commissioners for the parish in the primary or first party primary election shall serve in the second party primary and general election, unless replaced or disqualified in the manner provided by law for commissioners and alternate commissioners. The number of absentee commissioners for a second party primary and general election shall not be less than three.

(2)(a) If the parish board determines that the number of absentee commissioners can be reduced, it shall notify each person who served as an absentee commissioner or alternate absentee commissioner in the primary or first party primary election of its decision to reduce the number of absentee commissioners and of the date and time of the meeting to select the absentee commissioners for the second party primary or general election. The parish board shall meet at 10:00 a.m. on the fifth day before a second party primary or a general election and shall select the absentee commissioners and alternate absentee commissioners to serve in the general election such elections for the parish.

(b)(i) The parish board shall prepare a list containing the names of all persons who served as absentee commissioners in the primary or first party primary election. The absentee commissioners and alternate absentee commissioners for the second party primary election or for the general election shall be selected from that list in the manner provided by law for the selection of commissioners and absentee commissioners. The absentee commissioners so chosen shall then serve as needed for the second party primary election or the general election.

(ii) If the list does not contain sufficient names to select the number of absentee commissioners and alternate absentee commissioners determined by the board to be needed for the second party primary election and the general election, the board shall fill any remaining alternate commissioner positions from a list of those persons who were selected as alternate absentee commissioners for the primary or first party primary election, such list to be prepared and the selection made in the same manner provided herein for selection of absentee commissioners for the second party primary election and the general election.

(3) If the parish board determines that the number of absentee commissioners should be increased, the parish board shall meet at 10:00 a.m. on the fifth day before a the second party primary election and the general election and shall select the additional absentee commissioners and alternate absentee commissioners to serve in the second party primary election and the general election for that parish from the list of certified commissioners who have not been chosen to serve in the second party primary and the general election as a commissioner-in-charge, commissioner, or, if applicable, absentee commissioner in the manner provided by law for the selection of commissioners and alternate commissioners. If there are not enough certified commissioners to select the appropriate number of absentee commissioners and alternate absentee commissioners, the board of election supervisors

may select a qualified elector of the parish to serve; however, no such elector shall serve as an absentee commissioner if a certified commissioner has been selected as an alternate absentee commissioner.

* * *

§1333. Voting by persons confined to a nursing home

* * *

D.(1) A voter qualified to vote under this Section and approved for participation in the special program for handicapped voters shall make application to vote by absentee ballot to the registrar of voters by letter, over his signature, setting forth the following:

* * *

(e) If at the time the disabled voter requests an absentee ballot for a **primary or first party** primary election, he also requests an absentee ballot for the **second party primary and for the** general election, he shall declare in writing to the registrar that he will be eligible to vote absentee in the **second party primary election and in the** general election.

* * *

E.(1) Upon receipt of the application for an absentee ballot, the registrar shall first enter the date and time of receipt thereof and ascertain to his satisfaction the accuracy of the information contained in the application. An application not timely submitted and received as required in Subsection (D) of this Section shall be immediately returned to the applicant with a brief statement citing the reasons for the return; however, if such application requested an absentee ballot for both a **primary, first party primary, second party primary,** and general election, the registrar shall retain the application, notify the applicant that the request to vote by absentee ballot in the **primary or first party** primary election was not timely submitted and received, and process the application for the **second party primary and** general election as provided herein.

* * *

§1355. Construction and equipment of machines; requirements

Each voting machine used in an election shall be so constructed and equipped as to:

* * *

(6) When used in a **first or second congressional party primary or a** primary election at which members of a political party committee are to be voted on, it shall be so equipped that, by a single adjustment on the outside of the machine, the election officials can lock out all candidate counters except those of the party with which the voter is affiliated **or those of the party for which a voter unaffiliated with a recognized political party has chosen to vote if permitted by the state central committee of the party.**

* * *

§1401. Objections to candidacy and contests of elections; parties authorized to institute actions

* * *

B. A candidate who alleges that, except for substantial irregularities or error, or except for fraud or other unlawful activities in the conduct of the election, he would have qualified for a **second party primary election or for** a general election or would have been elected may bring an action contesting the election.

* * *

§1402. Proper parties

* * *

B.(1) The following persons are the proper parties against whom election contests may be instituted:

* * *

(c) The person or persons whose eligibility to be a candidate in a **second party primary election or in** a general election or whose election to office is contested.

* * *

§1405. Time for commencement of action

A. An action objecting to candidacy shall be instituted within seven days after the close of qualifications for candidates in the primary election **or within ten days after the close of qualifications for candidates in a general election who are not affiliated with a recognized political party.** After the expiration of the time period set forth in this Section, no further action shall be commenced objecting to candidacy based on the grounds for objections to candidacy contained in R.S. 18:492.

* * *

§1406. Petition; answer; notification

* * *

B. The petition shall set forth in specific detail the facts upon which the objection or contest is based. If the action contests an election, the petition shall allege that except for substantial irregularities or error, fraud, or other unlawful activities in the conduct of the election, the petitioner would have qualified for a **second party primary election or for a** general election or would have been elected. The trial judge may allow the filing of amended pleadings for good cause shown and in the interest of justice.

* * *

§1407. Appointment of agent for service of process

By filing notice of candidacy a candidate appoints the clerk of court for each parish in which he is to be voted on as his agent for service of process in any action objecting to his candidacy, contesting his qualification as a candidate in a **second party primary election or in a** general election, or contesting his election to office.

* * *

§1409. Trial; decision; appeal

* * *

B.(1) If the action involves the contest of a **primary or first party** primary election for a major office, the trial judge, for good cause shown, may postpone the date of the **second party primary election and the** general election for the office as to which the contest was filed for a period not to exceed five weeks. **If the action involves the contest of a second party primary for a major office, the trial judge may, for good cause shown, so postpone the general election.**

(2) Whenever the trial of an action contesting a **primary or first or second party** primary election for a major office, extends past 5:00 p.m. on the fourteenth day after the day of the election, the trial judge shall order the **second party primary election and the** general election, **or the general election, as the case may be,** for the affected office postponed to a Saturday specified by him which, **for a second party primary election** is at least thirty days after the date on which the trial court renders judgment **and which for a general election is at least thirty days after the second party primary election.**

* * *

§1432. Remedies

A. If the trial judge in an action contesting an election determines that: (1) it is impossible to determine the result of election, or (2) the number of qualified voters who were denied the right to vote by the election officials was sufficient to change the result in the election, if they had been allowed to vote, or (3) the number of unqualified voters who were allowed to vote by the election officials was sufficient to change the result of the election if they had not been allowed to vote, or (4) a combination of the factors referred to in (2) and (3) herein would have been sufficient to change the result had they not occurred, the judge may render a final judgment declaring the election void and ordering a new **primary or first and second party** primary or general election for all the candidates, or, if the judge determines that the appropriate remedy is the calling of a restricted election, the judge may render a final judgment ordering a restricted election, specifying the date of the election, the appropriate candidates for the election, the office or other position for which the election shall be held, and indicating which voters will be eligible to vote.

* * *

§1461. Election offenses; penalties

June 15, 1999

A. No person shall knowingly, willfully, or intentionally:

(17) Give or offer to give, directly or indirectly, any money or thing of present or prospective value to any person who has withdrawn or who was eliminated prior or subsequent to the primary election as a candidate for public office, for the purpose of securing or giving his political support to any remaining candidates or to candidates for public office in the primary or first or second party primary or general election.

§1470. Political advertising; prohibition

A. Notwithstanding any other provision of law to the contrary, political campaign signs shall not be erected, displayed, or posted on any publicly owned property or right-of-way, or to or on any public utility pole or stanchion.

B. Notwithstanding any other provision of law to the contrary, on election day, commissioners and commissioners-in-charge may remove any political campaign sign or advertising which is located on any publicly owned property or right-of-way, or on any public utility pole or stanchion, and which is located within six hundred feet of the polling place where the commissioner or commissioner-in-charge is serving.

Section 2. This Act shall become effective on January 1, 2000."

AMENDMENT NO. 2

On page 2, delete lines 1 through 4 in their entirety

Senator C. Fields moved adoption of the amendments.

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Bajoie, Boissiere, Branch, Cain, Campbell, Casanova, Cox, Cravins, Total—22; Dardenne, Fields C, Fields W, Greene, Hollis, Irons, Johnson, Jones; Jordan, Malone, Robichaux, Schedler, Smith, Tarver

NAYS

Table with 3 columns: Mr. President, Barham, Bean, Dean, Ellington, Total—15; Hainkel, Heitmeier, Hines, Lambert, Landry; Lentini, Romero, Theunissen, Thomas, Ullo

ABSENT

Dyess, Siracusa, Total—2

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Bajoie, Boissiere, Branch, Cain, Campbell, Casanova, Cox, Cravins, Total—24; Dardenne, Fields C, Fields W, Greene, Hollis, Irons, Johnson, Jones; Jordan, Malone, Robichaux, Romero, Schedler, Smith, Tarver, Thomas

NAYS

Table with 3 columns: Mr. President, Barham, Bean, Dean, Ellington, Total—13; Hainkel, Heitmeier, Hines, Lambert, Landry; Lentini, Theunissen, Ullo

ABSENT

Dyess, Siracusa, Total—2

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

Personal Privilege

Senator Thomas 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. 1634. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

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.

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

Dean Lambert
 Total—37
 NAYS
 Total—0
 ABSENT
 Dyess Siracusa
 Total—2

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. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Dyess Siracusa
 Total—2

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. 1684—
 BY REPRESENTATIVE MARTINY
 AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Hainkel Malone
 Total—2

ABSENT

Dyess Siracusa
 Total—2

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

Mr. President in the Chair

HOUSE BILL NO. 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.

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

June 15, 1999

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Dyess Siracusa
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. 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.

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

Total—37

NAYS

Total—0

ABSENT

Dyess Siracusa
Total—2

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

HOUSE BILL NO. 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.

Floor Amendments Sent Up

Senator Johnson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Johnson to Engrossed House Bill No. 1715 by Representative Montgomery

AMENDMENT NO. 1

On page 2, line 17, after "Act." insert the following:

"This Act shall not affect the ability of any municipality, parish, or fire protection district to contract with volunteer fire departments."

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

NAYS

Total—0

ABSENT

Dyess Siracusa
Total—2

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.

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 provide for the incentive program to be used to encourage involvement in the Louisiana Performance Audit Program; 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	Landry
Bajoie	Fields C	Lentini
Barham	Fields W	Malone
Bean	Greene	Robichaux
Boissiere	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Smith
Campbell	Hollis	Tarver
Casanova	Irons	Theunissen
Cox	Johnson	Thomas
Cravins	Jones	Ullo
Dardenne	Jordan	
Dean	Lambert	
Total—37		

NAYS

Total—0

ABSENT

Dyess	Siracusa
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. 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:

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Dyess	Schedler
Jordan	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. 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.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1725 by Representative McDonald

AMENDMENT NO. 1

In Senate Committee Amendment No. 6 proposed by the Senate Committee on Education on May 20, 1999 and adopted by the Senate on May 24, 1999, on line 20, after "no" change "less" to "later"

On motion of Senator Dardenne, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dean	Lambert
Bajoie	Ellington	Landry
Barham	Fields C	Lentini
Bean	Greene	Malone

June 15, 1999

Boissiere	Hainkel	Robichaux
Branch	Heitmeier	Romero
Cain	Hines	Smith
Campbell	Hollis	Tarver
Casanova	Irons	Theunissen
Cox	Johnson	Thomas
Cravins	Jones	Ullo
Dardenne	Jordan	

Total—35

NAYS

Fields W
Total—1

ABSENT

Dyess	Schedler	Siracusa
-------	----------	----------

Total—3

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—37

NAYS

Total—0

ABSENT

Dyess	Siracusa
-------	----------

Total—2

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

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.

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. 1743 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 4, after "R.S. 33:3980.1" and before the comma ",", insert the following: "and Part IV-B of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1152 through 1156"

AMENDMENT NO. 2

On page 1, line 7, after "sewerage systems;" insert "to provide for a sewerage tag fee; to provide for the use of the proceeds of the fee; to direct the Louisiana State Law Institute to redesignate certain provisions of current law;"

AMENDMENT NO. 3

On page 8, after line 26, insert the following:

"Section 3. Part IV-B of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1152 through 1156, is hereby enacted to read as follows:

PART IV-B. SEWAGE AND SEWERAGE

§1156. Sewerage tags; fees

A. A manufacturer, manufacturer-authorized system distributor, or franchisee shall not offer for sale an individual type sewerage treatment system without a prior evaluation by the Department of Health and Hospitals, office of public health, and the payment of a sewerage tag fee for such service.

B. The sewerage tag fee shall be one hundred dollars and shall be collected from the manufacturer by the department upon the installation of the individual type sewerage treatment system.

C. The department shall use certain proceeds from the levy and collection of the sewerage tag fee solely as follows:

(1) Thirty percent of the amount of fees collected each year shall be used by the department solely for the purpose of enforcement of the Sanitary Code.

(2) Twenty percent of the amount of fees collected each year shall be credited by the treasurer to the Bond Security and Redemption Fund. After a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state which may become due and payable within any fiscal year, the treasurer shall pay the remainder of those funds into a special fund which is hereby created within the state treasury and designated the Sanitary Code Enforcement for the Indigent Fund. Monies in that fund shall be used solely for the purposes of repairing, maintaining, and replacing individual sewerage plants for indigent citizens of the state.

Section 4. The Louisiana State Law Institute is hereby directed to place the provisions of R.S. 40:1152 and 1153 in their entirety within Part IV-B of Chapter 5 of Title 40, which is enacted under the provisions of Section 1 of this Act.

Section 5. The Louisiana State Law Institute is hereby directed to redesignate R.S. 40:4.10 as R.S. 40:1154 and place it in its entirety within Part IV-B of Chapter 5 of Title 40, which is enacted under the provisions of Section 1 of this Act.

Section 6. The Louisiana State Law Institute is hereby directed to redesignate R.S. 40:5.4 as R.S. 40:1155 and place it in its entirety within Part IV-B of Chapter 5 of Title 40, which is enacted under the provisions of Section 1 of this Act.

Section 7. The Louisiana State Law Institute is hereby directed to redesignate R.S. 40:1161 as R.S. 40:5.4.

Section 8. The provisions of Section 3 of this Act shall become effective on July 1, 1999; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 1999, or on the day following such approval by the legislature, whichever is later."

Rules Suspended

Senator Malone asked for a suspension of the rules for the purpose of granting the speaker an additional 5 minutes.

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bean	Hines	Smith
Branch	Hollis	Tarver
Campbell	Irons	Theunissen
Casanova	Jordan	Thomas
Dardenne	Lambert	Ullo
Greene	Romero	
Heitmeier	Schedler	
Total—19		

NAYS

Bajoie	Cain	Hainkel
Barham	Dean	Landry
Boissiere	Ellington	Malone
Total—9		

ABSENT

Mr. President	Fields C	Lentini
Cox	Fields W	Robichaux
Cravins	Johnson	Siracusa
Dyess	Jones	
Total—11		

The Chair declared the rules were suspended and the speaker was granted an additional 5 minutes.

Motion

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

Senator Johnson objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Ellington	Lambert
Barham	Fields W	Lentini
Bean	Greene	Malone
Boissiere	Hainkel	Robichaux
Branch	Heitmeier	Romero
Cain	Hines	Schedler
Campbell	Hollis	Tarver
Cravins	Irons	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	
Total—29		

NAYS

Casanova	Landry	Ullo
Johnson	Smith	
Total—5		

ABSENT

Mr. President	Dyess	Siracusa
Cox	Fields C	
Total—5		

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

Senator Hines moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Irons
Bajoie	Fields W	Johnson
Barham	Greene	Jones
Boissiere	Hainkel	Landry
Cox	Heitmeier	Robichaux
Dardenne	Hines	Schedler
Ellington	Hollis	Tarver
Total—21		

NAYS

Bean	Cravins	Romero
Branch	Dean	Smith
Cain	Jordan	Theunissen
Campbell	Lambert	Thomas
Casanova	Malone	Ullo
Total—15		

ABSENT

Dyess	Lentini	Siracusa
Total—3		

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Irons
Bajoie	Fields W	Landry
Barham	Greene	Lentini
Boissiere	Hainkel	Robichaux
Cox	Heitmeier	Schedler
Dardenne	Hines	
Ellington	Hollis	
Total—19		

NAYS

Bean	Dean	Romero
Branch	Johnson	Smith
Cain	Jones	Tarver
Campbell	Jordan	Theunissen
Casanova	Lambert	Thomas
Cravins	Malone	Ullo

June 15, 1999

Total—18

ABSENT

Dyess

Siracusa

Total—2

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

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

HOUSE BILL NO. 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.

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

NAYS

Total—0

ABSENT

Cravins

Dyess

Siracusa

Total—3

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

HOUSE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Dyess

Siracusa

Total—2

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. 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.

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

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

NAYS

Total—0

ABSENT

Dyess

Siracusa

Thomas

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. 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.

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

NAYS

Total—0

ABSENT

Bean	Dyess	Siracusa
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. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Bajoie	Fields C	Lentini
Barham	Fields W	Malone
Bean	Greene	Robichaux
Boissiere	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Smith

Campbell	Hollis	Tarver
Casanova	Irons	Theunissen
Cox	Johnson	Thomas
Cravins	Jones	Ullo
Dardenne	Jordan	
Dean	Lambert	
Total—37		

NAYS

Total—0

ABSENT

Dyess	Siracusa
Total—2	

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

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.

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

NAYS

Dean
Total—1

ABSENT

Dyess	Siracusa
Total—2	

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

HOUSE BILL NO. 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.

June 15, 1999

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—37

NAYS

Total—0

ABSENT

Dyess
Total—2
Siracusa

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. 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.

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

Total—37
NAYS

Total—0
ABSENT

Dyess
Total—2
Siracusa

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. 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.

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—36

NAYS

Total—0
ABSENT

Dyess
Total—3
Siracusa
Theunissen

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

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.

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Reengrossed House Bill No. 1899 by Representative Travis

AMENDMENT NO. 1

In the Senate Committee Amendments proposed by the Senate Committee on Commerce and Consumer Protection, and adopted by the Senate June 9, 1999, in Amendment No. 3, line 7, delete "and all-terrain vehicle"

AMENDMENT NO. 2

On page 2, line 19, after "within" insert "not"

AMENDMENT NO. 3

On page 2, line 22, after "within" insert "not"

AMENDMENT NO. 4

In the Senate Committee Amendments proposed by the Senate Committee on Commerce and Consumer Protection, and adopted by the Senate June 9, 1999, in Amendment No. 4, line 10, after "motorcycle" insert "and all-terrain vehicle"

On motion of Senator Hollis, the amendments were adopted.

Motion

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

Without objection, so ordered.

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

- Table listing names of senators who voted 'YEAS': Bajojé, Barham, Bean, Boissiere, Branch, Cain, Campbell, Casanova, Cox, Dardenne, Ellington, Hainkel, Heitmeier, Hines, Hollis, Johnson, Jones, Lambert, Landry, Lentini, Robichaux, Romero, Schedler, Smith, Tarver, Theuissen, Thomas, Ullo

Total—28

NAYS

- Mr. President, Dean, Fields C, Total—7; Greene, Irons, Jordan; Malone

ABSENT

- Cravins, Dyess, Total—4; Fields W, Siracusa

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.

Rules Suspended

Senator Ellington 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 16, 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. 382—
BY SENATOR DARDENNE
AN ACT

To amend and reenact the introductory paragraph of R.S. 13:1899(C), relative to the assessment and disposition of court costs; to increase such costs; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 689—
BY SENATOR HAINKEL
AN ACT

To enact R.S. 39:1547, relative to the office of risk management; to create a return to work program; to establish as the goal of the program the safe and expedient return of state employees with job related injuries and illnesses to transitional or regular employment; to provide for the design of the program; to provide for periodic reporting; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1065—
BY SENATOR THOMAS
AN ACT

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

Reported without amendments.

SENATE BILL NO. 1011—
BY SENATORS EWING, BAJOEIE, CASANOVA, DYESS, HINES, IRONS,
LANDRY AND SCHEDLER

AN ACT

To enact R.S. 46:450.6 and 2404(G)(8), relative to families; to require the Louisiana Children's Trust Fund Board to develop a community-based family center program; to provide for purposes of program; to require the board to promulgate rules; to provide for a pilot project; to require certain reports on the pilot program; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 844—
BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 30:2025(E)(1)(a), relative to penalties for dumping harmful substances; to increase the penalties for discharging, emitting, or disposing of harmful substances in violation of environmental law, regulation, permit, or license; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1116 (Substitute for Senate Bill No. 981 by
Senator Ellington)—
BY SENATOR ELLINGTON

AN ACT

To enact R.S. 49:330, relative to mineral revenue contracts by the state treasurer; to require that the treasurer enter into various contracts in order to establish a firm price for anticipated mineral production subject to severance tax and royalty contract under certain conditions; to provide requirement, limitations, and procedure regarding such authority; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1005—
BY SENATOR DEAN

AN ACT

To amend and reenact R.S. 9:2798(B), relative to the limitation of liability of a volunteer athletic coach, manager, team volunteer health care provider, or official; to provide for cardiopulmonary resuscitation training; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 278—
BY SENATOR COX

AN ACT

To enact Code of Civil Procedure Art. 971, relative to written motions; to provide a special motion to strike in certain civil proceedings; to provide for the duties of the Judicial Council relative thereto; and to provide for related matters.

Reported without amendments.

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

**Privilege Report of the
Legislative Bureau**

June 15, 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.

HOUSE BILL NO. 1263—

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

AN ACT

To amend and reenact R.S. 30:86(C) and to enact R.S. 30:86(E)(5), relative to the Oilfield Site Restoration Fund; to provide for the determination of the fund balance; to provide for an additional purpose for which monies in the fund may be disbursed and expended; 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 Bills and Joint Resolutions were read by title and passed to a third reading.

Motion to Make Special Order

Senator Jordan asked for a suspension of the rules for the purpose of making House Bill No. 2035, which was just advanced to a third reading and final passage, Special Order of the Day No. 1 on Wednesday, June 16, 1999 immediately following the Morning Hour.

Message from the House

**SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS**

June 15, 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. 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.

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.

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.

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.

HOUSE BILL NO. 1029—
BY REPRESENTATIVES PERKINS, BRUCE, DUPRE, JENKINS, MCCAIN, MORRELL, ROMERO, WINDHORST, AND WOOTON
AN ACT

To enact R.S. 15:828.2, relative to faith-based programs in correctional institutions; to provide for legislative intent; to provide for development of programs; to provide for monitoring of programs; and to provide for related matters.

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, WOOTON, AND DANIEL AND SENATORS BARHAM, DARDENNE, EWING, HAINKEL, SCHEDLER, CASANOVA, GREENE, LANDRY, ROBICHAUX, ROMERO, SIRACUSA, THEUNISSEN, AND ULLO
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.

HOUSE BILL NO. 1092—
BY REPRESENTATIVES MCCAIN AND MARIONNEAUX
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.

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.

HOUSE BILL NO. 1626—
BY REPRESENTATIVES DIEZ, DEWITT, DOWNER, MCMAINS, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

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

HOUSE BILL NO. 2156 (Duplicate of Senate Bill No. 1035)—
BY REPRESENTATIVES TRAVIS AND SENATOR BEAN AND COAUTHORED BY REPRESENTATIVES ALEXANDER, CARTER, DAMICO, FRITH, HEBERT, MARTINY, MCCAIN, MICHOT, MONTGOMERY, MORRISH, PIERRE, PINAC, SCHWEGMANN, THERIOT, THOMPSON, AND WARNER AND SENATOR HEITMEIER
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.

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.

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.

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.

HOUSE BILL NO. 228—
BY REPRESENTATIVE TOOMY AND SENATOR HAINKEL
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.

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.

HOUSE BILL NO. 371—
BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact R.S. 13:352(A)(5) and to enact R.S. 15:874(4)(g), relative to payment of fees in certain criminal appeals; to provide for payment of costs; to require certain costs to be paid from a state inmate's compensation account; to provide for procedures for withdrawal of funds; and to provide for related matters.

HOUSE BILL NO. 451—
BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact Code of Criminal Procedure Articles 915(A) and 919(A) and (B), relative to the preparation of transcripts of criminal court proceedings; to provide for time for delivery of record to the clerk of court; to provide with respect to motions for appeal; and to provide for related matters.

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.

June 15, 1999

HOUSE BILL NO. 480—

BY REPRESENTATIVE ANSARDI
AN ACT

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

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.

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.

HOUSE BILL NO. 873—

BY REPRESENTATIVE THORNHILL
AN ACT

To amend and reenact Code of Criminal Procedure Article 66, relative to service of subpoenas in certain matters; to provide for method of service; and to provide for related matters.

HOUSE BILL NO. 889—

BY REPRESENTATIVES TOOMY AND MORRELL AND SENATOR DARDENNE
AN ACT

To enact R.S. 15:1228 through 1228.8, relative to the establishment of the Integrated Criminal Justice Information System Policy Board; to provide for its purposes; to provide for its membership; to provide for its organization, domicile, and expenses; to provide for its component systems; and to provide for related matters.

HOUSE BILL NO. 902—

BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact Code of Criminal Procedure Article 433(A)(1)(b), relative to persons present at grand jury sessions; to allow more than one assistant attorney general to be present at grand jury sessions; and to provide for related matters.

HOUSE BILL NO. 1280—

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

To enact R.S. 27:68.1, to provide for a notice of lis pendens in actions involving gaming; to provide for the circumstances under which such notices shall be issued by a hearing officer; to provide for a hearing to set aside the notice of lis pendens; to provide the effect of such notices on persons to whom a sale, assignment, transfer, or disposition is made; and to provide for related matters.

HOUSE BILL NO. 1352—

BY REPRESENTATIVES CLARKSON, JOHNS, AND WALSWORTH
AN ACT

To amend and reenact Children's Code Articles 1125(B)(3) and 1127(A) through (C), relative to adoptions; to provide for disclosure of genetic information; and to provide for related matters.

HOUSE BILL NO. 1390—

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

To amend and reenact Code of Civil Procedure Articles 2412 and 2413, relative to garnishment; to provide for service of certain garnishment petitions on judgment debtors employed by the executive branch of state government; to provide for delays for answering; to require that notice of certain motions be made by certified mail; and to provide for related matters.

HOUSE BILL NO. 1393—

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

To amend and reenact Code of Civil Procedure Article 2411(C) and R.S. 13:3913, relative to garnishment; to provide that a garnishment, other than of wages of an employee, is not continuing in nature; and to provide for related matters.

HOUSE BILL NO. 1447—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 13:761(A), (C), and (D), relative to the Clerks' Supplemental Compensation Fund; to provide that all clerks of district courts and criminal district courts in the state shall participate in the fund; to provide which funds will be used to pay the fees in the Civil District Court for the parish of Orleans and the Criminal District Court for the parish of Orleans; and to provide for related matters.

HOUSE BILL NO. 1450—

BY REPRESENTATIVES FONTENOT, JENKINS, KENNEY, PERKINS, THOMPSON, AND WIGGINS
AN ACT

To amend and reenact Civil Code Articles 89 and 3520, relative to same sex marriages; to prohibit the recognition of any marriage between persons of the same sex; to provide for any such marriage contracted in another state or jurisdiction; to provide for the effect of any public act, record or judicial proceeding in another state or jurisdiction which authorizes such marriages; and to provide for related matters.

HOUSE BILL NO. 1509—

BY REPRESENTATIVE MCMAINS AND SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 13:1952(4)(d), relative to courts created by special legislative act; to provide for the assignment of annexations in the city of Baton Rouge to elections sections of the City Court of Baton Rouge; to remove the termination date on the authority to provide for such assignments; and to provide for related matters.

HOUSE BILL NO. 1798—

BY REPRESENTATIVES LANDRIEU AND PRATT AND SENATOR SCHEDLER
AN ACT

To amend and reenact Children's Code Article 405(C) and to enact Chapter 6 of Title IV of the Louisiana Children's Code, to be comprised of Articles 435 through 445, and Children's Code Article 603(13)(f), relative to mediation; to provide for the use of mediation in juvenile courts; to provide definitions; to provide for referral to mediation, selection and appointment of mediators, disclosure by mediators, and revocation of mediators; to provide qualifications of mediators, stay of proceedings, confidentiality, and termination of mediation; to provide for mediation agreements, judicial oversight, evaluation of mediators, and adoption of local rules; and to provide for related matters.

HOUSE BILL NO. 1808—

BY REPRESENTATIVE DURAND
AN ACT

To enact Code of Criminal Procedure Article 162.1(D), relative to the issuance of search warrants; to provide for methods for issuance by judges; and to provide for related matters.

HOUSE BILL NO. 1981—

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

To amend and reenact R.S. 15:574.2(A)(3), relative to the Board of Parole; to provide for salaries of board members; to provide that salaries are set by executive order of the governor; and to provide for related matters.

HOUSE BILL NO. 2053—

BY REPRESENTATIVES DUPRE, DOWNER, AND GAUTREAUX
AN ACT

To enact R.S. 13:1909, relative to city courts; to authorize courts to establish a judicial building fund; to provide for a service charge on civil filings; to provide for a service charge in criminal matters; to specify uses of the special account; to specify control over the special account; to require approval by local ordinance; and to provide for related matters.

HOUSE BILL NO. 2063—

BY REPRESENTATIVES MITCHELL AND GLOVER
AN ACT

To enact R.S. 15:1403.1, relative to criminal street gangs; to create the crime of solicitation of membership of a criminal street gang; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 2064—

BY REPRESENTATIVES MITCHELL AND GLOVER
AN ACT

To enact R.S. 15:1405.3, relative to release from custody of a criminal street gang member; to require the Department of Public Safety and Corrections to notify law enforcement agencies upon release from custody of a member of a criminal street gang; and to provide for related matters.

HOUSE BILL NO. 2203—

BY REPRESENTATIVE SCALISE AND SENATOR HAINKEL
AN ACT

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

HOUSE BILL NO. 2255—

BY REPRESENTATIVES KENNARD AND THOMPSON
AN ACT

To enact R.S. 11:592 and 1307(B), relative to commissioned members of the Louisiana Department of Wildlife and Fisheries law enforcement division and state police officers; to allow certain retiring members of the Louisiana Department of Wildlife and Fisheries law enforcement division to purchase their firearm; to allow retiring state police officers to purchase their firearm from the office of state police; to provide for a valuation of the firearms; to provide for length of service requirements; and to provide for related matters.

HOUSE BILL NO. 2269 (Substitute for House Bill No. 2019 by Representative Donelon)—

BY REPRESENTATIVE DONELON
AN ACT

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

HOUSE BILL NO. 2272 (Substitute for House Bill No. 535 by Representative Copelin)—

BY REPRESENTATIVE COPELIN
AN ACT

To amend and reenact R.S. 43:202(B), relative to the publication of judicial advertisements and legal notices in New Orleans; to provide relative to the journal in which such advertisements and notices may be published; and to provide for related matters.

HOUSE BILL NO. 172—

BY REPRESENTATIVES FLAVIN, HEBERT, JOHNS, BARTON, BOWLER, FRUGE, CLARKSON, MCMAINS, MICHOT, PINAC, POWELL, SCALISE, SHAW, STELLY, WALSWORTH, WIGGINS, BARTON, CRANE, DONELON, KENNARD, LANCASTER, TOOMY, AND WINSTON AND SENATORS DARDENNE, HAINKEL, BEAN, COX, DEAN, ROMERO, AND ULLO
AN ACT

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

HOUSE BILL NO. 222—

BY REPRESENTATIVE MORRISH
AN ACT

To amend and reenact R.S. 9:2782(A), (B), and (C)(1) and 3529, relative to nonsufficient fund checks; to provide for an increase in the service charge amount which is allowed to be charged for checks returned for nonsufficient funds; to provide relative to the time required to tender payment; and to provide for related matters.

HOUSE BILL NO. 317—

BY REPRESENTATIVE GREEN
AN ACT

To amend and reenact Children's Code Art. 1243, relative to parental rights; to provide relative to persons who may petition for intrafamily adoption; and to provide for related matters.

HOUSE BILL NO. 320—

BY REPRESENTATIVES PERKINS, ALEXANDER, CARTER, DAMICO, DIEZ, DIMOS, DONELON, FAUCHEUX, FLAVIN, FONTENOT, FRITH, GAUTREAUX, HEBERT, ILES, JENKINS, JOHNS, KENNARD, KENNEY, MCCALLUM, MICHOT, POWELL, RIDDLE, JACK SMITH, THOMPSON, THORNHILL, WALSWORTH, WESTON, WIGGINS, WRIGHT, DOWNER, ANSARDI, BAUDOIN, BRUCE, CRANE, DANIEL, DEVILLE, DUPRE, GUILLORY, HEATON, HILL, HOPKINS, LEBLANC, LONG, MARIONNEAUX, MCDONALD, MCMAINS, MITCHELL, MONTGOMERY, MORRELL, ODINET, PIERRE, PINAC, QUEZAIRE, ROMERO, SALTER, SCALISE, SCHNEIDER, SHAW, STELLY, TRAVIS, TRICHE, WADDELL, WARNER, WILLARD, WINDHORST, AND WOOTEN AND SENATORS BARHAM, BEAN, BOISSIERE, BRANCH, CAIN, CASANOVA, CRAVINS, DARDENNE, DYESS, ELLINGTON, GREENE, HAINKEL, HINES, JORDAN, LENTINI, MALONE, SCHEDLER, SMITH, THOMAS, AND ULLO
AN ACT

To amend and reenact R.S. 40:2134, relative to provisions of law dealing with the licensing and regulation of ambulatory surgical centers; to remove the exemption for abortion clinics or any facilities used for or relating to abortion procedures from such provisions; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 462—

BY REPRESENTATIVES FONTENOT, DEWITT, WESTON, CARTER, AND THOMPSON
AN ACT

To amend and reenact R.S. 36:208(E), R.S. 48:757(A)(1)(a), R.S. 56:1684(C), 1685(B) and (C)(14), 1685.1, 1687.1(A), 1691(B)(2), 1700(A) and (D), 1701, 1943(1), and 1948.5(52)(f), to enact R.S. 36:4(B)(16) and R.S. 56:1685(C)(21), and to repeal R.S. 36:209(H)(8) and R.S. 56:1702, relative to state parks and state commemorative areas; to amend the list of state parks and commemorative areas which are owned by the office of state parks; to provide relative to agreements for the management of certain commemorative areas; to provide relative to the ownership and management of Camp Moore; to change the designation and names of state commemorative areas; and to provide for related matters.

HOUSE BILL NO. 542—

BY REPRESENTATIVE FAUCHEUX
AN ACT

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

HOUSE BILL NO. 641—

BY REPRESENTATIVES LEBLANC, HEATON, DOWNER, FAUCHEUX, TOOMY, WARNER, WELCH, BAUDOIN, HOPKINS, LONG, THOMPSON, AND WALSWORTH AND SENATOR LANDRY
A JOINT RESOLUTION

Proposing to amend Article V, Section 33(B) of the Constitution of Louisiana, to provide that persons who are seventy years of age or older are exempt from jury service and may decline to serve as jurors, but may elect to serve as jurors if they meet the other qualifications for service as jurors; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

HOUSE BILL NO. 734—

BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

To amend and reenact R.S. 6:217(B), 243(B)(2), 285(C)(2), and 289(A) and (B)(1) and R.S. 12:23(E)(1) and to repeal R.S. 6:243(C) and 332, relative to the organization and operation of state banks; to provide for recording of certificates of authority with the secretary of state; to provide for service of process; to provide for loans to executive officers and employees; to provide for the sale of certain property; to provide for the use of certain terms in corporate names; to provide relative to hearing on cease and desist orders; and to provide for related matters.

HOUSE BILL NO. 779—

BY REPRESENTATIVES MCMAINS, ANSARDI, AND MCCAIN
AN ACT

To amend and reenact Children's Code Article 423 and to repeal R.S. 13:1596(F), to provide for the continuous revision of the Children's Code; to provide for hearing officers in juvenile court proceedings; to provide for additional clerk of court personnel and payment; and to provide for related matters.

HOUSE BILL NO. 926—

BY REPRESENTATIVE JOHNS
AN ACT

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

HOUSE BILL NO. 949—

BY REPRESENTATIVE GUILLORY AND SENATOR COX
AN ACT

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

HOUSE BILL NO. 964—

BY REPRESENTATIVES DONELON AND MARTINY
AN ACT

To amend and reenact R.S. 22:1258, 1262(A)(3) and (B)(4)(b)(ii), 1263.1, 1265(A) and (B), 1267(A)(1), and 1269(A)(introductory paragraph), and to repeal R.S. 22:1264, relative to surplus lines insurance; to provide for notices; to provide for affidavits; to provide for tax payments; and to provide for related matters.

HOUSE BILL NO. 971—

BY REPRESENTATIVES FLAVIN, CLARKSON, AND WALSWORTH
AN ACT

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

HOUSE BILL NO. 986—

BY REPRESENTATIVE MARTINY AND SENATOR SCHEDLER
AN ACT

To amend and reenact Code of Civil Procedure Article 3753, relative to judgments; to provide relative to cancellation of notices of pendency; and to provide for related matters.

HOUSE BILL NO. 987—

BY REPRESENTATIVE MCCAIN
AN ACT

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

HOUSE BILL NO. 492—

BY REPRESENTATIVES DEWITT AND CRANE
A JOINT RESOLUTION

Proposing to amend Article XII, Section 8.1(F) of the Constitution of Louisiana, to authorize the Louisiana Workers' Compensation Corporation to participate in any plan, pool, association, guaranty fund, or insolvency fund authorized or required pursuant to the Insurance Code upon the extinguishment of the full faith and credit guarantee of the state; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

HOUSE BILL NO. 1005—

BY REPRESENTATIVE WESTON
AN ACT

To amend and reenact R.S. 14:34.2(A)(2), relative to the crime of battery of a police officer; to provide with regard to the definition of a "police officer"; and to provide for related matters.

HOUSE BILL NO. 1046—

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

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

HOUSE BILL NO. 1055—

BY REPRESENTATIVE MARTINY AND SENATOR SCHEDLER
AN ACT

To amend and reenact R.S. 9:5383, relative to immovable property; to provide relative to transfers involving in globo assumption of vendors' privileges and/or mortgages on more than one parcel of immovable property; and to provide for related matters.

June 15, 1999

HOUSE BILL NO. 1109—

BY REPRESENTATIVE WARNER

AN ACT

To amend and reenact Section 1(B) of Act 716 of the 1989 Regular Session of the Legislature, relative to the Lake Pontchartrain Basin Foundation; to provide for the membership of the board of directors; to add a member from St. Bernard Parish; and to provide for related matters.

HOUSE BILL NO. 1170—

BY REPRESENTATIVE BOWLER

AN ACT

To enact R.S. 22:2002(10) and 2006(8), relative to health maintenance organizations; to define point of service policies; to authorize health maintenance organizations to issue point of service policies subject to certain requirements; and to provide for related matters.

HOUSE BILL NO. 1229—

BY REPRESENTATIVES TOOMY, BOWLER, AND LANCASTER AND SENATOR HAINKEL

AN ACT

To enact Part XV of Chapter 2 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:1420.11 through 1420.14, relative to Jefferson Parish; to provide relative to the authority of the parish governing authority with respect to special districts within the parish; to provide relative to the creation, merger, abolition, authority, and governance of such districts; and to provide for related matters.

HOUSE BILL NO. 1295

BY REPRESENTATIVES DONELON AND MARTINY

AN ACT

To amend and reenact R.S. 22:691(F) and 1117(F), and to repeal R.S. 22:630(C), 1118.1 and 1118.2, and Part V of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:1701 through 1703, relative to requirements for countersignature on certain insurance policies by resident agents; to provide for standard fire insurance policies; to prohibit endorsements in blank; to prohibit countersignatures; and to provide for related matters.

HOUSE BILL NO. 1338—

BY REPRESENTATIVE TRAVIS

AN ACT

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

HOUSE BILL NO. 1355—

BY REPRESENTATIVE DONELON

AN ACT

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

HOUSE BILL NO. 1365—

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

AN ACT

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

Louisiana Revised Statutes of 1950, to be comprised of R.S. 4:701 through 739, and to repeal R.S. 33:4861.1 through 4861.28 and R.S. 40:1485.1 through 1485.11, all relative to the conducting and regulation of charitable gaming; to provide for duration and form of a license; to provide relative to hearings; to abolish the division of charitable gaming control, office of state police, Department of Public Safety and Corrections, and transfer its powers, duties, functions, and responsibilities, programs and operations to the office of charitable gaming, Department of Revenue; to provide for reference to the office of charitable gaming; to provide for the powers and duties of the office of charitable gaming; to provide with respect to the rulemaking authority and procedure of the office of charitable gaming; to provide with respect to legislative oversight of administrative rules; to provide for procedures relative to transfer of certain agencies; to provide for certain definitions; to provide with respect to the conducting and regulation of charitable gaming; to provide technical changes to statutes affected by this transfer; to provide with respect to electronic dabble devices; to provide for restrictions on prizes; to increase maximum compensation of employees conducting charitable gaming sessions; to provide that only members of the charitable organization may act in a managerial capacity; to provide relative to violations; to provide for restrictions on combination of interests; to provide that no person under the age of eighteen shall assist in the conducting of electronic or video bingo; and to provide for related matters.

HOUSE BILL NO. 1425—

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

AN ACT

To amend and reenact R.S. 32:664(B), relative to tests for suspected drunken drivers; to provide for the taking of blood samples from persons arrested for driving while intoxicated to determine the alcoholic content or presence of any abused or illegal controlled dangerous substance; to authorize an additional chemical test to be administered by a qualified person of the suspect's choice; to provide for the payment of costs of such additional test; and to provide for related matters.

HOUSE BILL NO. 1527—

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

AN ACT

To enact R.S. 56:804, relative to the Lake Catherine and Lake Pontchartrain Sanctuary; to define the boundaries of the sanctuary; to provide for administration of the sanctuary; to provide for fishing regulations and restrictions within the sanctuary; to provide penalties for violations; and to provide for related matters.

HOUSE BILL NO. 1935—

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

AN ACT

To amend and reenact R.S. 47:481 and 727, R.S. 48:167, 384, and 786, and R.S. 49:325(A), 325.1(A), and 326 and to repeal R.S. 48:161 through 163 and 164 through 166, relative to the general highway fund; to repeal the provisions which provide for the composition, administration, and expenditures of the general highway fund; to delete references to the general highway fund; to provide relative to the disposition of collections of the tax on gasoline and motor fuels; to delete references to the office of highways; to provide references to the Transportation Trust Fund; and to provide for related matters.

HOUSE BILL NO. 1936—

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

AN ACT

To repeal R.S. 48:1107, relative to bridges; to repeal the provisions authorizing the Mississippi-Louisiana Bridge Construction Compact.

HOUSE BILL NO. 2123—

BY REPRESENTATIVES WILLARD, FARVE, ALARIO, BAUDOIN, BRUCE, CLARKSON, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DIEZ, DONELON, DUPRE, DURAND, FAUCHEUX, FONTENOT, FRITH, GAUTREAU, GLOVER, GUILLORY, HAMMETT, HEATON, HILL, HUDSON, HUNTER, ILES, JOHNS, KENNEY, LANCASTER, LONG, MARIONNEAUX, MARTINY, MCCALLUM, MCDONALD, MICHOT, MITCHELL, MONTGOMERY, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, ROMERO, SALTER, SCALISE, SCHNEIDER, JACK SMITH, JOHN SMITH, SNEED, THOMPSON, TRAVIS, TRICHE, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WINSTON, WOOTON, AND WRIGHT AND SENATORS CAIN, ELLINGTON, W. FIELDS, GREENE, JOHNSON, JONES, LAMBERT, AND ROMERO

AN ACT

To amend and reenact R.S. 17:2115(A), relative to prayer in schools; to remove restriction that prayer authorized for students and teachers be silent prayer; and to provide for related matters.

HOUSE BILL NO. 2148—

BY REPRESENTATIVE JOHNS AND SENATOR SCHEDLER

AN ACT

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

HOUSE BILL NO. 2158—

BY REPRESENTATIVES MARIONNEAUX AND FAUCHEUX AND SENATOR SCHEDLER

AN ACT

To enact R.S. 32:1522, relative to motor vehicles; to provide relative to motor carriers transporting passengers; to provide relative to for-hire carriers; to provide for definitions; to provide for driving time requirements; to require for-hire carrier companies to maintain certain records; to authorize state police to inspect certain records; to require the department to promulgate rules and regulations; and to provide for related matters.

HOUSE BILL NO. 2179—

BY REPRESENTATIVE THOMPSON AND SENATORS LANDRY AND SMITH

AN ACT

To enact R.S. 47:463.57, relative to motor vehicles; to provide relative to the issuance of license plates; to create the "Don't Litter Louisiana" prestige license plate to promote litter awareness; to provide relative to the fee for such plates; to provide relative to donations; to designate the use of such donations; to provide for the design of such plate; to authorize the promulgation of rules and regulations; and to provide for related matters.

HOUSE BILL NO. 2252—

BY REPRESENTATIVE WIGGINS AND SENATOR ELLINGTON

AN ACT

To enact R.S. 17:100.6, relative to the power and authority of public school boards; to provide for the management and administration of certain public school lands, buildings and improvements, facilities, and other property by the public school board in whose geographic boundaries the lands, buildings and improvements, facilities, or other property is located; to provide for effectiveness; to provide for an effective date; and to provide for related matters.

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.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

June 15, 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. 303—

BY REPRESENTATIVE DIEZ

A CONCURRENT RESOLUTION

To commend the Red Star Soccer Club's U-17 girls soccer team upon winning the Louisiana Soccer Association's 1999 Snickers State Open Cup in their age bracket for the fourth year in a row, and to commend the Red Star Soccer Club's U-15 girls soccer team upon winning the Louisiana Soccer Association's 1999 Snickers State Open Cup in their age bracket for the second year in a row.

HOUSE CONCURRENT RESOLUTION NO. 304—

BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To recognize the First Annual Louisiana Beef, Rice, and Gravy Cook Off.

HOUSE CONCURRENT RESOLUTION NO. 305—

BY REPRESENTATIVES FARVE, BAUDOIN, CLARKSON, COPELIN, CURTIS, GLOVER, GUILLORY, JENKINS, MORRELL, MURRAY, PRATT, SALTER, SCHWEGMANN, THOMPSON, WELCH, AND WILLARD

A CONCURRENT RESOLUTION

To express sincere condolences of the Legislature of Louisiana upon the death of Dr. Joseph Logsdon of New Orleans, Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 306—

BY REPRESENTATIVE WESTON AND SENATOR JOHNSON

A CONCURRENT RESOLUTION

To express the condolences of the Louisiana Legislature to the family of Dr. Dupuy H. Anderson, and to reflect on his lifetime of contributions to this state and to his community of Baton Rouge.

HOUSE CONCURRENT RESOLUTION NO. 307—

BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To commend Anne Katherine Lene upon her coronation as Miss LSU USA.

HOUSE CONCURRENT RESOLUTION NO. 308—

BY REPRESENTATIVES GLOVER, 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, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, LEBLANC, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, THERIOT, THOMPSON, THORNHILL, TOOMY, TRAVIS, TRICHE, WADDELL, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD, WINDHORST, WINSTON, WOOTON, AND WRIGHT

A CONCURRENT RESOLUTION

To commend and congratulate Representative Jimmy D. Long for being selected by the *Shreveport Times* as one of the 100 most influential people of northwest Louisiana this century.

HOUSE CONCURRENT RESOLUTION NO. 309—
BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To commend and congratulate Jim Gardner for being selected by the *Shreveport Times* as one of the 100 most influential people of northwest Louisiana this century.

HOUSE CONCURRENT RESOLUTION NO. 310—

BY REPRESENTATIVES GLOVER, ALARIO, ALEXANDER, ANSARDI, BARTON, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUNEAU, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DEWITT, DIEZ, DOERGE, DONELON, DOWNER, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREUX, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, THERIOT, THOMPSON, THORNHILL, TOOMY, TRAVIS, TRICHE, WADDELL, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD, WINDHORST, WINSTON, WOOTON, AND WRIGHT

A CONCURRENT RESOLUTION

To commend former state representative Walter O. Bigby for being selected by the *Shreveport Times* as one of the 100 most influential people of northwest Louisiana this century.

HOUSE CONCURRENT RESOLUTION NO. 311—

BY REPRESENTATIVES GLOVER, ALARIO, ALEXANDER, ANSARDI, BARTON, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUNEAU, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DEWITT, DIEZ, DOERGE, DONELON, DOWNER, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREUX, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, NEVERS, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JOHN SMITH, SNEED, STELLY, STRAIN, THERIOT, THOMPSON, THORNHILL, TOOMY, TRAVIS, TRICHE, WADDELL, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD, WINDHORST, WINSTON, WOOTON, AND WRIGHT

A CONCURRENT RESOLUTION

To commend and congratulate Dr. C. O. Simpkins for being selected by the *Shreveport Times* as one of the 100 most influential people in northwest Louisiana this century.

HOUSE CONCURRENT RESOLUTION NO. 312—
BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To commend and congratulate former state representative Alphonse Jackson for being selected by the *Shreveport Times* as one of the 100 most influential people of northwest Louisiana this century.

HOUSE CONCURRENT RESOLUTION NO. 314—
BY REPRESENTATIVE BAYLOR

A CONCURRENT RESOLUTION

To commend Holy Rosary School of Shreveport upon being named a 1998-1999 Blue Ribbon School of Excellence by the United States Department of Education.

HOUSE CONCURRENT RESOLUTION NO. 315—
BY REPRESENTATIVE MONTGOMERY

A CONCURRENT RESOLUTION

To commend and congratulate Jane H. Smith upon her selection as Louisiana Superintendent of the Year and to recognize her outstanding contributions to the education of the youth of Bossier Parish.

HOUSE CONCURRENT RESOLUTION NO. 316—

BY REPRESENTATIVE WELCH
A CONCURRENT RESOLUTION

To express sincere condolences of the Legislature of Louisiana upon the death of Leslie Scott of Baton Rouge, Louisiana.

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.

**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 15, 1999

To the President and Members of the Senate:

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

The following Senate Resolutions have been properly enrolled:

SENATE RESOLUTION NO. 55—

BY SENATOR THEUNISSEN
A RESOLUTION

To recognize and commend Glenray Trahan, a native of Kaplan, for being named as the 1999 Louisiana Farmer of the Year.

SENATE RESOLUTION NO. 56—

BY SENATOR C. FIELDS AND W. FIELDS
A RESOLUTION

To commend the Bradford Family Descendants of David and Martha Norwood Bradford of Wilson, Louisiana on their Ninth Biennium Reunion.

SENATE RESOLUTION NO. 57—

BY SENATOR COX
A RESOLUTION

To commend Reverend R. L. Owens on his service at Messiah Missionary Baptist Church in Lake Charles, Louisiana.

SENATE RESOLUTION NO. 58—

BY SENATOR COX
A RESOLUTION

To commend the achievements of the Delta School of Business and Technology, Gary Holt and Janette Hamilton.

SENATE RESOLUTION NO. 59—

BY SENATOR SMITH
A RESOLUTION

To urge and request the Department of Social Services, support enforcement services, to use available measures to collect child support from persons who derive income from self-employment.

Respectfully submitted,
JAY DARDENNE
Chairman

The foregoing Senate Resolutions were signed by the President of the Senate and presented to the Secretary of State by the Secretary.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

June 15, 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. 75— BY SENATORS DYESS AND DARDENNE AND REPRESENTATIVE WIGGINS

AN ACT

To amend and reenact R.S. 47:463.8(B)(1), (2), and (4), and (D), relative to motor vehicles; to provide relative to license plates for antique motor vehicles; to decrease the one-time fee for such plates issued after a certain date; to delete annual fee for personalized prestige plates for antique motor vehicles issued after a certain date; to require a one-time fee for such plates; to decrease fee for the registration symbol used on an antique license plate issued after a certain date; and to provide for related matters.

SENATE BILL NO. 209— BY SENATORS HINES AND SCHEDLER

AN ACT

To amend and reenact R.S. 40:1299.58.2, 1299.58.3(D)(1) and (3), 1299.58.8(A), 1299.58.9(A), and 1299.58.10(B)(5), and to enact R.S. 40:1299.58.3(D)(1)(b), 1299.58.7(E), 1299.58.8(D), relative to declarations concerning life-sustaining procedures; to provide for definitions; to provide for issuance of do-not-resuscitate identification bracelets by the secretary of state; to provide for procedures and limitation of liability for certified emergency medical technicians and certified first responders; and to provide for related matters.

SENATE BILL NO. 221— BY SENATORS HINES, DARDENNE, EWING, HAINKEL AND BARHAM AND REPRESENTATIVES DEWITT, DOWNER AND MCMAINS

AN ACT

To amend and reenact R.S. 36:254(D)(1)(a)(i), relative to the powers and duties of the secretary of the Department of Health and Hospitals; to remove certain requirements of actions that must be taken prior to the implementation of a managed care or voucher system pursuant to a federal waiver in the Medical Assistance Program; to provide an effective date; and to provide for related matters.

SENATE BILL NO. 249— BY SENATORS DARDENNE, HAINKEL AND BARHAM AND REPRESENTATIVES DEWITT, DOWNER AND MCMAINS

AN ACT

To amend and reenact R.S. 17:24.4(G)(4) and 346.1 and to repeal 24.4(H), relative to competency-based education programs; to require that summer school remediation programs be offered to certain students; to provide relative to the requirements for summer school remediation programs; to provide relative to the funding for certain competency-based education programs, including summer school remediation programs; to provide relative to maximum required length of a school year for teachers and students; and to provide for related matters.

SENATE BILL NO. 359— BY SENATOR HINES

AN ACT

To amend and reenact the introductory paragraph of R.S. 40:5.5(C) and (C)(3), and to enact R.S. 40:5.5(F), relative to food safety; to provide for the issuance of a food safety certificate and for the collection of a fee thereof; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 429— BY SENATORS BEAN, DARDENNE, EWING, HAINKEL AND BARHAM AND REPRESENTATIVES DEWITT, DOWNER AND MCMAINS

AN ACT

To enact R.S. 40:2006(A)(2)(l) and (E)(2)(k) and Part II-C of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2117.1 through 2117.7, relative to end stage renal disease facilities; to provide for the licensing and regulating of end stage renal disease facilities by the Department of Health and Hospitals; to provide for definitions; to prohibit the operation of an end stage renal disease facility without a license; to require the department to promulgate minimum standards, rules, and regulations governing end stage renal disease facilities; to provide for the denial, nonrenewal, and revocation of licenses, and administrative appeals therefrom; to provide for inspection of a facility and its records by the department; to provide for civil fines for violations; to provide for the assessment of licensing fees and delinquent fees; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 702— BY SENATOR DARDENNE

AN ACT

To enact Chapter 24 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1101, relative to libraries, museums, and cultural facilities; to provide for the sale or deaccession of certain museum property by state university museums; and to provide for related matters.

SENATE BILL NO. 709— BY SENATORS HINES, DARDENNE, HAINKEL, BARHAM AND SCHEDLER AND REPRESENTATIVES DEWITT, DOWNER, MCMAINS, DIEZ AND CRANE

AN ACT

To amend and reenact R.S. 40:3.1(A), (B), (E), and (F) and 8, relative to the powers, duties, and functions of the state health officer and the Department of Health and Hospitals, office of public health; to provide for the investigation of potential threats to the public health; to grant the authority to the state health officer to petition a court to compel production of documents in such investigations; to provide for confidentiality of information obtained in such investigations; and to provide for related matters.

SENATE BILL NO. 779— BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 15:255(A)(1) and to enact R.S. 15:255(A)(3), relative to compulsory process; to provide with respect to witness fees to off-duty law enforcement officers; and to provide for related matters.

SENATE BILL NO. 894— BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 33:1996, relative to fire protection for municipalities; to provide for scheduled paid vacation days for firemen; and to provide for related matters.

SENATE BILL NO. 1026— BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 48:757(A)(1)(c), relative to construction or maintenance work performed by the Department of Transportation and Development; to provide for off-system work on certain

intersections performed by the department; and to provide for related matters.

SENATE BILL NO. 1072—
BY SENATOR ELLINGTON AND REPRESENTATIVE HUDSON
AN ACT

To enact R.S. 40:4.11, relative to community-type sewage systems and public water systems; to provide relative to determinations on permits regarding community-type sewage systems and public water systems; and to provide for related matters.

SENATE BILL NO. 1077—
BY SENATOR W. FIELDS
AN ACT

To enact Chapter 2-A of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:151, relative to public libraries; to provide for the disposition of unused books by making them available to be claimed; to provide for applicability; and to provide for related matters.

SENATE BILL NO. 1099—
BY SENATOR DARDENNE
AN ACT

To enact Subpart J of Part VIII of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:463, relative to sports trading cards; to provide that the payment of consideration or the venturing of money in order to participate in certain activities regarding sports trading cards shall be an unfair method of competition and an unfair or deceptive act or practice; and to provide for related matters.

SENATE BILL NO. 751—
BY SENATOR EWING
AN ACT

To provide that judges of the Second Judicial District Court who are elected at large from the Second Judicial District reside in specific parishes of the district; and to provide for related matters.

SENATE BILL NO. 781—
BY SENATORS LENTINI, HAINKEL, ULLO, JORDAN AND LANDRY AND REPRESENTATIVES ANSARDI, BOWLER, DAMICO, DONELON, LANCASTER, MARTINY, SCALISE, TOOMY, VIITER AND WINDHORST
AN ACT

To amend and reenact R.S. 14:132, relative to injuring public records; to define the crimes of first degree and second degree injuring public records; to provide for penalties; and to provide for related matters.

SENATE BILL NO. 790—
BY SENATOR THOMAS (BY REQUEST) AND REPRESENTATIVES NEVERS, PERKINS, AND THOMPSON
AN ACT

To enact R.S. 17:262, relative to required courses of study; to require instruction relative to the flag of the United States of America; to require such instruction to be incorporated in the social studies curriculum by the fifth grade in public elementary schools; to provide for the promulgation of rules and regulations; and to provide for related matters.

SENATE BILL NO. 802—
BY SENATOR LANDRY
AN ACT

To amend and reenact R.S. 38:2241(A)(2), relative to public contracts; to provide relative to public works; to decrease the amount at which a bond is required; and to provide for related matters.

SENATE BILL NO. 829—
BY SENATOR BAJIOIE AND REPRESENTATIVE PRATT
AN ACT

To amend and reenact R.S. 36:259(K) and Part XXXVIII of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:1299.181 through 1299.183, relative to the Minority Health Affairs Council; to re-create the council; to change the name of the council; to provide for the membership, filling of

vacancies, meetings, compensation, domicile, election of officers, powers and duties, and termination; to provide an effective date; and to provide for related matters.

SENATE BILL NO. 851—
BY SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 37:3503(4), 3505(A)(1), (B)(6), (C) and (D), 3506, 3510(C), 3514(F)(1), the introductory paragraphs of both 3516(A)(1) and (2), and 3518, and to enact R.S. 37:3507.2, relative to private investigators; to provide for definitions; to provide for the powers, duties and responsibilities of the board; to provide for the position of executive director and his duties; to provide for types of licenses; to provide for time period for retaking licensing examination; to provide for the term of registration cards; to provide with respect to reciprocity; and to provide for related matters.

SENATE BILL NO. 873—
BY SENATOR HAINKEL
AN ACT

To amend and reenact Code of Criminal Procedure Art. 338, relative to the form and contents of bail orders; to designate the 1990 Decennial Census as the measure of population; and to provide for related matters.

SENATE BILL NO. 874—
BY SENATOR HAINKEL
AN ACT

To amend and reenact Code of Criminal Procedure Art. 342, relative to the increase or reduction of bail and sufficiency of security; to determine population by census; and to provide for related matters.

SENATE BILL NO. 904—
BY SENATOR SCHEDLER
AN ACT

To amend and reenact Code of Civil Procedure Arts. 4845, 4911(C), and 4924(B), relative to jurisdiction of justice of the peace courts; to provide for incidental demands in justice of the peace courts; to provide for the effect of incidental demands on the jurisdiction of justice of the peace courts; to provide for the transfer of actions where an incidental demand before a justice of the peace court exceeds that court's jurisdictional limit; and to provide for related matters.

SENATE BILL NO. 986—
BY SENATOR THEUNISSEN
AN ACT

To amend and reenact R.S. 33:2721.6(A)(2), relative to municipalities and parishes; to provide authorization for parishes and school boards to establish new limits of local sales and use taxes; and to provide for related matters.

SENATE BILL NO. 458—
BY SENATORS SCHEDLER, DARDENNE, EWING, HAINKEL AND BARHAM AND REPRESENTATIVES DEWITT, DOWNER, MCMAINS AND DURAND
AN ACT

To amend and reenact R.S. 40:2184 and to repeal R.S. 40:2183(C) and (E), relative to licensing of hospices; to eliminate the substitution of Medicare or Joint Commission on Health Care Facilities certification for compliance with the minimum requirements for licensure established by the Department of Health and Hospitals; to repeal the annual license fee; to provide for the promulgation of rules, regulations, and standards for licensure and for revisions thereto; to provide an effective date; and to provide for related matters.

SENATE BILL NO. 497—
BY SENATORS THOMAS AND SCHEDLER AND REPRESENTATIVE NEVERS
AN ACT

To enact R.S. 47:820.2(B)(1)(e), relative to highways; to provide relative to the TIMED program; to provide relative to construction

June 15, 1999

of Louisiana Highway 3241 as included in such program; to require multi-lane construction of such highway; and to provide for related matters.

SENATE BILL NO. 519—
BY SENATORS BAJIOIE AND IRONS AND REPRESENTATIVE CLARKSON
AN ACT

To amend and reenact R.S. 14:79(A)(1) and (E) and to enact R.S. 14:79(A)(3), relative to domestic violence offenses; to define the crime of violation of protective orders; to provide for failure to comply with conditions of bail, probation, or parole relative to protective orders; and to provide for related matters.

SENATE BILL NO. 592—
BY SENATORS SCHEDLER, CASANOVA, HINES AND THOMAS
AN ACT

To enact R.S. 37:1285(A)(31), relative to the Louisiana State Board of Medical Examiners; to provide that the board may refuse to issue or may suspend, revoke, or impose probationary or other restrictions on a physician's license for failure to timely report certain actions which constitute a violation of the practice act; to provide an exception; and to provide for related matters.

SENATE BILL NO. 593—
BY SENATORS SCHEDLER, CASANOVA, HINES AND THOMAS
AN ACT

To enact R.S. 37:1270(A)(8), relative to the Louisiana State Board of Medical Examiners; to authorize the board to establish minimum requirements relative to continuing education for the renewal or reinstatement of any license or permit issued by the board; and to provide for related matters.

SENATE BILL NO. 627—
BY SENATOR HAINKEL
AN ACT

To enact R.S. 13:841.2, relative to civil fees of district court; to authorize the clerk of court of Tangipahoa Parish for the Twenty-First Judicial District Court to establish increased fees for filing civil suits and for recordation of documents; to provide that such funds shall be used to fund the Internet-based Document Electronic Access System; and to provide for related matters.

SENATE BILL NO. 632—
BY SENATORS HAINKEL AND GREENE
AN ACT

To amend and reenact R.S. 17:47(A), 500(B), 1201(A), and 1206(A), relative to sick leave for school employees; to provide for the acquisition of sick leave days according to when, in the course of a school year, the employee begins work; and to provide for related matters.

SENATE BILL NO. 646—
BY SENATOR SMITH
AN ACT

To enact R.S. 9:3518.2, relative to credit cards; to prohibit the unsolicited delivery or issuance of credit cards and certain other activities; to provide penalties; and to provide for related matters.

SENATE BILL NO. 690—
BY SENATOR HAINKEL
AN ACT

To amend and reenact Code of Criminal Procedure Art. 340, relative to the amount of bail in felony cases and schedules of bail in noncapital cases; to increase the population census; and to provide for related matters.

SENATE BILL NO. 721—
BY SENATOR W. FIELDS
AN ACT

To amend and reenact R. S. 17:405(A), relative to a drug-free zone; to expand the definition of a "drug-free zone" to include any building or area owned by any quasi-public agency or body and used or

operated as a community center; and any public housing dwelling; and to provide for related matters.

SENATE BILL NO. 289—
BY SENATOR SMITH
AN ACT

To amend and reenact R.S. 32:702(10) and 707(I)(1), relative to motor vehicles; to provide relative to motor vehicle titles; to require salvage titles for certain vehicles; and to provide for related matters.

SENATE BILL NO. 350—
BY SENATOR ULLO AND REPRESENTATIVES DAMICO AND THOMPSON
AN ACT

To amend and reenact R.S. 32:303(D), relative to traffic; to provide relative to motor vehicle equipment; to provide relative to headlamps; to prohibit the use of off road colored lights; and to provide for related matters.

SENATE BILL NO. 363—
BY SENATOR LANDRY
AN ACT

To amend and reenact R.S. 37:2801(3)(c) relative to health care; to revise the definition of the practice of chiropractic; and to provide for related matters.

SENATE BILL NO. 413 (DUPLICATE OF HOUSE BILL NO. 1341)—

BY SENATOR HEITMEIER AND REPRESENTATIVE TRAVIS AND COAUTHORED BY SENATORS HOLLIS, BEAN, BRANCH, DYESS, JORDAN, MALONE, SCHEDLER, SMITH, THOMAS AND LANDRY AND REPRESENTATIVES BARTON, CHAISSON, CLARKSON, DIEZ, DIMOS, FLAVIN, FRITH, GAUTREAUX, GLOVER, HEATON, HEBERT, HILL, HOPKINS, JOHNS, LANCASTER, LONG, MARTINY, MCDONALD, MCMAINS, MICHOT, MONTGOMERY, PERKINS, PIERRE, PINAC, POWELL, SCALISE, SCHNEIDER, SCHWEGMANN, JACK SMITH, STELLY, THOMPSON, TRICHE, WADDELL, WALSWORTH, WIGGINS, BOWLER, CARTER, CRANE, CURTIS, DANIEL, DONELON, DURAND, FAUCHEUX, FONTENOT, MARIONNEAUX, NEVERS, ODINET, PRATT, ROMERO, SNEED, WELCH, WINSTON AND WOOTEN
AN ACT

To amend and reenact R.S. 9:3141, 3143(1) and (3), 3144(A), (B)(2), and (C), relative to the New Home Warranty Act; to provide for its purpose; to provide for definitions; to provide for exclusions; to provide for exclusiveness of the provisions; and to provide for related matters.

SENATE BILL NO. 432—
BY SENATOR LANDRY
AN ACT

To amend and reenact R.S. 48:461.4(c)(2), relative to outdoor advertising; to provide relative to spacing requirements of such advertising; to provide for exceptions to such requirements; and to provide for related matters.

SENATE BILL NO. 433—
BY SENATOR LANDRY
AN ACT

To amend and reenact R.S. 48:253(E) and 255(D)(2) and (3), relative to the Department of Transportation and Development; to provide relative to projects advertised by such department; to provide relative to certain bonds relating to such projects; to authorize such bonds to be written by certain companies locally owned or domiciled; and to provide for related matters.

SENATE BILL NO. 436—
BY SENATORS LANDRY AND IRONS AND REPRESENTATIVES DURAND, JETSON, TOOMY AND WILKERSON
AN ACT

To amend and reenact R.S. 46:2263(7)(a)(xi) and (b)(ix) and (8), 2264(A)(4) and 2267 and to enact R.S. 46:2262(D), relative to the identification of hearing impairment in infants; to revise certain definitions; to require hospitals to provide screening for hearing impairment to all newborn infants prior to discharge; to provide an effective date for adoption of rules and regulations; and to provide for related matters.

SENATE BILL NO. 438—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 48:229(A) and 250.2(C), relative to roads, bridges, and ferries; to provide relative to design-build contracts; to provide for funding for the pilot program for such contracts; and to provide for related matters.

SENATE BILL NO. 446—
BY SENATOR COX

AN ACT

To amend and reenact R.S. 13:587, relative to district court judges; to provide relative to the assignment of juvenile and domestic relations matters among the divisions of a certain state district court; and to provide for related matters.

SENATE BILL NO. 457—

BY SENATORS THOMAS, W. FIELDS, DARDENNE, EWING, HAINKEL AND BARHAM AND REPRESENTATIVES TRAVIS, CARTER, DEWITT, DOWNER AND MCMAINS

AN ACT

To enact R.S. 36:254(G) and to repeal R.S. 36:256(D), relative to the Department of Health and Hospitals; to transfer the administrative responsibilities for the state-operated nursing homes for the aged and infirm from the undersecretary to the secretary of the department; to provide for an effective date; and to provide for related matters.

SENATE BILL NO. 46—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 32:191.1(A) and R.S. 45:161, 162(2), (5)(a) and (e) and (10), 163(A) and 173, to enact R.S. 45:162(7.1), relative to motor vehicles and traffic regulations; to provide for the deregulation of certain intrastate contract carrier by buses; to provide for definitions; and to provide for related matters.

SENATE BILL NO. 79—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 6:314(A) and 703(15), relative to banks and banking; to provide relative to trust deposits; to provide for disposition of such funds upon the death of the depositor; and to provide for related matters.

SENATE BILL NO. 96—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 34:445 and to enact R.S. 34:3402(D), relative to navigation and shipping; to provide relative to the Mississippi River Deepening Project; to authorize a third phase of deepening; and to provide for related matters.

SENATE BILL NO. 98—
BY SENATOR HINES

AN ACT

To enact R.S. 46:2605(B)(30), (31), and (32), relative to the Children's Cabinet Advisory Board; to revise the composition of the membership of the advisory board; to provide an effective date; and to provide for related matters.

SENATE BILL NO. 118—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 33:1554, relative to coroners; to provide for residency as a qualification factor; to provide exceptions; to provide an effective date; and to provide for related matters.

SENATE BILL NO. 155—
BY SENATOR SMITH

AN ACT

To enact R.S. 37:3124(C), relative to buyer's fees at auctions; to provide for advertisement of buyer's fees; to provide for the posting of the

amount of the buyer's fee; to provide for the announcement of the buyer's fee; and to provide for related matters.

SENATE BILL NO. 164—

BY SENATOR BARHAM AND REPRESENTATIVE JOHN SMITH
AN ACT

To enact R.S. 47:462(C), relative to motor vehicles; to provide relative to prestige plates; to authorize such plates for use on certain oversized private vehicles; to provide relative to fees; and to provide for related matters.

SENATE BILL NO. 165—

BY SENATOR DARDENNE AND REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 46:2663(B), and (D), 2664(A)(4), (C), and (E), and 2666 and to repeal R.S. 46:2662(C) and (D), relative to the Capital Area Human Services District; to remove the termination date; to make technical changes to remove certain provisions that have expired; to provide for the district's functions, powers, and duties relative to providing community-based services and care relating to public health; to provide for the employees; to provide an effective date; and to provide for related matters.

SENATE BILL NO. 174—

BY SENATOR ULLO
AN ACT

To enact R.S. 13:5104(C), relative to coroners; to provide the venue for all suits against a coroner; and to provide for related matters.

SENATE BILL NO. 272—

BY SENATOR COX
AN ACT

To amend and reenact Code of Civil Procedure Art. 4843(F), relative to trial courts of limited jurisdiction; to increase the civil jurisdiction of the City Court of Sulphur; and to provide for related matters.

Respectfully submitted,
JAY DARDENNE
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

Message to the Secretary of State

SIGNED

SENATE CONCURRENT RESOLUTIONS

June 15, 1999

To the Honorable Secretary of State:

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

SENATE CONCURRENT RESOLUTION NO. 155—

BY SENATOR JONES
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study negative drug interactions on the health and safety of patients that is a direct result of ingesting a controlled dangerous substance in combination with one or more other controlled dangerous substances or other non-prescription drugs.

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.

June 15, 1999

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.

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

Leaves of Absence

The following leaves of absence were asked for and granted:

Siracusa 1 Day

Adjournment

Senator Bean moved that the Senate adjourn until Wednesday,
June 16, 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 Wednesday, June 16, 1999.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk