

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

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**TWELFTH 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

Monday, April 19, 1999

The Senate was called to order at 4:00 o'clock P.M., by Hon. Randy Ewing, President of the Senate.

**ROLL CALL**

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

**PRESENT**

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

Total—39

**ABSENT**

Total—0

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

**Prayer**

The prayer was offered by Senator W. Fields, following which the Senate joined in pledging allegiance to the flag of the United States of America.

**Reading of the Journal**

On motion of Senator W. Fields, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

**Morning Hour**

**Privilege Report of the  
Legislative Bureau**

April 19, 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. 508—**

BY REPRESENTATIVES ALEXANDER, JETSON, MITCHELL, AND WIGGINS

**AN ACT**

To repeal Part VI-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, comprised of R.S. 40:2175 through 2178, relative to the licensing and regulation of basic care facilities; to provide for an effective date; and to provide for related matters.

Reported without amendments.

Respectfully submitted,  
ARTHUR J. LENTINI  
Chairman

**Adoption of Legislative Bureau Report**

On motion of Senator Lentini, the 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**

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

April 19, 1999

To the Honorable President and Members of the Senate:

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

**HOUSE BILL NO. 1629—**

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

**AN ACT**

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

**HOUSE BILL NO. 1703—**

BY REPRESENTATIVE STELLY

**AN ACT**

To enact R.S. 11:701(29), (30), and (31) and 784.1 and Part IX of Chapter 2 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:945 through 947, and to repeal R.S. 11:785, relative to the Teachers' Retirement System; to provide with respect to definitions; to provide regarding benefits, the computation thereof, and certain limitations related thereto; to further provide regarding compensation and contributions; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 30—**

BY REPRESENTATIVE DIEZ

**AN ACT**

To amend and reenact R.S. 32:384(D) and to enact R.S. 32:384(E), relative to towing; to authorize the approval of other safety devices as an alternative to safety chains; to require inspection prior to approval; to provide for certain criteria of such devices; to provide for the promulgation of rules and regulations; and to provide for related matters.

**HOUSE BILL NO. 50—**

BY REPRESENTATIVE MURRAY

**AN ACT**

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

**HOUSE BILL NO. 55—**

BY REPRESENTATIVE FRUGE

**AN ACT**

To enact Code of Civil Procedure Art. 76.2, relative to venue; to provide for venue in suits on open accounts; and to provide for related matters.

**HOUSE BILL NO. 358—**

BY REPRESENTATIVE MURRAY

**AN ACT**

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

**HOUSE BILL NO. 424—**

BY REPRESENTATIVES WINDHORST AND JENKINS

**A JOINT RESOLUTION**

Proposing to amend Article IV, Section 5(E)(1) of the Constitution of Louisiana, to require a favorable recommendation by the Board of Pardons before certain gubernatorial actions may be taken; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

**HOUSE BILL NO. 429—**

BY REPRESENTATIVES WRIGHT AND KENNEY

**AN ACT**

To enact R.S. 38:343, relative to the Tensas Basin Levee District; to authorize the district to transfer its title in certain property in Catahoula Parish and to accept title to certain property in Catahoula Parish; to provide terms and conditions; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 501—**

BY REPRESENTATIVE LONG AND SENATOR SMITH

**AN ACT**

To authorize the Department of Transportation and Development to remove certain roads in Natchitoches Parish from the state highway system and to replace these roads with certain roads currently designated as parish roads in Natchitoches Parish for completion of the Natchitoches Bypass; to prohibit addition of mileage to the state highway system; and to provide for related matters.

**HOUSE BILL NO. 893—**

BY REPRESENTATIVES DANIEL AND MURRAY

**AN ACT**

To enact R.S. 36:109(E)(4) and Chapter 17-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1471 through 1489, relative to the Louisiana Home Inspectors Licensing Law; to provide for a short title; to provide for purposes and legislative findings; to provide for definitions; to create and provide for the Louisiana State Board of Home Inspectors; to provide for powers and duties of the board; to provide for licensing requirements and qualifications for licensure; to provide for fees; to provide for required written reports and to prohibit solicitation; to provide for license renewal and appearance of license number on documents; to provide for continuing education requirements; to provide for insurance requirements; to prohibit corporations as home inspectors; to provide for exemptions for licensure; to provide for reciprocal licenses; to provide for prohibited acts and penalties; to provide for reissuance after revocation or suspension; to provide for payment of costs of proceedings; to provide for penalties; to provide for cease and desist orders and injunctive

relief; to provide for the disbursement of funds; and to provide for related matters.

**HOUSE BILL NO. 931—**

BY REPRESENTATIVES MARTINY, ANSARDI, DAMICO, LANCASTER,

AND VITTER AND SENATORS HAINKEL, HOLLIS, LENTINI, AND ULLO

**AN ACT**

To amend and reenact R.S. 42:1441.3(C) and (D) and to enact R.S. 42:1441.3(E) and (F), relative to public liability; to provide for the determination of master of officer of a political subdivision; to provide for certain determinants; to define "political subdivision"; to provide that this Act shall be the exclusive means of imposing liability upon any political subdivision based upon offenses and quasi offenses of another political subdivision; and to provide for related matters.

**HOUSE BILL NO. 1014—**

BY REPRESENTATIVE FLAVIN

**AN ACT**

To amend and reenact R.S. 37:3398(B) and (D) and 3409(A)(introductory paragraph) and (B)(1) and to enact R.S. 37:3409(F), relative to real estate appraisers; to provide for examination; to allow for the levying of fines for violations; to provide for notice of disciplinary charges; to prohibit certain activities during suspension; and to provide for related matters.

**HOUSE BILL NO. 1015—**

BY REPRESENTATIVE FLAVIN

**AN ACT**

To amend and reenact R.S. 9:3891(10) and R.S. 37:1439(A), 1442(A), 1446(G), 1455(A)(introductory paragraph), and (9), 1456(A)(1), and 1462, to enact R.S. 9:3893(F) and 3897(G), and to repeal R.S. 37:1437(C)(6)(c) and 1437.2(F) through (I), relative to the licensure and regulation of real estate licensees; to provide relative to dual agency; to provide for issuance of certificates; to provide for compensation; to provide for the levying of fines for violations; to provide for notice of disciplinary charges; to provide for conditions for recovery; to repeal certain provisions relative to application for licensure; and to provide for related matters.

**HOUSE BILL NO. 1192—**

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

**AN ACT**

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

**HOUSE BILL NO. 1194—**

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

**AN ACT**

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

**HOUSE BILL NO. 1203—**

BY REPRESENTATIVE HAMMETT

**AN ACT**

To amend and reenact R.S. 37:681, 682(2), (4), (6) and (8) through (11), 683(A), (B)(1), and (C), 684, 686, 687(A), 688(A) and (B), 689(B) and (C), 690(B) and (D), 691, 692, 693, 694(A)(1) and (3) and (B), 696(A), 697, 697.1, 698(A)(introductory paragraph), (1), (3), (7), and (9), (C), (E), and (F), 699, 700(A), (C)(2), and (D), 701(A) through (E), (G), and (I)(1), 702(2), and 703, to enact R.S. 37:688(E), 698(A)(14), and 702(6), and to repeal R.S. 37:698(B) relative to engineers and land surveyors; to provide relative to general provisions; to provide relative to definitions; to provide relative to the board, its appointment and powers, qualifications of members, terms, compensations and expenses, removal, organization, and meetings; to provide relative to corporations; to provide relative to receipts and disbursements; to

provide relative to records and reports and rosters; to provide relative to requirements for licensure, applications, examinations, expiration and renewal, and fees; to provide relative to certificates and seals; to provide relative to continuing education; to provide relative to disciplinary actions, violations, and penalties; to provide relative to application of provisions to public and private works; to provide relative to a savings clause; to provide for transitional provisions; and to provide for related matters.

**HOUSE BILL NO. 1205—**

BY REPRESENTATIVE HAMMETT

**AN ACT**

To amend and reenact R.S. 37:688(D), 693(A) and (B)(1) through (3) and (4)(a), 695(A), 697, and 698(A)(introductory paragraph) and to enact R.S. 37:695(C), relative to the regulation of engineering and land surveying; to revise the definition of "practice of engineering"; to provide for powers of the board; to provide for the requirements for registration and certification; to provide relative to the cost of examination; to provide for expiration and renewal of registration and certification; to provide for penalties; and to provide for related matters.

**HOUSE BILL NO. 1206—**

BY REPRESENTATIVE HAMMETT

**AN ACT**

To amend and reenact R.S. 37:693(B)(1)(b), relative to the regulation of engineers; to provide for the requirements for registration and certification of an engineer intern; and to provide for related matters.

**HOUSE BILL NO. 1938—**

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

**AN ACT**

To amend and reenact R.S. 48:271, relative to the Department of Transportation and Development; to delete provisions authorizing the department to erect historical markers; to authorize the erection of directional signs to land holdings of the office of state parks; and to provide for related matters.

**HOUSE BILL NO. 1960—**

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

**AN ACT**

To amend and reenact R.S. 38:90.1(8), 90.4(A)(1)(introductory paragraph) and (B)(1) and (2)(introductory paragraph), 90.7, 90.8, 90.9(1) and (4), 90.12(A), (B) and (C), 91, and 92(A)(introductory paragraph) and (4) and (B) and to repeal R.S. 38:90.12(D) and (E), relative to the Statewide Flood-Control Program; to provide relative to the office of public works and intermodal transportation; to provide relative to the local match; to provide relative to the state's share of the cost of approved projects; to provide relative to the St. Mary Parish Consolidated Gravity Drainage District; to provide relative to in-kind work; and to provide for related matters.

**HOUSE BILL NO. 595—**

BY REPRESENTATIVE JOHNS

**AN ACT**

To amend and reenact R.S. 22:620(A), relative to insurance policy forms; to provide with respect to such forms subject to approval by the commissioner of insurance; and to provide for related matters.

**HOUSE BILL NO. 616—**

BY REPRESENTATIVE MARTINY

**AN ACT**

To amend and reenact R.S. 22:230.2 and 250.11(B) and (C) and to enact R.S. 22:250.11(E), relative to health insurance; to provide relative to individual insurance coverage portability, including limitations on preexisting condition exclusions; to provide with respect to conversion policies; to provide relative to the time period to add a newborn child to an individual policy or subscriber agreement; and to provide for related matters.

**HOUSE BILL NO. 695—**

BY REPRESENTATIVE DEWITT

**AN ACT**

To enact R.S. 56:768, relative to wildlife management areas; to require the Department of Wildlife and Fisheries to ensure land access to private property located within the boundaries of a wildlife management area; and to provide for related matters.

**HOUSE BILL NO. 768—**

BY REPRESENTATIVE TRAVIS

**AN ACT**

To authorize and provide for the lease of certain state property located in East Feliciana Parish to the Second Baptist Church of Jackson; to provide certain terms and conditions; and to provide for related matters.

**HOUSE BILL NO. 769—**

BY REPRESENTATIVE TRAVIS

**AN ACT**

To authorize and provide for the lease of certain state property located in East Feliciana Parish to the town of Jackson; to provide certain terms and conditions; and to provide for related matters.

**HOUSE BILL NO. 1035—**

BY REPRESENTATIVE SHAW

**AN ACT**

To authorize and provide for the transfer or lease of certain state property in Caddo Parish to the city of Shreveport from the Department of Transportation and Development; and to provide for related matters.

**HOUSE BILL NO. 7—**

BY REPRESENTATIVE RIDDLE

**AN ACT**

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

**HOUSE BILL NO. 105—**

BY REPRESENTATIVES MCMAINS AND KENNARD

**AN ACT**

To enact R.S. 32:387.11, relative to special permits; to provide for special permits for transporting portable and modular buildings on interstate highways; to provide for certain width restrictions; to provide for certain speed restrictions; and to provide for related matters.

**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. 277—**

BY REPRESENTATIVE MICHOT

**AN ACT**

To enact R.S. 48:278, relative to state highways; to require the Department of Transportation and Development to erect directional signs to approaches for designated Louisiana byways; and to provide for related matters.

**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.

**HOUSE BILL NO. 564—**

BY REPRESENTATIVE SALTER

**AN ACT**

To enact R.S. 47:302.45, 322.39, and 332.45, all relative to the proceeds derived from sales and use taxes on hotel occupancy in Red River Parish; to create the Red River Visitor Enterprise Fund; to provide for deposit of monies into the fund and for the use of such monies; to provide for an effective date; and to provide for related matters.

**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.

**HOUSE BILL NO. 1695—**

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

**AN ACT**

To amend and reenact R.S. 39:1512(B)(4), relative to contracts for professional, personal, consulting, or social services; to provide for conditions under which advanced payments on contracts may be made; and to provide for related matters.

**HOUSE BILL NO. 1696—**

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

**AN ACT**

To amend and reenact R.S. 39:1484(16) and (18), relative to professional, personal, consulting, and social services procurement; to expand the definition of personal services and professional services; and to provide for related matters.

**HOUSE BILL NO. 1697—**

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

**AN ACT**

To amend and reenact R.S. 39:1482(A), relative to professional, personal, consulting, and social services procurement; to provide a minimum threshold for such procurement requirements; deletes certain requirements for provision of contracts to the office of contractual review; and to provide for related matters.

**HOUSE BILL NO. 1855—**

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

**AN ACT**

To amend and reenact R.S. 30:2224(A)(2)(introductory paragraph), relative to inactive or abandoned hazardous waste sites; to remove the Department of Transportation and Development from participation in cooperative agreements with certain state departments in regard to inactive or abandoned hazardous waste sites; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 1856—**

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

**AN ACT**

To amend and reenact R.S. 32:390(A), relative to motor carriers; to provide for a statewide Weigh-In-Motion and Enforcement Camera System; and to provide for related matters.

**HOUSE BILL NO. 1857—**

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

**AN ACT**

To amend and reenact R.S. 48:253(A) and (B)(1), relative to contracts let by the Department of Transportation and Development; to provide for acceptable forms of bid guarantees; to provide for certain causes for forfeiture; and to provide for related matters.

**HOUSE BILL NO. 1858—**

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

**AN ACT**

To amend and reenact R.S. 48:253(C), relative to contracts let by the Department of Transportation and Development; to require the department to return checks or money orders of unsuccessful bidders within a certain time; and to provide for related matters.

**HOUSE BILL NO. 1909—**

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

**AN ACT**

To amend and reenact R.S. 48:256.4, relative to Department of Transportation and Development projects; to provide relative to the final acceptance of such projects; and to provide for related matters.

**HOUSE BILL NO. 1912—**

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

**AN ACT**

To amend and reenact R.S. 48:256.3(A)(3), relative to Department of Transportation and Development projects; to provide for the department official who is to receive claims against a contractor or surety; and to provide for related matters.

**HOUSE BILL NO. 1916—**

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

**AN ACT**

To amend and reenact R.S. 48:256.5(D)(1), relative to Department of Transportation and Development contracts; to provide relative to the withholding of payments after claims are received by the department; and to provide for related matters.

**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. 1931—**

BY REPRESENTATIVE LANDRIEU

**AN ACT**

To repeal R.S. 37:104(3), relative to certified public accountants; to remove the requirement that a copy of a request for review be forwarded to the clerk of the Louisiana Supreme Court.

**HOUSE BILL NO. 2031 (Substitute for HB No. 609 by Representative Chaisson)—**  
BY REPRESENTATIVE CHAISSON

AN ACT

To amend and reenact R.S. 13:2589(A) and R.S. 33:1702, relative to justice of the peace courts; to require that a minimum monthly salary to be paid from the parish governing authority; to provide for the minimum salary; and to provide for related matters.

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

AN ACT

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

**HOUSE BILL NO. 2—**

BY REPRESENTATIVES ALARIO, LEBLANC, AND DOWNER 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.

**HOUSE BILL NO. 110—**

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact Code of Civil Procedure Art. 10(A)(1) and Children's Code Arts. 1109, 1117, and 1122(F)(4) and (5)[Mother's and Father's Surrender Form] and to enact Children's Code Art. 1122(B)(9), relative to adoption proceedings; to provide relative to jurisdiction over status, domiciliary requirements, and the authority to accept a surrender in Louisiana adoption proceedings; to require that the child be born in this state or a surrendering parent or a prospective adoptive parent is domiciled in this state or the child is in the custody of the Department of Social Services; to require a declaration in the act of surrender that a surrendering parent or a prospective adoptive parent is domiciled in this state; and to provide for related matters.

**HOUSE BILL NO. 113—**

BY REPRESENTATIVE MCCAIN

AN ACT

To amend and reenact Code of Civil Procedure Art. 3956(2), relative to service of the petition in an "Article 102" divorce in certain circumstances; to provide with respect to evidence establishing the proof of service on the defendant; and to provide for related matters.

**HOUSE BILL NO. 211—**

BY REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 48:256.2, relative to the Department of Transportation and Development; to provide for the removal of reduced speed limit signs; and to provide for related matters.

**HOUSE BILL NO. 454—**

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 37:1368(H), relative to the licensure of plumbers; to provide for the issuance of a special endorsement for water supply protection specialists; to provide for exceptions to examination requirement; and to provide for related matters.

**HOUSE BILL NO. 1226—**

BY REPRESENTATIVE LONG

AN ACT

To authorize the Department of Transportation and Development to remove two and five-tenths miles from Louisiana Highway 1238 in Winn Parish from the state highway system and to replace it with one mile of Thomas Mill Road, currently designated as a parish road, in Winn Parish; and to provide for related matters.

**HOUSE BILL NO. 1464—**

BY REPRESENTATIVE WILKERSON

AN ACT

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

**HOUSE BILL NO. 911—**

BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 11:701(6) and (26), 728(F), 762(F), 781(A)(1) and (3), and 783(A)(Option 1) and to repeal R.S. 11:728(D) and 729, relative to the Teachers' Retirement System; to provide with respect to definitions; to provide with respect to credit for certain teaching service; to provide with respect to the payment of survivor benefits and the options related thereto; to provide with respect to the refund of contributions; to repeal provisions granting credit for service in certain limited situations; to provide an effective date; and to provide for related matters.

**HOUSE BILL NO. 912—**

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 3:3004(A) and to repeal R.S. 40:1379.5, relative to the office of state police; to delete the requirement that state police impound livestock found at large upon public highways; to abolish the violent crimes unit within the office of state police; and to provide for related matters.

**HOUSE BILL NO. 944—**

BY REPRESENTATIVES WINDHORST AND CHAISSON

AN ACT

To amend and reenact Code of Civil Procedure Article 4911(A), relative to civil jurisdiction for justice of the peace courts; to increase the amount in dispute; and to provide for related matters.

**HOUSE BILL NO. 718—**

BY REPRESENTATIVES DANIEL, BARTON, DOERGE, KENNEY, LONG, MCDONALD, POWELL, PRATT, WINSTON, WRIGHT, THOMPSON, AND WADDELL

AN ACT

To enact R.S. 17:421.6, relative to teacher salaries; to provide a salary adjustment for certain public school teachers having certificates issued by the National Board for Professional Teaching Standards; to provide conditions and guidelines for receiving the adjustment; to provide the minimum amount of the salary adjustment; to provide definitions; to provide for payment; to provide for the reimbursement to school boards of certain costs; to provide limitations; to provide for effectiveness; and to provide for related matters.

**HOUSE BILL NO. 1864—**

BY REPRESENTATIVES DANIEL, FRITH, CRANE, AND WALSWORTH

AN ACT

To amend and reenact R.S. 4:421(A)(2) and (4), 422(A), 423(B), (C), (D), and (E), 424(A)(introductory paragraph), (8), and (9), 425(A) and (C), 426(A)(introductory paragraph) and (1), (B), and (C), 427(A)(introductory paragraph), (B), and (C), and 430, to enact R.S. 4:420, 421(A)(7) and (8), 422.1, 423(F) and (G), 431, 432, and 433, and to repeal R.S. 4:422(F), relative to athlete agents; to provide for the registration of athlete agents; to provide for grounds for refusing to issue or renew registrations; to provide relative to

agent contracts; to provide for suspension or revocation of registration; to prohibit certain acts; to remove certain exemptions for attorneys; to provide for enforcement; to provide for certain causes of action; to provide for certain other offenses by athletes and athlete agents and for penalties; and to provide for related matters.

**HOUSE BILL NO. 306—**

BY REPRESENTATIVES HUNTER, MURRAY, POWELL, WESTON, AND FRITH

**AN ACT**

To enact Chapter 29 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2741 through 2744, relative to the regulation of commercial body art facilities; to provide definitions; to provide for the registration of such facilities; to provide for exceptions to the registration requirements; to provide for the imposition and collection of fees; to authorize the promulgation of rules; to provide for injunctive relief; and to provide for related matters.

**HOUSE BILL NO. 331—**

BY REPRESENTATIVE MURRAY

**AN ACT**

To enact Code of Civil Procedure Article 253.3, relative to random assignment of cases; to authorize duty judges to hear emergency matters; and to provide for related matters.

**HOUSE BILL NO. 700—**

BY REPRESENTATIVE MARIONNEAUX AND SENATOR DARDENNE

**AN ACT**

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

**HOUSE BILL NO. 1007—**

BY REPRESENTATIVES COPELIN, LEBLANC, MURRAY, HUNTER, DOWNER, ALARIO, BARTON, BRUCE, CARTER, CLARKSON, CURTIS, DAMICO, DANIEL, DEWITT, DIEZ, DOERGE, DUPRE, DURAND, FARVE, FAUCHEUX, FRITH, FRUGE, GAUTREAUX, GLOVER, GUILLORY, HEATON, ILES, KENNEY, LANDRIEU, MCCAIN, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, ROMERO, SALTER, SCHWEGMANN, THOMPSON, THORNHILL, TRAVIS, WADDELL, WALSWORTH, WARNER, WELCH, WIGGINS, WILKERSON, WILLARD, AND WOOTON

**AN ACT**

To enact Part XIII of Chapter 32 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5061 through 5063, relative to requirements for certain tobacco product manufacturers; to require those tobacco product manufacturers who did not participate in the Master Settlement Agreement signed on November 23, 1998, and who sell tobacco products in Louisiana, to place certain funds in escrow; to provide for the distribution of those funds; and to provide for related matters.

**HOUSE BILL NO. 1042—**

BY REPRESENTATIVES WARNER AND THOMPSON

**AN ACT**

To enact R.S. 33:2201(B)(19), relative to survivor benefits; to include additional personnel as law enforcement officers for the purpose of survivor benefits; and to provide for related matters.

**HOUSE BILL NO. 1451—**

BY REPRESENTATIVES MARTINY AND ANSARDI

**AN ACT**

To amend and reenact R.S. 33:441.1, relative to the mayor's court in Kenner; to authorize the institution of criminal prosecutions by affidavit or information; to authorize the prosecuting attorney to file an information; and to provide for related matters.

**HOUSE BILL NO. 1810—**

BY REPRESENTATIVES TRAVIS, ALARIO, ANSARDI, BOWLER, DEWITT, PINAC, POWELL, AND THOMPSON AND SENATOR HOLLIS

**AN ACT**

To amend and reenact Part I of Chapter 2 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:71 through 95, relative to accountants; to provide for a short title; to provide for legislative findings and purpose; to provide for definitions; to create and provide relative to the State Board of Certified Public Accountants of Louisiana; to provide for qualifications for a certificate as a certified public accountant; to provide for issuance and renewal of certificate and maintenance of competency; to provide for firm permits to practice, attest experience and peer review; to provide for appointment of the secretary of state as agent for nonresidents; to provide for enforcement; to provide for investigations; to provide for hearings by the board and complaints; to provide for reinstatement of licenses; to provide for unlawful acts; to provide for injunctions against unlawful acts and criminal penalties; to provide for single acts as evidence; to provide for confidential communications; to provide for accounting and review services for governmental agencies; to provide for licensee working papers and client records; to provide for the discarding of documents after completion of engagement; to provide for accounting documents sent out of state by the insurance commissioner; to provide for privity of contract; to provide for prescriptive and peremptive periods; to provide for proportionate liability; to provide for substantial equivalency; to provide relative to the legislative auditor; and to provide for related matters.

**HOUSE BILL NO. 699—**

BY REPRESENTATIVE MARIONNEAUX

**AN ACT**

To amend and reenact Civil Code Art. 890, relative to the usufruct of a surviving spouse; to provide that the usufruct terminates if the surviving spouse enters into open concubinage or cohabitation; and to provide for related matters.

**HOUSE BILL NO. 1025—**

BY REPRESENTATIVE MORRISH

**AN ACT**

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

**HOUSE BILL NO. 1073—**

BY REPRESENTATIVE BOWLER

**AN ACT**

To enact R.S. 23:343, relative to civil suits for prohibited discrimination in employment; to provide relative to authorization; and to provide for related matters.

**HOUSE BILL NO. 1087—**

BY REPRESENTATIVES MARTINY, ANSARDI, BOWLER, DAMICO, DONELON, LANCASTER, TOOMY, AND VITTER AND SENATORS HAINKEL AND ULLO

**AN ACT**

To enact R.S. 39:471.1, relative to certain parishes operating under home rule charters; to provide relative to the governance of special districts within such parishes; to provide for the precedence of charter provisions; and to provide for related matters.

**HOUSE BILL NO. 1107—**

BY REPRESENTATIVES TOOMY, ANSARDI, BOWLER, DAMICO, DONELON, AND VITTER AND SENATORS HAINKEL, LENTINI, AND ULLO

**AN ACT**

To enact R.S. 33:9128 and 9129, relative to the Jefferson Parish Communications District; to provide that each wireless service supplier establish a mechanism to permit the district to have access to certain customer data; to provide as to the applicability of certain laws; and to provide for related matters.

**HOUSE BILL NO. 1171—**

BY REPRESENTATIVES CRANE, DEWITT, AND MURRAY  
AN ACT

To amend and reenact R.S. 46:236.14(E)(3)(a), relative to the employer reporting program; to require employers to report a new hire's occupation when submitting new hire information to the Department of Social Services; and to provide for related matters.

**HOUSE BILL NO. 1174—**

BY REPRESENTATIVES CRANE, DEWITT, AND MURRAY  
AN ACT

To amend and reenact R.S. 23:1727, relative to unemployment compensation contributions; to provide that certain assessments do not affect certain security interests; to provide for a lien for future unpaid contributions, interest, and penalties; to provide for the ranking of liens; and to provide for related matters.

**HOUSE BILL NO. 1237—**

BY REPRESENTATIVES STRAIN, HILL, BAUDOIN, BRUCE, AND FRITH  
AN ACT

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

**HOUSE BILL NO. 1246—**

BY REPRESENTATIVE THOMPSON  
AN ACT

To enact R.S. 32:473.1 and 1728.3, relative to abandoned motor vehicles; to provide a procedure for municipal and parochial authorities to remove certain abandoned vehicles from public streets; to provide relative to the procedure for tow truck owner-operators to dispose of certain vehicles; to provide for the application thereof; and to provide for related matters.

**HOUSE BILL NO. 947—**

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

To amend and reenact R.S. 29:102 and 234 and to enact R.S. 29:212a, relative to the Code of Military Justice; to create the offense of wrongful use, possession, manufacture, or distribution of controlled dangerous substances; to define the offense; to provide for its applicability; to provide for the jurisdiction of court-martials; and to provide for related matters.

**HOUSE BILL NO. 1423—**

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. 36:405(A)(1)(b), relative to the organization of the Department of Public Safety and Corrections; to authorize the deputy secretary of public safety services to appoint a designee to represent him on certain boards and commissions; and to provide for related matters.

**HOUSE BILL NO. 1557—**

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

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

**HOUSE BILL NO. 1653—**

BY REPRESENTATIVE MONTGOMERY  
AN ACT

To amend and reenact R.S. 11:2218(G), relative to the Municipal Police Employees' Retirement System; to provide with respect to contributions, refunds, and the repayment thereof; and to provide for related matters.

**HOUSE BILL NO. 1693—**

BY REPRESENTATIVE MONTGOMERY  
AN ACT

To enact R.S. 11:2224(F), relative to the Municipal Police Employees' Retirement System; to provide with respect to benefits and the options related to the payment thereof; to provide an effective date; and to provide for related matters.

**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.

**HOUSE BILL NO. 1844—**

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

To amend and reenact Section 1(A) of Act No. 207 of the 1990 Regular Session of the Legislature, relative to the Departments of Agriculture and Forestry and Transportation and Development; to remove the Department of Transportation and Development from participation in designing and developing a brochure presenting an ecological tour of Louisiana's natural and scenic resources along Interstate 49; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 159—**

BY REPRESENTATIVE HILL  
AN ACT

To amend and reenact R.S. 9:2795.1, relative to limitations of civil liability; to provide for definitions; to provide for immunity from liability for certain persons for an injury or death resulting from certain farm animal activities; and to provide for related matters.

**HOUSE BILL NO. 1968—**

BY REPRESENTATIVE KENNEY  
AN ACT

To amend and reenact Section 1(D) of Act 435 of the 1997 Regular Session of the Legislature, relative to reservoirs; to provide relative to nonsubmerged lands; to provide relative to the Bayou de Chene Reservoir; and to provide for related matters.

**HOUSE BILL NO. 235—**

BY REPRESENTATIVE LONG  
AN ACT

To amend and reenact R.S. 25:791(F), relative to the Natchitoches Historic District Development Commission; to increase the membership of the Natchitoches Historic District Development Commission by adding a representative of the Main Street Association to the commission; and to provide for related matters.

**HOUSE BILL NO. 482—**

BY REPRESENTATIVES DEWITT AND CRANE  
AN ACT

To amend and reenact R.S. 23:1392(1), (8)(introductory paragraph), and (11), 1393(A)(1) and (3) and (D), 1397(A) and (C), 1398(A)(4), (5), and (6) and (B), 1404(B)(1) and (3), 1405, and 1411(C) and to enact R.S. 23:1404.1, relative to the Louisiana Workers' Compensation Corporation; to provide for the extinguishment of the full faith and credit of the state; to provide for the effects thereof; and to provide for related matters.

# Page 8 SENATE

April 19, 1999

## 12th DAY'S PROCEEDINGS

### HOUSE BILL NO. 493—

BY REPRESENTATIVES DEWITT AND CRANE

#### AN ACT

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

### HOUSE BILL NO. 729—

BY REPRESENTATIVE STELLY

#### AN ACT

To amend and reenact R.S. 11:403(28), 411(introductory paragraph) and (5), 413(6) and (8), 424(A)(1)(introductory paragraph) and (2) and (D), and 444(C)(introductory paragraph), (7), and (10)(b), relative to the Louisiana State Employees' Retirement System; to provide with respect to definitions; to provide regarding membership and eligibility criteria related thereto; and to provide regarding service credit and the conversion of certain leave to credit; to provide regarding benefits and the computation thereof; to provide regarding average compensation; to provide an effective date; and to provide for related matters.

### HOUSE BILL NO. 753—

BY REPRESENTATIVE MURRAY

#### AN ACT

To amend and reenact R.S. 23:1294(A)(2) and (B) and to repeal R.S. 23:1294(C), relative to the Workers' Compensation Advisory Council; to provide for membership; to provide for review of rules affecting workers' compensation; and to provide for related matters.

### HOUSE BILL NO. 860—

BY REPRESENTATIVES KENNEY AND WRIGHT

#### AN ACT

To enact R.S. 48:491(D), relative to public roads; to provide that any road or street used by the public is a public road or street; to provide the local governing authority shall have the discretion to maintain the road or street; and to provide for related matters.

### HOUSE BILL NO. 895—

BY REPRESENTATIVE FARVE

#### AN ACT

To enact R.S. 23:18, relative to the Department of Labor; to provide that the department shall create and maintain a living wage index; and to provide for related matters.

### HOUSE BILL NO. 1155—

BY REPRESENTATIVE FONTENOT

#### AN ACT

To enact Chapter 5-F of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.31 through 380.36, and R.S. 36:744(O) and 801.10, to create the Livingston Parish Museum and Cultural Center in the Department of State; to provide for a museum governing board including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state with respect to the museum; to provide relative to personnel and budgets of the museum; and to provide for related matters.

### HOUSE BILL NO. 1326—

BY REPRESENTATIVES DOWNER AND DONELON AND SENATOR BRANCH

#### AN ACT

To amend and reenact R.S. 23:1034(C), relative to workers' compensation for public officials; to clarify that where a political subdivision elects to provide workers' compensation coverage for its public officials, workers' compensation shall be the injured official's exclusive remedy; and to provide for related matters.

### HOUSE BILL NO. 1777—

BY REPRESENTATIVE PINAC

#### AN ACT

To enact R.S. 11:1732(33) through (36), 1754(3), 1767, 1768, and 1769 and Part VIII of Chapter 4 of Subtitle III of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:1881 through 1884, relative to the Municipal Employees' Retirement System; to provide with respect to definitions, contributions, benefits, and certain limitations applicable thereto, rollover of funds, and administration of system assets; to provide regarding the creation of an excess benefit plan; to provide with respect to membership and the termination thereof for certain ward court employees; and to provide for related matters.

### HOUSE BILL NO. 1869 (Duplicate of Senate Bill No. 373)—

BY REPRESENTATIVE WILLARD AND SENATOR IRONS AND COAUTHORED BY REPRESENTATIVES BRUCE, FRITH, ALARIO, ALEXANDER, ANSARDI, BAUDOIN, BAYLOR, BOWLER, BRUNEAU, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DIEZ, DIMOS, DOERGE, DOWNER, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FRUGE, GLOVER, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, ROMERO, SALTER, SCHNEIDER, SCHWEGMANN, SHAW, STELLY, THOMPSON, THORNHILL, TOOMY, TRAVIS, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, AND WRIGHT AND SENATORS CAIN, CAMPBELL, HINES, SMITH, THEUNISSEN, AND ULLO

#### AN ACT

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

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

## House Bills and Joint Resolutions

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

### HOUSE BILL NO. 7—

BY REPRESENTATIVE RIDDLE

#### AN ACT

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

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

### HOUSE BILL NO. 29—

BY REPRESENTATIVE HAMMETT

#### AN ACT

To amend and reenact R.S. 38:2212(A)(3)(a) and (C)(2), relative to public contracts; to provide for the time period for advertisement of bids; to provide for the time for the opening of bids when plans and specifications are modified; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 30—**  
BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:384(D) and to enact R.S. 32:384(E), relative to towing; to authorize the approval of other safety devices as an alternative to safety chains; to require inspection prior to approval; to provide for certain criteria of such devices; to provide for the promulgation of rules and regulations; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

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

AN ACT

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

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

**HOUSE BILL NO. 55—**  
BY REPRESENTATIVE FRUGE

AN ACT

To enact Code of Civil Procedure Art. 76.2, relative to venue; to provide for venue in suits on open accounts; and to provide for related matters.

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

**HOUSE BILL NO. 105—**  
BY REPRESENTATIVES MCMAINS AND KENNARD

AN ACT

To enact R.S. 32:387.11, relative to special permits; to provide for special permits for transporting portable and modular buildings on interstate highways; to provide for certain width restrictions; to provide for certain speed restrictions; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 110—**  
BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact Code of Civil Procedure Art. 10(A)(1) and Children's Code Arts. 1109, 1117, and 1122(F)(4) and (5)[Mother's and Father's Surrender Form] and to enact Children's Code Art. 1122(B)(9), relative to adoption proceedings; to provide relative to jurisdiction over status, domiciliary requirements, and the authority to accept a surrender in Louisiana adoption proceedings; to require that the child be born in this state or a surrendering parent or a prospective adoptive parent is domiciled in this state or the child is in the custody of the Department of Social Services; to require a declaration in the act of surrender that a surrendering parent or a prospective adoptive parent is domiciled in this state; and to provide for related matters.

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

**HOUSE BILL NO. 113—**  
BY REPRESENTATIVE MCCAIN

AN ACT

To amend and reenact Code of Civil Procedure Art. 3956(2), relative to service of the petition in an "Article 102" divorce in certain circumstances; to provide with respect to evidence establishing the proof of service on the defendant; and to provide for related matters.

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

**HOUSE BILL NO. 159—**  
BY REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 9:2795.1, relative to limitations of civil liability; to provide for definitions; to provide for immunity from liability for certain persons for an injury or death resulting from certain farm animal activities; and to provide for related matters.

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

**HOUSE BILL NO. 211—**  
BY REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 48:256.2, relative to the Department of Transportation and Development; to provide for the removal of reduced speed limit signs; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 235—**  
BY REPRESENTATIVE LONG

AN ACT

To amend and reenact R.S. 25:791(F), relative to the Natchitoches Historic District Development Commission; to increase the membership of the Natchitoches Historic District Development Commission by adding a representative of the Main Street Association to the commission; and to provide for related matters.

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

**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.

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

**HOUSE BILL NO. 277—**  
BY REPRESENTATIVE MICHOT

AN ACT

To enact R.S. 48:278, relative to state highways; to require the Department of Transportation and Development to erect directional signs to approaches for designated Louisiana byways; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 306—**  
BY REPRESENTATIVES HUNTER, MURRAY, POWELL, WESTON, AND FRITH

AN ACT

To enact Chapter 29 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2741 through 2744, relative to the regulation of commercial body art facilities; to provide

definitions; to provide for the registration of such facilities; to provide for exceptions to the registration requirements; to provide for the imposition and collection of fees; to authorize the promulgation of rules; to provide for injunctive relief; and to provide for related matters.

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

**HOUSE BILL NO. 331—**

BY REPRESENTATIVE MURRAY

**AN ACT**

To enact Code of Civil Procedure Article 253.3, relative to random assignment of cases; to authorize duty judges to hear emergency matters; and to provide for related matters.

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

**HOUSE BILL NO. 358—**

BY REPRESENTATIVE MURRAY

**AN ACT**

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

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

**HOUSE BILL NO. 424—**

BY REPRESENTATIVES WINDHORST AND JENKINS

**A JOINT RESOLUTION**

Proposing to amend Article IV, Section 5(E)(1) of the Constitution of Louisiana, to require a favorable recommendation by the Board of Pardons before certain gubernatorial actions may be taken; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

**HOUSE BILL NO. 429—**

BY REPRESENTATIVES WRIGHT AND KENNEY

**AN ACT**

To enact R.S. 38:343, relative to the Tensas Basin Levee District; to authorize the district to transfer its title in certain property in Catahoula Parish and to accept title to certain property in Catahoula Parish; to provide terms and conditions; to provide for an effective date; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 454—**

BY REPRESENTATIVE LANCASTER

**AN ACT**

To amend and reenact R.S. 37:1368(H), relative to the licensure of plumbers; to provide for the issuance of a special endorsement for water supply protection specialists; to provide for exceptions to examination requirement; and to provide for related matters.

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

**HOUSE BILL NO. 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.

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

**HOUSE BILL NO. 482—**

BY REPRESENTATIVES DEWITT AND CRANE

**AN ACT**

To amend and reenact R.S. 23:1392(1), (8)(introductory paragraph), and (11), 1393(A)(1) and (3) and (D), 1397(A) and (C), 1398(A)(4), (5), and (6) and (B), 1404(B)(1) and (3), 1405, and 1411(C) and to enact R.S. 23:1404.1, relative to the Louisiana Workers' Compensation Corporation; to provide for the extinguishment of the full faith and credit of the state; to provide for the effects thereof; and to provide for related matters.

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

**HOUSE BILL NO. 493—**

BY REPRESENTATIVES DEWITT AND CRANE

**AN ACT**

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

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

**HOUSE BILL NO. 501—**

BY REPRESENTATIVE LONG AND SENATOR SMITH

**AN ACT**

To authorize the Department of Transportation and Development to remove certain roads in Natchitoches Parish from the state highway system and to replace these roads with certain roads currently designated as parish roads in Natchitoches Parish for completion of the Natchitoches Bypass; to prohibit addition of mileage to the state highway system; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 564—**

BY REPRESENTATIVE SALTER

**AN ACT**

To enact R.S. 47:302.45, 322.39, and 332.45, all relative to the proceeds derived from sales and use taxes on hotel occupancy in Red River Parish; to create the Red River Visitor Enterprise Fund; to provide for deposit of monies into the fund and for the use of such monies; to provide for an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 595—**

BY REPRESENTATIVE JOHNS

**AN ACT**

To amend and reenact R.S. 22:620(A), relative to insurance policy forms; to provide with respect to such forms subject to approval by the commissioner of insurance; and to provide for related matters.

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

**HOUSE BILL NO. 616—**

BY REPRESENTATIVE MARTINY

**AN ACT**

To amend and reenact R.S. 22:230.2 and 250.11(B) and (C) and to enact R.S. 22:250.11(E), relative to health insurance; to provide relative to individual insurance coverage portability, including limitations on preexisting condition exclusions; to provide with respect to conversion policies; to provide relative to the time period to add a newborn child to an individual policy or subscriber agreement; and to provide for related matters.

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

**HOUSE BILL NO. 695—**

BY REPRESENTATIVE DEWITT

**AN ACT**

To enact R.S. 56:768, relative to wildlife management areas; to require the Department of Wildlife and Fisheries to ensure land access to private property located within the boundaries of a wildlife management area; and to provide for related matters.

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

**HOUSE BILL NO. 699—**

BY REPRESENTATIVE MARIONNEAUX

**AN ACT**

To amend and reenact Civil Code Art. 890, relative to the usufruct of a surviving spouse; to provide that the usufruct terminates if the surviving spouse enters into open concubinage or cohabitation; and to provide for related matters.

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

**HOUSE BILL NO. 700—**

BY REPRESENTATIVE MARIONNEAUX AND SENATOR DARDENNE

**AN ACT**

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

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

**HOUSE BILL NO. 718—**

BY REPRESENTATIVES DANIEL, BARTON, DOERGE, KENNEY, LONG, MCDONALD, POWELL, PRATT, WINSTON, WRIGHT, THOMPSON, AND WADDELL

**AN ACT**

To enact R.S. 17:421.6, relative to teacher salaries; to provide a salary adjustment for certain public school teachers having certificates issued by the National Board for Professional Teaching Standards; to provide conditions and guidelines for receiving the adjustment; to provide the minimum amount of the salary adjustment; to provide definitions; to provide for payment; to provide for the reimbursement to school boards of certain costs; to provide limitations; to provide for effectiveness; and to provide for related matters.

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

**HOUSE BILL NO. 729—**

BY REPRESENTATIVE STELLY

**AN ACT**

To amend and reenact R.S. 11:403(28), 411(introductory paragraph) and (5), 413(6) and (8), 424(A)(1)(introductory paragraph) and (2) and (D), and 444(C)(introductory paragraph), (7), and (10)(b), relative to the Louisiana State Employees' Retirement System; to provide with respect to definitions; to provide regarding

membership and eligibility criteria related thereto; and to provide regarding service credit and the conversion of certain leave to credit; to provide regarding benefits and the computation thereof; to provide regarding average compensation; to provide an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 753—**

BY REPRESENTATIVE MURRAY

**AN ACT**

To amend and reenact R.S. 23:1294(A)(2) and (B) and to repeal R.S. 23:1294(C), relative to the Workers' Compensation Advisory Council; to provide for membership; to provide for review of rules affecting workers' compensation; and to provide for related matters.

On motion of Senator Bean, the bill which is a duplicate of Senate Bill No. 788 was read by title and lies over under the rules.

**HOUSE BILL NO. 768—**

BY REPRESENTATIVE TRAVIS

**AN ACT**

To authorize and provide for the lease of certain state property located in East Feliciana Parish to the Second Baptist Church of Jackson; to provide certain terms and conditions; and to provide for related matters.

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

**HOUSE BILL NO. 769—**

BY REPRESENTATIVE TRAVIS

**AN ACT**

To authorize and provide for the lease of certain state property located in East Feliciana Parish to the town of Jackson; to provide certain terms and conditions; and to provide for related matters.

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

**HOUSE BILL NO. 860—**

BY REPRESENTATIVES KENNEY AND WRIGHT

**AN ACT**

To enact R.S. 48:491(D), relative to public roads; to provide that any road or street used by the public is a public road or street; to provide the local governing authority shall have the discretion to maintain the road or street; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 893—**

BY REPRESENTATIVES DANIEL AND MURRAY

**AN ACT**

To enact R.S. 36:109(E)(4) and Chapter 17-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1471 through 1489, relative to the Louisiana Home Inspectors Licensing Law; to provide for a short title; to provide for purposes and legislative findings; to provide for definitions; to create and provide for the Louisiana State Board of Home Inspectors; to provide for powers and duties of the board; to provide for licensing requirements and qualifications for licensure; to provide for fees; to provide for required written reports and to prohibit solicitation; to provide for license renewal and appearance of license number on documents; to provide for continuing education requirements; to provide for insurance requirements; to prohibit corporations as home inspectors; to provide for exemptions for licensure; to provide for reciprocal licenses; to provide for prohibited acts and penalties; to provide for reissuance after revocation or suspension; to provide for payment of costs of proceedings; to provide for

penalties; to provide for cease and desist orders and injunctive relief; to provide for the disbursement of funds; and to provide for related matters.

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

**HOUSE BILL NO. 895—**

BY REPRESENTATIVE FARVE

**AN ACT**

To enact R.S. 23:18, relative to the Department of Labor; to provide that the department shall create and maintain a living wage index; and to provide for related matters.

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

**HOUSE BILL NO. 911—**

BY REPRESENTATIVE STELLY

**AN ACT**

To amend and reenact R.S. 11:701(6) and (26), 728(F), 762(F), 781(A)(1) and (3), and 783(A)(Option 1) and to repeal R.S. 11:728(D) and 729, relative to the Teachers' Retirement System; to provide with respect to definitions; to provide with respect to credit for certain teaching service; to provide with respect to the payment of survivor benefits and the options related thereto; to provide with respect to the refund of contributions; to repeal provisions granting credit for service in certain limited situations; to provide an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 912—**

BY REPRESENTATIVE TOOMY

**AN ACT**

To amend and reenact R.S. 3:3004(A) and to repeal R.S. 40:1379.5, relative to the office of state police; to delete the requirement that state police impound livestock found at large upon public highways; to abolish the violent crimes unit within the office of state police; and to provide for related matters.

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

**HOUSE BILL NO. 931—**

BY REPRESENTATIVES MARTINY, ANSARDI, DAMICO, LANCASTER, AND VITTER AND SENATORS HAINKEL, HOLLIS, LENTINI, AND ULLO

**AN ACT**

To amend and reenact R.S. 42:1441.3(C) and (D) and to enact R.S. 42:1441.3(E) and (F), relative to public liability; to provide for the determination of master of officer of a political subdivision; to provide for certain determinants; to define "political subdivision"; to provide that this Act shall be the exclusive means of imposing liability upon any political subdivision based upon offenses and quasi offenses of another political subdivision; and to provide for related matters.

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

**HOUSE BILL NO. 944—**

BY REPRESENTATIVES WINDHORST AND CHAISSON

**AN ACT**

To amend and reenact Code of Civil Procedure Article 4911(A), relative to civil jurisdiction for justice of the peace courts; to increase the amount in dispute; and to provide for related matters.

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

**HOUSE BILL NO. 947—**

BY REPRESENTATIVES DOWNER, BRUNEAU, ANSARDI, DONELON, AND LANCASTER AND SENATOR BRANCH

**AN ACT**

To amend and reenact R.S. 29:102 and 234 and to enact R.S. 29:212a, relative to the Code of Military Justice; to create the offense of wrongful use, possession, manufacture, or distribution of controlled dangerous substances; to define the offense; to provide for its applicability; to provide for the jurisdiction of court-martials; and to provide for related matters.

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

**HOUSE BILL NO. 1007—**

BY REPRESENTATIVES COPELIN, LEBLANC, MURRAY, HUNTER, DOWNER, ALARIO, BARTON, BRUCE, CARTER, CLARKSON, CURTIS, DAMICO, DANIEL, DEWITT, DIEZ, DOERGE, DUPRE, DURAND, FARVE, FAUCHEUX, FRITH, FRUGE, GAUTREAUX, GLOVER, GUILLORY, HEATON, ILES, KENNEY, LANDRIEU, MCCAIN, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, ROMERO, SALTER, SCHWEGMANN, THOMPSON, THORNHILL, TRAVIS, WADDELL, WALSWORTH, WARNER, WELCH, WIGGINS, WILKERSON, WILLARD, AND WOOTON

**AN ACT**

To enact Part XIII of Chapter 32 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:5061 through 5063, relative to requirements for certain tobacco product manufacturers; to require those tobacco product manufacturers who did not participate in the Master Settlement Agreement signed on November 23, 1998, and who sell tobacco products in Louisiana, to place certain funds in escrow; to provide for the distribution of those funds; and to provide for related matters.

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

**HOUSE BILL NO. 1014—**

BY REPRESENTATIVE FLAVIN

**AN ACT**

To amend and reenact R.S. 37:3398(B) and (D) and 3409(A)(introductory paragraph) and (B)(1) and to enact R.S. 37:3409(F), relative to real estate appraisers; to provide for examination; to allow for the levying of fines for violations; to provide for notice of disciplinary charges; to prohibit certain activities during suspension; and to provide for related matters.

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

**HOUSE BILL NO. 1015—**

BY REPRESENTATIVE FLAVIN

**AN ACT**

To amend and reenact R.S. 9:3891(10) and R.S. 37:1439(A), 1442(A), 1446(G), 1455(A)(introductory paragraph), and (9), 1456(A)(1), and 1462, to enact R.S. 9:3893(F) and 3897(G), and to repeal R.S. 37:1437(C)(6)(c) and 1437.2(F) through (I), relative to the licensure and regulation of real estate licensees; to provide relative to dual agency; to provide for issuance of certificates; to provide for compensation; to provide for the levying of fines for violations; to provide for notice of disciplinary charges; to provide for conditions for recovery; to repeal certain provisions relative to application for licensure; and to provide for related matters.

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

**HOUSE BILL NO. 1025—**

BY REPRESENTATIVE MORRISH

**AN ACT**

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

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

**HOUSE BILL NO. 1035—**

BY REPRESENTATIVE SHAW

AN ACT

To authorize and provide for the transfer or lease of certain state property in Caddo Parish to the city of Shreveport from the Department of Transportation and Development; and to provide for related matters.

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

**HOUSE BILL NO. 1042—**

BY REPRESENTATIVES WARNER AND THOMPSON

AN ACT

To enact R.S. 33:2201(B)(19), relative to survivor benefits; to include additional personnel as law enforcement officers for the purpose of survivor benefits; and to provide for related matters.

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

**HOUSE BILL NO. 1073—**

BY REPRESENTATIVE BOWLER

AN ACT

To enact R.S. 23:343, relative to civil suits for prohibited discrimination in employment; to provide relative to authorization; and to provide for related matters.

On motion of Senator Bean, the bill which is a duplicate of Senate Bill No. 865 was read by title and lies over under the rules.

**HOUSE BILL NO. 1087—**

BY REPRESENTATIVES MARTINY, ANSARDI, BOWLER, DAMICO, DONELON, LANCASTER, TOOMY, AND VITTER AND SENATORS HAINKEL AND ULLO

AN ACT

To enact R.S. 39:471.1, relative to certain parishes operating under home rule charters; to provide relative to the governance of special districts within such parishes; to provide for the precedence of charter provisions; and to provide for related matters.

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

**HOUSE BILL NO. 1107—**

BY REPRESENTATIVES TOOMY, ANSARDI, BOWLER, DAMICO, DONELON, AND VITTER AND SENATORS HAINKEL, LENTINI, AND ULLO

AN ACT

To enact R.S. 33:9128 and 9129, relative to the Jefferson Parish Communications District; to provide that each wireless service supplier establish a mechanism to permit the district to have access to certain customer data; to provide as to the applicability of certain laws; and to provide for related matters.

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

**HOUSE BILL NO. 1155—**

BY REPRESENTATIVE FONTENOT

AN ACT

To enact Chapter 5-F of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:380.31 through 380.36, and R.S. 36:744(O) and 801.10, to create the Livingston Parish Museum and Cultural Center in the Department of State; to provide for a museum governing board including its composition, powers, duties, responsibilities, meetings, and officers; to provide for the adoption of rules and regulations including fees; to provide for receipt and use of funds and property; to provide relative to the authority of the secretary of state with respect to the museum; to

provide relative to personnel and budgets of the museum; and to provide for related matters.

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

**HOUSE BILL NO. 1171—**

BY REPRESENTATIVES CRANE, DEWITT, AND MURRAY

AN ACT

To amend and reenact R.S. 46:236.14(E)(3)(a), relative to the employer reporting program; to require employers to report a new hire's occupation when submitting new hire information to the Department of Social Services; and to provide for related matters.

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

**HOUSE BILL NO. 1174—**

BY REPRESENTATIVES CRANE, DEWITT, AND MURRAY

AN ACT

To amend and reenact R.S. 23:1727, relative to unemployment compensation contributions; to provide that certain assessments do not affect certain security interests; to provide for a lien for future unpaid contributions, interest, and penalties; to provide for the ranking of liens; and to provide for related matters.

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

**HOUSE BILL NO. 1192—**

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

AN ACT

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

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

**HOUSE BILL NO. 1194—**

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

AN ACT

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

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

**HOUSE BILL NO. 1203—**

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 37:681, 682(2), (4), (6) and (8) through (11), 683(A), (B)(1), and (C), 684, 686, 687(A), 688(A) and (B), 689(B) and (C), 690(B) and (D), 691, 692, 693, 694(A)(1) and (3) and (B), 696(A), 697, 697.1, 698(A)(introductory paragraph), (1), (3), (7), and (9), (C), (E), and (F), 699, 700(A), (C)(2), and (D), 701(A) through (E), (G), and (I)(1), 702(2), and 703, to enact R.S. 37:688(E), 698(A)(14), and 702(6), and to repeal R.S. 37:698(B) relative to engineers and land surveyors; to provide relative to general provisions; to provide relative to definitions; to provide relative to the board, its appointment and powers, qualifications of members, terms, compensations and expenses, removal, organization, and meetings; to provide relative to corporations; to provide relative to receipts and disbursements; to provide relative to records and reports and rosters; to provide relative to requirements for licensure, applications, examinations, expiration and renewal, and fees; to provide relative to certificates and seals; to provide relative to continuing education; to provide

relative to disciplinary actions, violations, and penalties; to provide relative to application of provisions to public and private works; to provide relative to a savings clause; to provide for transitional provisions; and to provide for related matters.

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

**HOUSE BILL NO. 1205—**

BY REPRESENTATIVE HAMMETT

**AN ACT**

To amend and reenact R.S. 37:688(D), 693(A) and (B)(1) through (3) and (4)(a), 695(A), 697, and 698(A)(introductory paragraph) and to enact R.S. 37:695(C), relative to the regulation of engineering and land surveying; to revise the definition of "practice of engineering"; to provide for powers of the board; to provide for the requirements for registration and certification; to provide relative to the cost of examination; to provide for expiration and renewal of registration and certification; to provide for penalties; and to provide for related matters.

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

**HOUSE BILL NO. 1206—**

BY REPRESENTATIVE HAMMETT

**AN ACT**

To amend and reenact R.S. 37:693(B)(1)(b), relative to the regulation of engineers; to provide for the requirements for registration and certification of an engineer intern; and to provide for related matters.

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

**HOUSE BILL NO. 1226—**

BY REPRESENTATIVE LONG

**AN ACT**

To authorize the Department of Transportation and Development to remove two and five-tenths miles from Louisiana Highway 1238 in Winn Parish from the state highway system and to replace it with one mile of Thomas Mill Road, currently designated as a parish road, in Winn Parish; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 1237—**

BY REPRESENTATIVES STRAIN, HILL, BAUDOUIN, BRUCE, AND FRITH

**AN ACT**

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

On motion of Senator Bean, the bill which is a duplicate of Senate Bill No. 988 was read by title and lies over under the rules.

**HOUSE BILL NO. 1246—**

BY REPRESENTATIVE THOMPSON

**AN ACT**

To enact R.S. 32:473.1 and 1728.3, relative to abandoned motor vehicles; to provide a procedure for municipal and parochial authorities to remove certain abandoned vehicles from public streets; to provide relative to the procedure for tow truck owner-operators to dispose of certain vehicles; to provide for the application thereof; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 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.

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

**HOUSE BILL NO. 1326—**

BY REPRESENTATIVES DOWNER AND DONELON AND SENATOR BRANCH

**AN ACT**

To amend and reenact R.S. 23:1034(C), relative to workers' compensation for public officials; to clarify that where a political subdivision elects to provide workers' compensation coverage for its public officials, workers' compensation shall be the injured official's exclusive remedy; and to provide for related matters.

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

**HOUSE BILL NO. 1423—**

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. 36:405(A)(1)(b), relative to the organization of the Department of Public Safety and Corrections; to authorize the deputy secretary of public safety services to appoint a designee to represent him on certain boards and commissions; and to provide for related matters.

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

**HOUSE BILL NO. 1451—**

BY REPRESENTATIVES MARTINY AND ANSARDI

**AN ACT**

To amend and reenact R.S. 33:441.1, relative to the mayor's court in Kenner; to authorize the institution of criminal prosecutions by affidavit or information; to authorize the prosecuting attorney to file an information; and to provide for related matters.

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

**HOUSE BILL NO. 1464—**

BY REPRESENTATIVE WILKERSON

**AN ACT**

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

On motion of Senator Bean, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 1557—**

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

**AN ACT**

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

April 19, 1999

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

**HOUSE BILL NO. 1629—**

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

## AN ACT

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

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

**HOUSE BILL NO. 1653—**

BY REPRESENTATIVE MONTGOMERY

## AN ACT

To amend and reenact R.S. 11:2218(G), relative to the Municipal Police Employees' Retirement System; to provide with respect to contributions, refunds, and the repayment thereof; and to provide for related matters.

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

**HOUSE BILL NO. 1693—**

BY REPRESENTATIVE MONTGOMERY

## AN ACT

To enact R.S. 11:2224(F), relative to the Municipal Police Employees' Retirement System; to provide with respect to benefits and the options related to the payment thereof; to provide an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 1695—**

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

## AN ACT

To amend and reenact R.S. 39:1512(B)(4), relative to contracts for professional, personal, consulting, or social services; to provide for conditions under which advanced payments on contracts may be made; and to provide for related matters.

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

**HOUSE BILL NO. 1696—**

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

## AN ACT

To amend and reenact R.S. 39:1484(16) and (18), relative to professional, personal, consulting, and social services procurement; to expand the definition of personal services and professional services; and to provide for related matters.

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

**HOUSE BILL NO. 1697—**

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

## AN ACT

To amend and reenact R.S. 39:1482(A), relative to professional, personal, consulting, and social services procurement; to provide a minimum threshold for such procurement requirements; deletes certain requirements for provision of contracts to the office of contractual review; and to provide for related matters.

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

**HOUSE BILL NO. 1703—**

BY REPRESENTATIVE STELLY

## AN ACT

To enact R.S. 11:701(29), (30), and (31) and 784.1 and Part IX of Chapter 2 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:945 through 947, and to repeal R.S. 11:785, relative to the Teachers' Retirement System; to provide with respect to definitions; to provide regarding benefits, the computation thereof, and certain limitations related thereto; to further provide regarding compensation and contributions; to provide an effective date; and to provide for related matters.

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

**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.

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

**HOUSE BILL NO. 1777—**

BY REPRESENTATIVE PINAC

## AN ACT

To enact R.S. 11:1732(33) through (36), 1754(3), 1767, 1768, and 1769 and Part VIII of Chapter 4 of Subtitle III of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:1881 through 1884, relative to the Municipal Employees' Retirement System; to provide with respect to definitions, contributions, benefits, and certain limitations applicable thereto, rollover of funds, and administration of system assets; to provide regarding the creation of an excess benefit plan; to provide with respect to membership and the termination thereof for certain ward court employees; and to provide for related matters.

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

**HOUSE BILL NO. 1810—**

BY REPRESENTATIVES TRAVIS, ALARIO, ANSARDI, BOWLER, DEWITT, PINAC, POWELL, AND THOMPSON AND SENATOR HOLLIS

## AN ACT

To amend and reenact Part I of Chapter 2 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:71 through 95, relative to accountants; to provide for a short title; to provide for legislative findings and purpose; to provide for definitions; to create and provide relative to the State Board of Certified Public Accountants of Louisiana; to provide for qualifications for a certificate as a certified public accountant; to provide for issuance and renewal of certificate and maintenance of competency; to provide for firm permits to practice, attest experience and peer review; to provide for appointment of the secretary of state as agent for nonresidents; to provide for enforcement; to provide for investigations; to provide for hearings by the board and complaints; to provide for reinstatement of licenses; to provide for unlawful acts; to provide for injunctions against unlawful acts and criminal penalties; to provide for single acts as evidence; to provide for confidential communications; to provide for accounting and review services for governmental agencies; to provide for licensee working papers and client records; to provide for the discarding of documents after completion of engagement; to provide for accounting documents sent out of state by the insurance commissioner; to provide for privity of contract; to provide for

prescriptive and peremptive periods; to provide for proportionate liability; to provide for substantial equivalency; to provide relative to the legislative auditor; and to provide for related matters.

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

**HOUSE BILL NO. 1844—**

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

**AN ACT**

To amend and reenact Section 1(A) of Act No. 207 of the 1990 Regular Session of the Legislature, relative to the Departments of Agriculture and Forestry and Transportation and Development; to remove the Department of Transportation and Development from participation in designing and developing a brochure presenting an ecological tour of Louisiana's natural and scenic resources along Interstate 49; to provide for an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 1855—**

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

**AN ACT**

To amend and reenact R.S. 30:2224(A)(2)(introductory paragraph), relative to inactive or abandoned hazardous waste sites; to remove the Department of Transportation and Development from participation in cooperative agreements with certain state departments in regard to inactive or abandoned hazardous waste sites; to provide for an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 1856—**

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

**AN ACT**

To amend and reenact R.S. 32:390(A), relative to motor carriers; to provide for a statewide Weigh-In-Motion and Enforcement Camera System; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 1857—**

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

**AN ACT**

To amend and reenact R.S. 48:253(A) and (B)(1), relative to contracts let by the Department of Transportation and Development; to provide for acceptable forms of bid guarantees; to provide for certain causes for forfeiture; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 1858—**

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

**AN ACT**

To amend and reenact R.S. 48:253(C), relative to contracts let by the Department of Transportation and Development; to require the department to return checks or money orders of unsuccessful bidders within a certain time; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 1869 (Duplicate of Senate Bill No. 373)—**

BY REPRESENTATIVE WILLARD AND SENATOR IRONS AND COAUTHORED BY REPRESENTATIVES BRUCE, FRITH, ALARIO, ALEXANDER, ANSARDI, BAUDOUIN, BAYLOR, BOWLER, BRUNEAU, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DIEZ, DIMOS, DOERGE, DOWNER, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FRUGE, GLOVER, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, McDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, ROMERO, SALTER, SCHNEIDER, SCHWEGMANN, SHAW, STELLY, THOMPSON, THORNHILL, TOOMY, TRAVIS, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, AND WRIGHT AND SENATORS CAIN, CAMPBELL, HINES, SMITH, THEUNISSEN, AND ULLO

**AN ACT**

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

On motion of Senator Bean, the bill which is a duplicate of Senate Bill No. 373 was read by title and lies over under the rules.

**HOUSE BILL NO. 1864—**

BY REPRESENTATIVES DANIEL, FRITH, CRANE, AND WALSWORTH

**AN ACT**

To amend and reenact R.S. 4:421(A)(2) and (4), 422(A), 423(B), (C), (D), and (E), 424(A)(introductory paragraph), (8), and (9), 425(A) and (C), 426(A)(introductory paragraph) and (1), (B), and (C), 427(A)(introductory paragraph), (B), and (C), and 430, to enact R.S. 4:420, 421(A)(7) and (8), 422.1, 423(F) and (G), 431, 432, and 433, and to repeal R.S. 4:422(F), relative to athlete agents; to provide for the registration of athlete agents; to provide for grounds for refusing to issue or renew registrations; to provide relative to agent contracts; to provide for suspension or revocation of registration; to prohibit certain acts; to remove certain exemptions for attorneys; to provide for enforcement; to provide for certain causes of action; to provide for certain other offenses by athletes and athlete agents and for penalties; and to provide for related matters.

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

**HOUSE BILL NO. 1909—**

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

**AN ACT**

To amend and reenact R.S. 48:256.4, relative to Department of Transportation and Development projects; to provide relative to the final acceptance of such projects; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 1912—**

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

**AN ACT**

To amend and reenact R.S. 48:256.3(A)(3), relative to Department of Transportation and Development projects; to provide for the

department official who is to receive claims against a contractor or surety; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 1916—**

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

AN ACT

To amend and reenact R.S. 48:256.5(D)(1), relative to Department of Transportation and Development contracts; to provide relative to the withholding of payments after claims are received by the department; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 1931—**

BY REPRESENTATIVE LANDRIEU

AN ACT

To repeal R.S. 37:104(3), relative to certified public accountants; to remove the requirement that a copy of a request for review be forwarded to the clerk of the Louisiana Supreme Court.

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

**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.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 1938—**

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

AN ACT

To amend and reenact R.S. 48:271, relative to the Department of Transportation and Development; to delete provisions authorizing the department to erect historical markers; to authorize the erection of directional signs to land holdings of the office of state parks; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 1960—**

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

AN ACT

To amend and reenact R.S. 38:90.1(8), 90.4(A)(1)(introductory paragraph) and (B)(1) and (2)(introductory paragraph), 90.7, 90.8, 90.9(1) and (4), 90.12(A), (B) and (C), 91, and 92(A)(introductory paragraph) and (4) and (B) and to repeal R.S. 38:90.12(D) and (E), relative to the Statewide Flood-Control Program; to provide relative to the office of public works and intermodal transportation; to provide relative to the local match; to provide relative to the state's

share of the cost of approved projects; to provide relative to the St. Mary Parish Consolidated Gravity Drainage District; to provide relative to in-kind work; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 1968—**

BY REPRESENTATIVE KENNEY

AN ACT

To amend and reenact Section 1(D) of Act 435 of the 1997 Regular Session of the Legislature, relative to reservoirs; to provide relative to nonsubmerged lands; to provide relative to the Bayou de Chene Reservoir; and to provide for related matters.

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

**HOUSE BILL NO. 2031 (Substitute for HB No. 609 by Representative Chaisson)—**

BY REPRESENTATIVE CHAISSON

AN ACT

To amend and reenact R.S. 13:2589(A) and R.S. 33:1702, relative to justice of the peace courts; to require that a minimum monthly salary to be paid from the parish governing authority; to provide for the minimum salary; and to provide for related matters.

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

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

BY REPRESENTATIVE TOOMY

AN ACT

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

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

**Messages from the House**

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

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

April 19, 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. 58—**

BY REPRESENTATIVE LONG

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to investigate solutions to flooding problems at Black Lake/Clear Lake and to present to the legislature by March 1, 2000, a report detailing its findings and recommendations.

**HOUSE CONCURRENT RESOLUTION NO. 136—**

BY REPRESENTATIVE MCCALLUM

**A CONCURRENT RESOLUTION**

To express the condolences of the Legislature of Louisiana upon the untimely death of Mr. Tonie Cox of Ruston and to acknowledge his incredible commitment to the residents of Lincoln Parish through his service as a dedicated and extraordinary parish law officer.

**HOUSE CONCURRENT RESOLUTION NO. 7—**

BY REPRESENTATIVES LONG AND JOHN SMITH

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to establish a rest area at the Interstate 49 and Highway 6 interchange and to urge and request the Department of Culture, Recreation and Tourism to maintain a tourist information center at that site.

**HOUSE CONCURRENT RESOLUTION NO. 11—**

BY REPRESENTATIVE LONG AND SENATOR SMITH

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development and United States Army Corps of Engineers to study drainage problems on the lower Cane River in Natchitoches Parish, Louisiana, and make recommendations to the legislature prior to the 2000 Regular Session.

**HOUSE CONCURRENT RESOLUTION NO. 106—**

BY REPRESENTATIVE ODINET

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to oppose U.S. Food and Drug Administration rules requiring post-harvest treatment of oysters and other shellfish.

**HOUSE CONCURRENT RESOLUTION NO. 57—**

BY REPRESENTATIVE LONG

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to select the route of the east-west corridor project from Vidalia, Louisiana, to Clarence, Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 98—**

BY REPRESENTATIVES HEBERT AND ROMERO AND SENATOR ROMERO

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to take appropriate action to provide that reimbursement of operational expenses of school bus drivers who own their own school buses and are contract employees of a school system will not be taxed as income.

**HOUSE CONCURRENT RESOLUTION NO. 12—**

BY REPRESENTATIVE LONG AND SENATOR SMITH

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to erect lighting at the intersection of Interstate Highway 49 and Louisiana Highway 6 in Natchitoches Parish, Louisiana.

**HOUSE CONCURRENT RESOLUTION NO. 5—**

BY REPRESENTATIVE MORRISH

**A CONCURRENT RESOLUTION**

To urge and request the Department of Public Safety and Corrections, office of state police, to strictly enforce the provisions of the Louisiana Revised Statutes which govern vehicles driving on the right side of the road, overtaking, and passing.

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. 5—**

BY REPRESENTATIVE MORRISH

**A CONCURRENT RESOLUTION**

To urge and request the Department of Public Safety and Corrections, office of state police, to strictly enforce the provisions of the Louisiana Revised Statutes which govern vehicles driving on the right side of the road, overtaking, and passing.

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

**HOUSE CONCURRENT RESOLUTION NO. 7—**

BY REPRESENTATIVES LONG AND JOHN SMITH

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to establish a rest area at the Interstate 49 and Highway 6 interchange and to urge and request the Department of Culture, Recreation and Tourism to maintain a tourist information center at that site.

On motion of Senator Bean, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE CONCURRENT RESOLUTION NO. 11—**

BY REPRESENTATIVE LONG AND SENATOR SMITH

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development and United States Army Corps of Engineers to study drainage problems on the lower Cane River in Natchitoches Parish, Louisiana, and make recommendations to the legislature prior to the 2000 Regular Session.

On motion of Senator Bean, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE CONCURRENT RESOLUTION NO. 12—**

BY REPRESENTATIVE LONG AND SENATOR SMITH

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to erect lighting at the intersection of Interstate Highway 49 and Louisiana Highway 6 in Natchitoches Parish, Louisiana.

On motion of Senator Bean, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE CONCURRENT RESOLUTION NO. 57—**

BY REPRESENTATIVE LONG

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to select the route of the east-west corridor project from Vidalia, Louisiana, to Clarence, Louisiana.

On motion of Senator Bean, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE CONCURRENT RESOLUTION NO. 58—**

BY REPRESENTATIVE LONG

**A CONCURRENT RESOLUTION**

To urge and request the Department of Transportation and Development to investigate solutions to flooding problems at Black Lake/Clear Lake and to present to the legislature by March 1, 2000, a report detailing its findings and recommendations.

On motion of Senator Bean, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE CONCURRENT RESOLUTION NO. 98—**  
BY REPRESENTATIVES HEBERT AND ROMERO AND SENATOR ROMERO  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take appropriate action to provide that reimbursement of operational expenses of school bus drivers who own their own school buses and are contract employees of a school system will not be taxed as income.

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

**HOUSE CONCURRENT RESOLUTION NO. 106—**  
BY REPRESENTATIVE ODINET  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to oppose U.S. Food and Drug Administration rules requiring post-harvest treatment of oysters and other shellfish.

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

**HOUSE CONCURRENT RESOLUTION NO. 136—**  
BY REPRESENTATIVE MCCALLUM  
A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the untimely death of Mr. Tonie Cox of Ruston and to acknowledge his incredible commitment to the residents of Lincoln Parish through his service as a dedicated and extraordinary parish law officer.

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

### ROLL CALL

The roll was called with the following result:

#### YEAS

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

#### NAYS

Total—0

#### ABSENT

Casanova  
Total—1

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

### Reports of Committees

The following reports of committees were received and read:

### REPORT OF COMMITTEE ON

### RETIREMENT

Senator Heitmeier, Chairman on behalf of the Committee on Retirement, submitted the following report:

April 19, 1999

To the President and Members of the Senate:

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

**SENATE BILL NO. 329—**  
BY SENATOR HEITMEIER

#### AN ACT

To enact R.S. 11:582(A)(6), relative to the Louisiana State Employees' Retirement System; to provide for a benefit accrual rate for certain members who continue employment following participation in the Deferred Retirement Option Plan; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 410—**  
BY SENATOR HEITMEIER

#### AN ACT

To amend and reenact R.S. 11:62(5)(b) and 450(B), relative to the Louisiana State Employees' Retirement System; to provide for employee contributions of correctional officers, probation and parole officers, and security officers of the Department of Public Safety and Corrections after participation in the deferred retirement option program; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 469—**  
BY SENATOR HEITMEIER

#### AN ACT

To amend and reenact R.S. 11:441(D)(3) and 444(A) and to enact R.S. 11:441(D)(4), relative to the Louisiana State Employees' Retirement System; to provide for benefit accrual rates and retirement eligibility of correctional officers, probation and parole officers, and security personnel employed by the Department of Public Safety and Corrections; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 752—**  
BY SENATOR HEITMEIER

#### AN ACT

To amend and reenact R.S. 11:2072, relative to the Registrars of Voters Employees' Retirement System; to provide for an increase in the accrual rate used in the computation of benefits payable upon retirement; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 950—**  
BY SENATOR HEITMEIER

#### AN ACT

To enact R.S. 11:291(C), relative to retirement benefits; to provide for the computation of a benefit ascribable to a community property interest; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 993—**  
BY SENATOR HEITMEIER

**AN ACT**

To amend R.S. 11:441(F), relative to Louisiana State Employees' Retirement System; to provide for retirement eligibility at any age after twenty-five years of service for employees of the bridge police section of the Crescent City Connection Division of the Department of Transportation and Development; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
FRANCIS C. HEITMEIER  
Chairman

**SUPPLEMENTAL REPORT OF COMMITTEE ON  
LABOR AND INDUSTRIAL RELATIONS**

Senator Jones, Chairman on behalf of the Committee on Labor and Industrial Relations, submitted the following supplemental report:

April 19, 1999

To the President and Members of the Senate:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

**SENATE BILL NO. 538—**  
BY SENATOR DARDENNE

**AN ACT**

To enact Chapter 59 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:3621 through 3629, relative to professional leasing organizations; to define such organizations and provide for their registration; to provide for the rights and responsibilities of professional leasing organizations and their clients relative to each other and their co-employees; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
CHARLES D. JONES  
Chairman

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

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

**SENATE BILL NO. 116—**

BY SENATORS CAIN, BARHAM, SMITH, DYESS, SCHEDLER AND THOMAS

**A JOINT RESOLUTION**

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana; to allow the state to donate asphalt removed from state roads and highways to certain governing authorities; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 116 by Senator Cain

**AMENDMENT NO. 1**

On page 2, line 17, after "organization" insert the following:

"; (7) the deduction of any tax, interest, penalty, or other charges forming the basis of tax liens on blighted property so that they may be subordinated and waived in favor of any purchaser who is not a member of the immediate family of the blighted property owner or which is not any entity in which the owner has a substantial economic interest, but only in connection with a property renovation plan approved by an administrative hearing officer appointed by the parish or municipal government where the property is located; ~~or~~ (8) the deduction of past due taxes, interest and penalties in favor of an owner of a blighted property, but only when the owner sells the property at less than the appraised value to facilitate the blighted property renovation plan approved by the parish or municipal government and only after the renovation is completed such deduction being cancelled, null and void, and to no effect in the event ownership of the property in the future reverts back to the owner or any member of his immediate family"

**AMENDMENT NO. 2**

On page 2, line 17, change "(7)" to "(9)"

On motion of Senator Landry, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 146—**  
BY SENATOR LENTINI

**AN ACT**

To enact R.S. 48:278, relative to highways; to provide relative to limited access highways; to discourage peak time construction and maintenance work on such highways in certain areas; to encourage preference for night time construction and maintenance work on such highways in certain areas; to authorize the Department of Transportation and Development to determine exceptions; to provide for a determination by oversight committee; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 146 by Senator Lentini

**AMENDMENT NO. 1**

On page 1, line 3, change "prohibit" to "discourage"

**AMENDMENT NO. 2**

On page 1, line 4, change "require" to "encourage"

**AMENDMENT NO. 3**

On page 1, line 7, change "reversal of such" to "a"

**AMENDMENT NO. 4**

On page 1, line 14, after "project" insert:

"which requires the closure of a lane"

**AMENDMENT NO. 5**

On page 1, line 16, after "insure" insert ", whenever feasible,"

**AMENDMENT NO. 6**

On page 2, line 18, after "members," delete the remainder of the line and delete lines 19 and 20 and insert:

", then such determination shall be sent to the governor and the department."

On motion of Senator Landry, the committee amendment was adopted. The amended bill was read by title, ordered engrossed and recommitted to the Committee on Finance.

**SENATE BILL NO. 223—**  
BY SENATOR CAMPBELL

AN ACT

To enact R.S. 56:116(D), relative to hunting; to create a "youth hunting" season for deer; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on to Natural Resources  
Original Senate Bill No. 223 by Senator Campbell

AMENDMENT NO. 1

On page 1, line 10, delete "(16)"

AMENDMENT NO. 2

On page 1, line 11, change "the weekend just" to "a weekend"

AMENDMENT NO. 3

On page 1, line 13, between "season" and the period "." insert the following:

"provided the youth has participated in and completed a hunter education course taught or approved by the department"

On motion of Senator Romero, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 248—**

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

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

Reported by substitute by the Committee on Education. The bill was read by title; the committee substitute bill was read.

**SENATE BILL NO. (SUBSTITUTE FOR SENATE BILL 248  
BY SENATOR DARDENNE)**

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

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

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:7(22), 3911(B), and 3912 are hereby amended and reenacted to read as follows:

§7. Duties, functions, and responsibilities of board

In addition to the authorities granted by R.S. 17:6 and any powers, duties, and responsibilities vested by any other applicable laws, the board shall:

\* \* \*

(22) Annually ~~submit to~~ submit each member of the legislature at the time of publication an electronic copy of the state, district, school, and parent-level progress profiles as required by R.S. 17:3911 and R.S. 17:3912, a listing of public elementary and secondary schools throughout the state for each indicator included on a per school basis, as applicable, in such profiles. Such indicators shall include but need not be limited to the number of faculty with a master's degree or higher, classes by class size ranges, student attendance data, the number of student suspensions, the number of student expulsions, the number of student dropouts, the results on criterion-referenced tests and norm-referenced tests required by law, the results on the graduation exit exam, the percent of students who take the American College Test, the percent of students who take the Scholastic Aptitude Test, the results on the American College Test, high school graduation rates, the number of graduating seniors who enroll in an institution of higher education the semester following graduation, and data on first-time college freshmen performance. Upon request, the board shall provide the listing required by this Paragraph such profiles to any legislator in the form of a computer diskette paper report.

\* \* \*

§3911. Data collection system; establishment

\* \* \*

B. (1) ~~Except as otherwise required by R.S. 17:100.7, the~~ The data collection system shall provide for but shall not be limited to the regular collection of the following information which may include the following on a per school basis, as appropriate:

(1) (a) The results of all tests required by law or board regulation, including results from any state required criterion-referenced test, norm-referenced test, and graduation exit exam.

(2) ~~The composite and subtest means for college-bound students. The composite and subtest means for college-bound students shall be: (a) the mean scores for students in the graduating class who have taken the American College Test or the Scholastic Aptitude Test, and (b) the mean scores for students in the class who are reported as enrolled in a core of college preparatory courses consisting of four years of English, three years of mathematics, three years of science, and three years of social science. For the American College Test, the composite mean is the reported composite mean; the subtest means are those reported for English, mathematics, social studies, and natural science. For the Scholastic Aptitude Test, the composite mean is the sum of the reported verbal mean score and the mathematics mean score; the subtest means are those for the verbal test and the mathematics test.~~

(3) ~~The number of National Merit Scholarship semi-finalists.~~

(b) College readiness test information, including American College Test scores.

(c) School performance scores pursuant to R.S. 17:10.1.

(4) (d) Dropout rates, as defined by board rule.

(5) (e) Student and faculty attendance rates.

(6) (f) Graduation rates: High school completion rates.

(7) ~~Number of students in advanced placement classes.~~

(8) ~~The number of teachers with each class of certificate and each type of other teaching credential as well as the number of persons teaching without any certificate or other teaching credential.~~

(9) ~~Whether or not the school principal has participated in Administrative Leadership Academy programs, pursuant to R.S. 17:3763.~~

(10) Socio-economic status of the students, as defined by the board.

(11) Current expenditure rate per pupil.

(12) Number of expulsions and suspensions.

(13) The number of waivers, by grade, granted by the board regarding maximum class size.

(14) The average class size for each grade taught, if classes are self-contained, or for each subject taught, if classes are organized by subject.

(g) Faculty information.

(h) Financial information.

(i) Student discipline information.

(j) Class size information.

(15) (k) Such other data as the board may approve, on the recommendation of the superintendent.

**(2) The data collection system may also provide for but shall not be limited to the regular collection of the following information:**

(a) Faculty attendance rates.

(b) Number of students in advanced placement classes.

(c) Number of National Merit Scholarship finalists and semi-finalists.

(d) Socio-demographic student information.

(e) Such other data as the board may approve.

\* \* \*

§3912. Progress profiles; preparation; distribution; purpose; first time freshman performance information; supplementary report

A. From Using, at a minimum, the data required to be collected pursuant to R.S. 17:3911(B), the department shall annually prepare and produce progress profiles on every public school and school system in the state and the state as a whole a state-level progress profile, a district-level progress profile for each public school system, and a school-level progress profile for each public school. Each profile shall be produced in a format common to all of them which shall be designed by the department so as to provide to school-based users all pertinent information in a readily usable form and to provide to the public all pertinent information in a clear and understandable form. Each The state-level and each district-level profile shall contain the information from the previous five profile reports last three years of trend information as required by R.S. 17:10.2(C). Each school profile shall contain all of the information relevant to the school as required to be collected pursuant to R.S. 17:3911(B) as well as the same information for the school system as a whole and the state. In addition, a parent-level progress profile shall be prepared containing, at a minimum, results from required state tests and other relevant information used to compute a school's performance score as part of the district and school accountability program.

B. (†) All such profiles shall be public record and each school and school system shall be provided a copy of its profile their profiles by the department without cost, and each parent shall be provided without cost a parent's Each district shall provide to parents a free copy of the parent-level profile of the school which the parent's child or children attend. Additionally, the department shall provide a summary report on the content of the profiles shall be provided to the board, the governor, and the members of the legislature. (2) The parent's parent-level profile provided pursuant to Paragraph (1) of this Subsection shall be in a format and of a nature that is easy to read, clear, and understandable. The information required by Subsection C of this Section shall be included in the parent's profile.

C. (†) In addition to the requirements of R.S. 17:3911, each high school progress profile report shall contain information relative to the performance of the students from each high school who are enrolled as first-time freshmen at a state college or university as well as any independent college or university that wishes to contribute the information to the report.

(2) Each report of college performance required by this Subsection shall contain common data elements of performance information, as determined by the board in consultation with the Board of Regents, for students who graduated from each high school in each parish and city school system in the immediately preceding year. Each such report shall be presented in a uniform format according to a reporting schedule, as determined by the board, that would allow each high school to receive the information on its graduates from all state colleges and universities during a specified time period. Performance data shall include a standard designation of students either by age or by high school graduation date and the program they completed in high school, whether college preparatory, general, or vocational. Such reports shall be made on an annual basis and shall include information on the number of students from each high school in each system requiring remedial training and the subject matter of such training.

(3) Information regarding the performance of first-time freshmen similar to that provided in progress profiles pursuant to Paragraph (2) of this Subsection shall also be prepared and provided for all nonpublic schools approved by the board that wish to receive one. Such reports shall be forwarded to the head of any nonpublic school system, or, if there is no system, to the principal of each such school.

(4) Each state progress profile report shall also include aggregate school, parish, and state level data relative to student performance of first-time freshmen. The summary report produced as required in Subsection B of this Section shall also contain summary information of the performance information required in this Subsection.

D. C. The purpose of the profiles provided for in this Section shall be to establish a data base for educational planning, increase accountability at all levels, provide information to parents of school children and the public about the status of education, to provide achievement and performance information to schools and colleges, and to foster a permanent and productive link between the elementary and secondary schools and the colleges and universities.

E. (1) A supplementary report to the progress profiles shall be prepared containing the number of students from each high school in each school system requiring remedial training upon college enrollment pursuant to R.S. 17:1814. Each parent shall be provided without cost a copy of the supplementary report contained in this Subsection that would provide information relative to the child's specific school.

(2) D. (1) Annually, each state and independent college and university shall report to the State Board of Elementary and Secondary Education this information pertaining to student remediation the performance of their students who are enrolled as first-time freshmen at that college or university. Such performance information shall be categorized by high school in a format approved by the State Board of Elementary and Secondary Education.

**(2) The state Department of Education shall make the information as provided in this Subsection available to legislators, all city and parish school systems, and the public.**

**(3) By January 1, 2000, the State Board of Elementary and Secondary Education, in conjunction with the Board of Regents and the Louisiana Association of Independent Colleges and Universities, shall submit a report to the legislature which specifies the types of first-time freshman performance data to be annually collected and reported pursuant to this Section, and the responsibilities to be undertaken by each relevant entity to ensure the accuracy of the reported information.**

Section 2. R.S. 17:3911(C)(5) is hereby repealed.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided 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.

April 19, 1999

On motion of Senator Greene, the committee substitute bill was adopted and becomes Senate Bill No. 1024 by Senator Dardenne, substitute for Senate Bill No. 248 by Senator Dardenne.

**SENATE BILL NO. 1024 (SUBSTITUTE FOR SENATE BILL 248 BY SENATOR DARDENNE)—**

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

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

The bill was read by title; lies over under the rules.

**SENATE BILL NO. 296—**  
BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 17:47(D), 500.2 and 1202, relative to sick leave for school personnel; to provide relative to advanced sick leave for certain employees; to eliminate the prohibition on certain deductions from the salary of a teacher or school bus driver under certain circumstances; to provide for the granting of certain sick leave advances under certain circumstances; to require that disability insurance be made available to certain employees; to provide for the disposition of monies saved by eliminating certain mandates; to provide for additional compensation to certain teachers; to provide for the responsibilities of city and parish school boards and the State Board of Elementary and Secondary Education; and to provide for related matters.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 296 by Senator Greene

**AMENDMENT NO. 1**

On page 1, line 2, change "repeal" to "amend and reenact"

**AMENDMENT NO. 2**

On page 1, line 3, change "extended" to "advanced"

**AMENDMENT NO. 3**

On page 1, line 5, after "circumstances;" insert "to provide for the granting of certain sick leave advances under certain circumstances; to require that disability insurance be made available to certain employees;"

**AMENDMENT NO. 4**

On page 1, line 12, change "repealed." to "amended and reenacted to read as follows:"

**AMENDMENT NO. 5**

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

§47. Sick and personal leave

\* \* \*

D.(1) The board is prohibited from deducting any amount whatsoever from a teacher's salary, in case of absence, unless a substitute teacher was employed and actually served, during such teacher's absence; and only such amount may be deducted as was actually paid to the substitute teacher. Any teacher who suffers

deduction from salary, under the provisions of this Section, shall be entitled, upon request, to be furnished with the name and address of the substitute teacher. Nothing contained in this Section shall be so construed as to authorize or permit any deduction from the pay of a teacher because of the employment or assignment of a substitute teacher during the minimum leave of absence period, without loss of pay, provided for, established and fixed in Subsections A through C of this Section shall advance sick leave, as provided in Subsection A of this Section, to any teacher who has no remaining sick leave and who is ill or injured such that the teacher is required to remain away from school, who seeks such advance leave, and who certifies that need by presentation of a sworn statement from a licensed physician to the board or in the manner required by the board.

(2) The use of such advanced sick leave shall result in a reduction in the number of days of regular sick leave accruing to such teacher in the normal course of employment equal to the number of days advanced to the teacher until no liability remains for days of advanced sick leave.

(3) At no time shall any teacher be permitted to exceed an advanced sick leave liability of ten days.

(4)(a) Upon termination of a teacher's employment with the special schools of this state, should an advanced sick leave liability remain as to such teacher, the teacher shall repay to the state the per diem cost of such days of leave calculated based on the teacher's salary at the time of such termination. This liability shall be repaid prior to the issuance of a final salary due such teacher and, if not repaid within 30 days of notice of the liability, may be withheld from any final salary or other compensation due such teacher.

(b) Should a teacher with advanced sick leave liability terminate during a period of the year when no salary or other compensation is due a teacher and the liability is not repaid within 60 days of notice of the liability, the matter shall be turned over to the office of the attorney general for collection.

(c) Should a teacher with advanced sick leave liability seek to retire or participate in a deferred retirement option program, the teacher shall repay to the state the per diem cost of such days of leave calculated based on the teacher's salary at the time of such termination prior to retiring or participating in a deferred retirement option program.

(d) Should a teacher die with advanced sick leave liability, such liability shall be forgiven by the state.

(5) The board shall provide for the availability of disability insurance for each teacher as a benefit of employment.

\* \* \*

§500.2. School bus operators; salary while on leave; deductions

A. ~~No city or parish school board shall deduct any amount whatsoever from the salary of a school bus operator when such operator is on approved leave unless a substitute school bus operator was employed and actually served during such school bus operator's leave, and only such amount may be deducted as was actually paid to the substitute. Any school bus operator from whose salary such deduction is made shall be entitled, upon request, to be furnished with the name and address of the substitute. Nothing contained in this Section shall be so construed as to authorize or permit any deduction from the pay of a school bus operator because of the employment or assignment of a substitute school bus operator during the minimum leave of~~

absence period, without loss of pay, provided for, established, and fixed in R.S. 17:500. Every city and parish school board shall advance sick leave, as provided in R.S. 17:500, to any school bus operator who has no remaining sick leave and who is ill or injured such that the school bus operator is required to remain away from his duties, who seeks such advance leave, and who certifies that need by presentation of a sworn statement from a licensed physician to the board or in the manner required by the board.

B. The use of such advanced sick leave shall result in a reduction in the number of days of regular sick leave accruing to such school bus operator in the normal course of employment equal to the number of days advanced to the school bus operator until no liability remains for days of advanced sick leave.

C. At no time shall any school bus operator be permitted to exceed an advanced sick leave liability of ten days.

D.(1) Upon termination of a school bus operator's employment, should an advanced sick leave liability remain as to such school bus operator, the school bus operator shall repay to his employing school board the per diem cost of such days of leave calculated based on the operator's salary at the time of such termination. This liability shall be repaid prior to the issuance of a final salary due such operator and, if not repaid within 30 days of notice of the liability, may be withheld from any final salary or other compensation due such operator.

(b) Should an operator with advanced sick leave liability terminate during a period of the year when no salary or other compensation is due an operator and the liability is not repaid within sixty days of notice of the liability, the matter shall be turned over to the district attorney with jurisdiction for collection or may be collected in any other manner the board determines.

(c) Should a teacher with advanced sick leave liability seek to retire or participate in a deferred retirement option program, the teacher shall repay to the state the per diem cost of such days of leave calculated based on the teacher's salary at the time of such termination prior to retiring or participating in a deferred retirement option program.

(d) Should an operator die with advanced sick leave liability, such liability shall be forgiven by the board.

E. The board shall provide for the availability of disability insurance for each school bus operator as a benefit of employment.

\* \* \*

§1202. Deduction from absent teacher's salary; limitations as to amount

A. Parish Every parish and city school boards are prohibited from deducting any amount whatsoever from a teacher's salary, in case of absence, unless a substitute teacher was employed and actually served, during such teacher's absence, and only such amount may be deducted as was actually paid to the substitute teacher. Any teacher who suffers deduction from salary, under the provisions of this Section, shall be entitled, upon request, to be furnished with the name and address of the substitute teacher. Nothing contained in this Section shall be so construed as to authorize or permit any deduction from the pay of a teacher because of the employment or assignment of a substitute teacher during the minimum leave of absence period, without loss of pay, provided for, established and fixed in R.S. 17:1201. board shall

advance sick leave, as provided in R.S. 17:1201 to any teacher who has no remaining sick leave and who is ill or injured such that the teacher is required to remain away from school, who seeks such advance leave, and who certifies that need by presentation of a sworn statement from a licensed physician to the board or in the manner required by the board.

B. The use of such advanced sick leave shall result in a reduction in the number of days of regular sick leave accruing to such teacher in the normal course of employment equal to the number of days advanced to the teacher until no liability remains for days of advanced sick leave.

C. At no time shall any teacher be permitted to exceed an advanced sick leave liability of ten days.

D.(1) Upon termination of a teacher's employment, should an advanced sick leave liability remain as to such teacher, the teacher shall repay to his employing school board the per diem cost of such days of leave calculated based on the teacher's salary at the time of such termination. This liability shall be repaid prior to the issuance of a final salary due such teacher and, if not repaid within 30 days of notice of the liability, may be withheld from any final salary or other compensation due such teacher.

(b) Should a teacher with advanced sick leave liability terminate during a period of the year when no salary or other compensation is due a teacher and the liability is not repaid within sixty days of notice of the liability, the matter shall be turned over to the district attorney with jurisdiction for collection or may be collected in any other manner the board determines.

(c) Should a teacher with advanced sick leave liability seek to retire or participate in a deferred retirement option program, the teacher shall repay to the state the per diem cost of such days of leave calculated based on the teacher's salary at the time of such termination prior to retiring or participating in a deferred retirement option program.

(d) Should a teacher die with advanced sick leave liability, such liability shall be forgiven by the board.

E. The board shall provide for the availability of disability insurance for each teacher as a benefit of employment."

On motion of Senator Greene, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 297—  
BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 17:46(A) through (G) and (N), 1171(A), 1172 through 1177, 1184, 3321(A), 3322, 3323(A), and 3326, relative to sabbatical leave for teachers and college faculty; to repeal the authority for the granting of such leaves for rest and recuperation; to provide relative to the effect of such repeal on leaves previously granted; to provide for the granting of medical sabbatical leaves; to provide for the application and eligibility requirements for such medical sabbatical leaves; and to provide for related matters.

Reported with amendments by the Committee on Education.

# SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 297 by Senator Greene

AMENDMENT NO. 1

On page 1, line 2, after "(G)" insert "and (N)"

AMENDMENT NO. 2

On page 1, line 3, after "1177" insert ", 1184," and after "3321(A)" delete "and" and insert ",3322," and after "3323" insert "(A), and 3326"

AMENDMENT NO. 3

On page 1, line 6, after "granted;" insert "to provide for the granting of medical sabbatical leaves; to provide for the application and eligibility requirements for such medical sabbatical leaves;"

AMENDMENT NO. 4

On page 1, line 8, after "1177" insert ", 1184,"

AMENDMENT NO. 5

On page 1, line 9, after "3321(A)" delete "and" and insert ", 3322," and after "3323" insert "(A), and 3326"

AMENDMENT NO. 6

On page 1, line 13, after "improvement" insert " or medical leave"

AMENDMENT NO. 7

On page 3, delete line 27 and on page 4, delete line 1 and insert "(2) whether (b) Whether leave is requested for the purpose of professional or cultural improvement, or for the purpose of rest and recuperation medical leave."

AMENDMENT NO. 8

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

AMENDMENT NO. 9

On page 4, line 4, change "(c)" to "(d)"

AMENDMENT NO. 10

On page 4, line 6, change "(d)" to "(e)"

AMENDMENT NO. 11

On page 4, delete lines 10 through 13 and insert in lieu thereof:

"(4)(a) Every application for sabbatical medical leave for the purpose of rest and recuperation shall be accompanied by statements a statement from two physicians a licensed physician certifying that the health of the applicant is such that the granting of such leave would be proper and justifiable the leave is medically necessary.

"(b)(i) If the board, upon review of the application, questions the validity or accuracy of the certification, the board may require the applicant, as a condition for continued consideration of the application, to be examined by a licensed physician selected by the board. In such a case, the board shall pay all costs of the examination and any tests determined to be necessary. If the physician selected by the board finds medical necessity, the leave application shall be granted.

"(ii) If the physician selected by the board disagrees with the certification of the physician selected by the applicant, then the board may require the applicant, as a condition for continued consideration of the application, to be examined by a third licensed physician selected jointly by the two physicians in disagreement. Such physician shall be a specialist in the appropriate field. If the two physicians in disagreement are unable to agree on a third physician, then an independent specialist shall be the next physician to appear on a list of physicians by specialty maintained by the board. All costs of an examination and any required tests by a third doctor shall be paid by the board. The opinion of the third physician shall be determinative of the issue.

"(c) The opinion of all physicians consulted as provided in this Paragraph shall be submitted to the board in the form of a sworn statement, as referenced in R.S. 14:125.

"(d) All information contained in any statement from a physician shall be confidential and shall not be subject to the public records law."

AMENDMENT NO. 12

On page 4, delete lines 24 through 26 and insert in lieu thereof the following:

"G.(1)(a) Every person on medical sabbatical leave for the purpose of rest and recuperation shall spend such leave in a manner calculated to attain that purpose is prohibited from undertaking any gainful employment during such leave unless the board approves such employment based on a recommendation from a physician in the certification accompanying the application.

"(b) Violation of the prohibition in this Subsection shall result in the medical leave being rescinded."

AMENDMENT NO. 13

On page 4, line 27, before "Every" insert "(2)"

AMENDMENT NO. 14

On page 5, between lines 15 and 16, insert the following:

"\* \* \*

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

The board may pay such additional compensation to teacher on sabbatical leave as it may establish and fix:

\* \* \*

AMENDMENT NO. 15

On page 5, line 19 change "leave" to "leaves"

AMENDMENT NO. 16

On page 5, line 20, after "improvement" insert "or for the purpose of medical leave"

AMENDMENT NO. 17

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

"(2) ~~whether~~ Whether leave is requested for the purpose of professional or cultural improvement, or for the purpose of rest and recuperation medical leave."

AMENDMENT NO. 18

On page 8, line 6, change "(2)" to "(3)"

AMENDMENT NO. 19

# Page 26 SENATE

April 19, 1999

## 12th DAY'S PROCEEDINGS

On page 8, line 8, change "(3)" to "(4)"

### AMENDMENT NO. 20

On page 8, line 10, change "(4)" to "(5)"

### AMENDMENT NO. 21

On page 8, line 11, after "C." insert "(1)"

### AMENDMENT NO. 22

On page 8, delete lines 14 through 17 and insert in lieu thereof the following:

"(2) Every application for sabbatical medical leave ~~for the purpose of rest and recuperation~~ shall be accompanied by statements ~~a statement~~ from two physicians a licensed physician certifying that the health of the applicant is such that the granting of such leave would be proper and justifiable the leave is medically necessary.

(b)(i) If the board, upon review of the application, questions the validity or accuracy of the certification, the board may require the applicant, as a condition for continued consideration of the application, to be examined by a licensed physician selected by the board. In such a case, the board shall pay all costs of the examination and any tests determined to be necessary. If the physician selected by the board finds medical necessity, the leave application shall be granted.

(ii) If the physician selected by the board disagrees with the certification of the physician selected by the applicant, then the board may require the applicant, as a condition for continued consideration of the application, to be examined by a third licensed physician selected jointly by the two physicians in disagreement. Such physician shall be a specialist in the appropriate field. If the two physicians in disagreement are unable to agree on a third physician, then an independent specialist shall be the next physician to appear on a list of physicians by specialty maintained by the board. All costs of an examination and any required tests by a third doctor shall be paid by the board. The opinion of the third physician shall be determinative of the issue.

(c) The opinion of all physicians consulted as provided in this Paragraph shall be submitted to the board in the form of a sworn statement, as referenced in R.S. 14:125.

(d) All information contained in any statement from a physician shall be confidential and shall not be subject to the public records law."

### AMENDMENT NO. 23

On page 9, delete lines 3 through 5 and insert in lieu thereof the following:

"A. (1) Every person on medical sabbatical leave ~~for the purpose of rest and recuperation shall spend such leave in a manner calculated to attain that purpose~~ is prohibited from undertaking any gainful employment during such leave unless the board approves such employment based on a recommendation from a physician in the certification accompanying the application.

(2) Violation of the prohibition in this Subsection shall result in the medical leave being rescinded."

### AMENDMENT NO. 24

On page 9, line 6, after "(B)(1)" insert "(3)"

### AMENDMENT NO. 25

On page 9, line 9, change "nine" to "six"

### AMENDMENT NO. 26

On page 9, line 14, delete "graduate or"

### AMENDMENT NO. 27

On page 9, line 15, after "A" insert "(3)"

### AMENDMENT NO. 28

On page 9, line 16, after "A" insert "(3)"

### AMENDMENT NO. 29

On page 9, line 18, delete "or six graduate credit hours"

### AMENDMENT NO. 30

On page 9, line 26, after "C." insert "(1)" and after "leave" insert "for professional or cultural improvement"

### AMENDMENT NO. 31

On page 10, between lines 2 and 3, insert the following:

"(2)(a) Every person on medical sabbatical leave is prohibited from undertaking any gainful employment during such leave unless the board approves such employment based on a recommendation from a physician in the certification accompanying the application.

(b) Violation of the prohibition in this Paragraph shall result in the medical leave being rescinded."

§1184. Compensation while on leave

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

Any school board may pay such additional compensation to teachers on sabbatical leave as it may establish and fix: "

### AMENDMENT NO. 32

On page 10, line 7, change "; or" to ","

### AMENDMENT NO. 33

On page 10, line 8, after "research" insert "or for the purpose of medical leave"

### AMENDMENT NO. 34

On page 10, between lines 18 and 19, insert the following:

"§3322. Application procedures

A. Application Except as provided in Subsection B of this Section, application procedures for sabbatical leave shall be established by the appropriate management boards governing the institutions of higher education in the state. Such procedures shall include but shall not be limited to application forms, filing deadlines, method of selection, notification of approval or denial, and grounds for rejection of applications.

B.(1)Every application to the appropriate board for sabbatical medical leave shall be accompanied by a statement from a licensed physician certifying that the leave is medically necessary.

(2)(a) If the board, upon review of the application, questions the validity or accuracy of the certification, the board may require the applicant, as a condition for continued consideration of the application, to be examined by a licensed physician selected by the board. In such a case, the board shall pay all costs of the examination and any tests determined to be necessary. If the physician selected by the board finds medical necessity, the leave application shall be granted.

(b) If the physician selected by the board disagrees with the certification of the physician selected by the applicant, then the board may require the applicant, as a condition for continued consideration of the application to be examined by a third licensed physician selected jointly by the two physicians in disagreement. Such physician shall be a specialist in the appropriate field. If the two physicians in disagreement are unable to agree on a third physician, then an independent specialist shall be the next physician to appear on a list of physicians by specialty maintained by the board. All costs of an examination and any required tests by a third doctor shall be paid by the board. The opinion of the third physician shall be determinative of the issue.

(c) The opinion of all physicians consulted as provided in this Paragraph shall be submitted to the board in the form of a sworn statement, as referenced in R.S. 14:125."

#### AMENDMENT NO. 35

On page 10, delete lines 20 through 22, insert the following:

"A. (1) Every person on a medical sabbatical leave for the purpose of rest and recuperation shall spend such leave in a manner calculated to attain that purpose is prohibited from undertaking any gainful employment during such leave unless the board approves such employment based on a recommendation from a physician in the certification accompanying the application.

(2) Violation of the prohibition in this Subsection shall result in the medical leave being rescinded."

#### AMENDMENT NO. 36

On page 10, delete lines 23 through 27 and insert in lieu thereof:

\*\* \* \*

§3326. Compensation while on leave

Each person granted sabbatical leave shall receive and be paid compensation for the period of leave ~~approved at the rate and according to procedures promulgated by the appropriate management board~~ sixty-five percent of the person's salary at the time the leave begins. The employer and employee shall contribute to the retirement system on the basis of the annual salary rate while the employee is on leave."

On motion of Senator Greene, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

#### SENATE BILL NO. 362—

BY SENATOR LANDRY AND IRONS  
AN ACT

To amend and reenact R.S. 32:295.1(F), relative to the required use of safety belts; to delete the provision prohibiting vehicles and occupants from being detained for failure to wear a safety belt; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Landry, the bill, which was designated a duplicate of House Bill No. 190, was read by title, ordered engrossed and passed to a third reading.

#### SENATE BILL NO. 489—

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 40:1749.12(8) and (11), 1749.13(B)(1) and (4) and (C), 1749.14(A), (B), (C)(1)(a), (b)(i), (iii), and (iv) and (2), 1749.15, 1749.16(2) and (3), 1749.17(A), 1749.18, 1749.20(A), the introductory paragraph of (B), 1749.23(C), the introductory paragraph of (D), and (D)(2), and 1749.24(A)(2) and to enact R.S. 40:1749.20(B)(6) and 1749.23(D)(3) relative to public utilities; to provide relative to notification of evacuation or demolition activities; to require certification of regional notification centers; to require promulgation of rules to establish certification requirement and procedures; to provide relative to penalties for nonparticipation in such centers or for noncompliance with notification requirements; to provide for disbursement of proceeds from such penalties; and to provide for related matters.

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

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 489 by Senator Landry

##### AMENDMENT NO. 1

On page 3, line 12, after "excavator" insert "or demolisher"

##### AMENDMENT NO. 2

On page 4, line 1, after "Christmas Day," insert "and/"

##### AMENDMENT NO. 3

On page 4, line 10, after "Christmas Day," insert "and/"

##### AMENDMENT NO. 4

On page 11, line 4, after "subdivision" insert ", except justice of the peace courts,"

On motion of Senator Landry, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

#### SENATE BILL NO. 521—

BY SENATOR DARDENNE

AN ACT

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

Reported with amendments by the Committee on Labor and Industrial Relations.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 521 by Senator Dardenne

##### AMENDMENT NO. 1

On page 2, line 2, after "purposes:" insert "Provided, however the employer portion of health insurance premiums shall be included in the computation of wage and average weekly wage."

On motion of Senator Jones, the committee amendment was adopted. The amended bill, which was designated a duplicate of House

Bill No. 1638, was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 550—**  
BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 56:322(I), relative to crawfish traps; to reduce the minimum mesh size for commercial crawfish traps; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. On motion of Senator Romero, the bill was read by title, ordered engrossed and passed to a third reading.

**SENATE BILL NO. 558—**  
BY SENATOR THEUNISSEN

AN ACT

To repeal R.S. 56:251(A)(2)(b), relative to the possession limits for nonresident alligator hunters; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. On motion of Senator Romero, the bill was read by title, ordered engrossed and passed to a third reading.

**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.

Reported favorably by the Committee on Education. On motion of Senator Greene, the bill was read by title, ordered engrossed and passed to a third reading.

**SENATE BILL NO. 647—**  
BY SENATOR SMITH

AN ACT

To enact R.S. 56:1948.7(C), relative to scenic highways; to provide for exceptions; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 647 by Senator Smith

**AMENDMENT NO. 1**

On page 1, line 12, after "government, and" delete the remainder of the line and on line 13, delete "and US 84" and insert:

"which includes State Highway 6, from its connection with US 84 west,"

On motion of Senator Landry, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 669—**  
BY SENATOR ROBICHAUX

AN ACT

To amend and reenact R.S. 38:318, R.S. 39:1304 through 1314, and to enact R.S. 39:1302(3) and 1315, relative to levee district and local government accounting and budgets; to authorize the legislative auditor to develop a uniform chart of accounts; to provide for budget forms and formats; and to provide for related matters.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 669 by Senator Robichaux

**AMENDMENT NO. 1**

On page 1, delete line 2 in its entirety and insert in lieu thereof:

"To amend and reenact R.S. 38:318, R.S. 39:1304 through 1314, and to enact R.S. 39:1302(3) and 1315,"

**AMENDMENT NO. 2**

On page 1, at the beginning of line 3, delete "39:1315"

**AMENDMENT NO. 3**

On page 2, delete lines 12 and 13 in their entirety and insert in lieu thereof:

"Section 2. R.S. 39:1304 through 1314 are hereby amended and reenacted and R.S. 39:1302(3) and 1315 are hereby enacted to read as follows:"

**AMENDMENT NO. 4**

On page 2, between lines 14 and 15, insert "For the purposes of this Chapter:"

**AMENDMENT NO. 5**

On page 2, line 20, change "Uniform Chart of Accounts" to "**Uniform chart of accounts**"

**AMENDMENT NO. 6**

On page 4, line 27, and page 5, line 7, change "1307" to "**1308**"

**AMENDMENT NO. 7**

On page 7, line 4, change "1304(C)" to "**1305(C)**"

**AMENDMENT NO. 8**

On page 7, line 8, change "1312" to "**1313**"

**AMENDMENT NO. 9**

On page 7, line 11, change "1310" to "**1311**"

**AMENDMENT NO. 10**

On page 7, line 15, change "1310(A)" to "**1311(A)**"

**AMENDMENT NO. 11**

On page 7, line 19, change "1306(B)" to "**1307(B)**"

**AMENDMENT NO. 12**

On page 10, line 6, change "1313" to "**1314**"

**AMENDMENT NO. 13**

On page 10, line 8, change "1304(E)" to "**1305(E)**"

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 692—**  
BY SENATOR CAIN AND REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 48:220(B), relative to roads and highways; to authorize placement of fences within the rights-of-way in Wards 1 and 5 in Beauregard Parish; and to provide for related matters.

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

## SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 692 by Senator Cain

AMENDMENT NO. 1

On page 1, line 12, after "erected" insert "not to exceed twelve inches"

AMENDMENT NO. 2

On page 1, line 14, after "Parish" insert "with a permit from the department"

On motion of Senator Landry, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 697—**

BY SENATOR JONES

## AN ACT

To amend and reenact R.S. 23:1310.1(B), relative to workers' compensation; to provide with respect to requirements for ad hoc officers who preside over workers' compensation adjudicatory hearings; and to provide for related matters.

Reported with amendments by the Committee on Labor and Industrial Relations.

## SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 697 by Senator Jones.

AMENDMENT NO. 1

On page 2, line 2, after "employed." insert "Any temporary ad hoc officers appointed or designated by the department to preside over a workers' compensation adjudicatory hearing, shall meet the same eligibility requirements and shall comply with the same provisions of civil service for appointment, retention, or reappointment as are required for workers' compensation judges authorized under this Section.

On motion of Senator Jones, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 705—**

BY SENATOR CRAVINS

## AN ACT

To amend and reenact Section 4 of Act No. 289 of the 1980 Regular Session of the Legislature, as amended by Act No. 642 of the 1984 Regular Session of the Legislature, relative to the St. Landry Parish Solid Waste Disposal Commission; to provide for allocation of surplus funds accumulated by the commission to a fund dedicated to the repair of St. Landry Parish's infrastructure; and to provide for related matters.

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

## SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 705 by Senator Cravins

AMENDMENT NO. 1

On page 2, delete lines 17 through 19 in their entirety and insert in lieu thereof:

"(g) To appropriate surplus funds derived from fees collected from persons or political subdivisions for the disposal of solid waste generated outside of the boundaries of the district and to donate or grant said funds

to the St. Landry Police Jury and to each of the twelve incorporated municipalities of St. Landry Parish for the repair and maintenance of parish roads and municipal streets in St. Landry Parish and to improve drainage of same. The commission shall have authority to adopt rules governing the disbursement of funds prior to the disbursement of said funds."

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill, which was designated a duplicate of House Bills Nos. 297 and 1609, was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 723—**

BY SENATOR CASANOVA

## AN ACT

To authorize the allocation of certain funds derived by the governing authority of a parish-wide solid waste district to governmental entities within such parish; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Bajoie, the bill was read by title, ordered engrossed and passed to a third reading.

**SENATE BILL NO. 833—**

BY SENATOR JOHNSON

## AN ACT

To amend and reenact R.S. 39:1410.60(C)(1), relative to local government finances; to provide with respect to the definition of debt for purposes of State Bond Commission approval; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Bajoie, the bill was read by title, ordered engrossed and passed to a third reading.

**SENATE BILL NO. 834—**

BY SENATOR JOHNSON

## AN ACT

To enact R.S. 39:1410.66, relative to local government finances; to require bond counsel to transmit bond transcripts regarding political subdivision bond or debt issues within six months of the issuance; to provide for penalties; and to provide for related matters.

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

## SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 834 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 15, change "to exceed five hundred" to "more than five thousand"

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 889—**

BY SENATOR LANDRY

## AN ACT

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

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Landry, the bill was read by title, ordered engrossed and passed to a third reading.

**SENATE BILL NO. 897—**

BY SENATOR BEAN

**AN ACT**

To amend and reenact R.S. 47:473(H), relative to the authorized use of motor vehicle dealer inventory plates; to provide that a transaction treated as a taxable fringe benefit under federal tax provisions shall not be considered renting or leasing; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Landry, the bill, which was designated a duplicate of House Bill No. 849, was read by title, ordered engrossed and passed to a third reading.

**SENATE BILL NO. 919—**

BY SENATOR EWING

**AN ACT**

To enact Chapter 27 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1231 through 1236, and R.S. 36:744(O) and 919.6, relative to museums; to establish the Eddie G. Robinson Museum Commission; to provide for its domicile; to provide for membership; to provide for the powers and duties of the commission; to provide relative to funding; and to provide for related matters.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 919 by Senator Ewing

**AMENDMENT NO. 1**

On page 1, line 3, change "36:209(Q)" to "36:744(O)"

**AMENDMENT NO. 2**

On page 2, delete line 11, and insert "State."

**AMENDMENT NO. 3**

On page 3, line 15, delete "the Department of Culture," and on line 16, delete "Recreation and Tourism" and insert "State"

**AMENDMENT NO. 4**

On page 4, line 4, delete "the Department of Culture, Recreation and" and on line 5, delete "Tourism" and insert "State"

**AMENDMENT NO. 5**

On page 4, line 12, change "Culture, Recreation and Tourism" and insert "State"

**AMENDMENT NO. 6**

On page 4, line 15, delete "the Department of Culture, Recreation and" and on line 16, delete "Tourism" and insert "State"

**AMENDMENT NO. 7**

On page 4, line 17, delete "the Department of Culture, Recreation and" and on line 18, delete "Tourism" and insert "State"

**AMENDMENT NO. 8**

On page 4, line 20, change "36:209(Q)" to "36:744(O)"

**AMENDMENT NO. 9**

On page 4, delete lines 22 through 25 and insert in lieu thereof the following:

"§744. Transfer of boards, commissions, and agencies to the Department of State

\* \* \*

**R.S. 36: 744(O) is all proposed new law."****AMENDMENT NO. 10**

On page 4, line 27, change "Culture, Recreation and Tourism" to "State"

**AMENDMENT NO. 11**

On page 5, line 6, change "Culture, Recreation and Tourism" to "State"

On motion of Senator Greene, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 937—**

BY SENATOR BARHAM

**AN ACT**

To enact R.S. 56:637.1, relative to wild box turtles; to prohibit the commercial harvest of wild box turtles; to regulate the taking of wild box turtles for noncommercial purposes; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 937 by Senator Barham

**AMENDMENT NO. 1**

On page 2, line 18, after "class" delete the remainder of the line and insert in lieu thereof the following:

"four violation, R.S. 56:34."

**AMENDMENT NO. 2**

On page 2, line 19, immediately after "turtles" change the colon ":" to a period "." and add the following:

"No more than two wild box turtles per day may be taken for recreational purposes, and no person shall have in his or her possession more than four box turtles at any time. A violation of this Paragraph shall constitute a class one violation, R.S. 56:31."

**AMENDMENT NO. 3**

On page 2, delete lines 20 through 25 in their entirety.

On motion of Senator Romero, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 946—**

BY SENATOR GREENE

**AN ACT**

To amend and reenact R.S. 17:1519(5) and (6), 1519.1(A), 1519.2(A), 3215(6) and R.S. 36:251(B), relative to the Louisiana State University Medical Center; to change the name of the medical center to the Louisiana State University Health Sciences Center; and to provide for related matters.

Reported by substitute by the Committee on Education. The bill was read by title; the committee substitute bill was read.

**SENATE BILL NO. (SUBSTITUTE FOR SENATE BILL 946 BY SENATOR GREENE)**

BY SENATOR GREENE

**AN ACT**

To amend R.S. 17:7.3(A)(1), 1519(5) and (6), 1519.1(A), 1519.2(A), 1519.3(A)(4) and (9), 1519.6(A)(1), (3), (4)(a) and (c)(vi) (5)(a) and (d) and (C)(1), 1519.7(B)(1), (3), and (4)(f), 1519.8(B)(2) and

(C), 3036.1(B), 3041, 3041.2, 3041.4, 3041.10(A)(4), 3041.12, and 3215(6), R.S. 22:3021(A), (B), (C), (E), (F) and (G) and 3022, R.S. 36:251(B) and 254(A)(14), R.S. 39:1593.1(A), R.S. 40: 5.11(C)(4), 1051, 1299.90.1(F)(4), 1300.5(A)(1), 1300.83(2) and (3), 1300.84(A), the introductory paragraph of 2212(B), and the introductory paragraph of 2232(B), R.S. 45:836(3), and R.S. 46:153.3(C)(2)(a), 160.8(A)(3)(a), 812(A)(1), 2513(A)(7) and 2605(B)(27), relative to the Louisiana State University Medical Center; to change the name of the medical center to the Louisiana State University Health Sciences Center; to authorize the Louisiana Law Institute to make revisions; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:7.3(A)(1), 1519(5) and (6), 1519.1(A), 1519.2(A), 1519.3(A)(4) and (9), 1519.6(A)(1), (3), (4)(a) and (c)(vi) (5)(a) and (d) and (C)(1), 1519.7(B)(1), (3), and (4)(f), 1519.8(B)(2) and (C), 3036.1(B), 3041, 3041.2, 3041.4, 3041.10(A)(4), 3041.12, and 3215(6) are hereby amended and reenacted to read as follows:

§7.3. Continuing education programs for teachers; reimbursement to public and nonpublic colleges and universities for tuition costs; rules and regulations; reporting; repayment for noncompletion of courses; services rendered

A.(1) The State Board of Elementary and Secondary Education shall adopt rules and regulations establishing a program or programs of continuing education for degreed classroom teachers in state approved elementary and secondary schools. Such rules and regulations shall include provisions under which a teacher may continue his education at a public college or university in this state, at Centenary College, Dillard University, Louisiana College, Loyola University, Our Lady of Holy Cross College, Tulane University, including Tulane Medical School, Xavier University, or at Louisiana State University Medical Health Sciences Center for the purpose of taking one or more courses of instruction in his field or discipline and under which the teacher shall be exempt from the payment of tuition imposed by or applicable to the college or university he attends; however, the amount paid by the state for any tuition imposed by or applicable to the nonpublic college shall be equal to but not greater than the highest tuition charged by a public college or university in this state. In no case may state funds be used toward tuition for courses in theology or divinity.

#### SUBPART C-2. LSU MEDICAL HEALTH SCIENCES CENTER -- HEALTH CARE SERVICES DIVISION

##### §1519. Definitions

As used in this Subpart, the terms defined in this Section shall have the meanings herein given to them, except where the context clearly indicates otherwise:

(5) "Hospitals" means the health care institutions transferred to the board as provided in R.S. 17:1519.1. "Hospital" shall mean any one of these hospitals. "Hospitals" shall not include the health care institution, formerly known as the Confederate Memorial Medical Center at Shreveport, merged with the Louisiana State University Medical Health Sciences Center at Shreveport by R.S. 17:1517.

(6) "Medical center" means the Louisiana State University Medical Health Sciences Center.

§1519.1. State hospitals; transferred to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College; merger with Louisiana State University Medical Health Sciences Center

A.(1) The hospitals enumerated in Subsection B are hereby transferred to the board. Louisiana State University Medical Health Sciences Center shall be responsible for their operation as more specifically provided in this Subpart. They shall be operated primarily for the medical care of the uninsured and medically indigent residents of the state and others in need of medical care and as teaching institutions.

(2) The Board of Regents shall not include the health care services division of the Louisiana State University Medical Health

Sciences Center in either its funding formula or master planning process. Management of the hospitals shall be the responsibility of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College through the Louisiana State University Medical Health Sciences Center as more specifically provided in this Subpart.

§1519.2. Louisiana State University Medical Health Sciences Center; health care services division; organization; mission; rules; reports

A. The hospitals and administrative personnel immediately responsible for the operation of the division shall comprise the health care services division of the Louisiana State University Medical Health Sciences Center. The division and its component hospitals shall be under the immediate direction and control of the Louisiana State University Medical Health Sciences Center, subject to the overall direction, supervision, and management of the board.

§1519.3. Powers and duties of the board, medical center, and health care services division

A. The board shall have the following general powers and duties, any or all of which it may delegate to the medical center or the division:

(4) To bill liable third parties, enter into contracts with third party payers for the provision of medical services on a fee-for-service or other basis, or otherwise participate in managed care activities as allowed under applicable state and federal laws. Such authority shall be granted to the individual hospitals, the division, and such medical service provider organizations, including local health departments and federally qualified health centers, as are established by or under the direct control of the Louisiana State University Medical Health Sciences Center or are included in the approved network of the medical center.

(9) To provide for coordination in the delivery of services provided by the Louisiana State University Medical Health Sciences Center with those services provided by the Department of Health and Hospitals and local health departments and federally qualified health centers, including but not limited to services for the mentally ill, for persons with mental retardation and developmental disabilities, and for alcohol and drug abusers, and public health services and services provided under the Medicaid program or its successor. Such coordination shall include the providing by the medical center of relevant, reliable data that will contribute to the Department of Health and Hospitals' monitoring, analysis, and reporting to the public of the state's health status, access to care, outcomes of care, patient satisfaction with care, and public health goals and objectives.

§1519.6. Medical Center of Louisiana at New Orleans; administration

A.(1) The Louisiana State University Medical Health Sciences Center, through its chancellor, shall enter into a cooperative endeavor agreement with Tulane University Medical Center through its chancellor and the secretary of the Department of Health and Hospitals or his designee for the administration of the Medical Center of Louisiana at New Orleans.

(3) Such cooperative endeavor agreement shall mandate that the Louisiana State University Medical Health Sciences Center and Tulane University Medical Center select a private third party manager to perform the day-to-day management of the Medical Center of Louisiana at New Orleans. Such private third party manager shall be a not-for-profit corporation, as provided in Section 501(3)(c) of the 1954 Internal Revenue Service Code, that has been in existence for more than five years.

(4) Such cooperative endeavor agreement shall also include but shall not be limited to the following:

(a) The establishment of an administrative board. The administrative board shall have policymaking authority for the administration of the Medical Center of Louisiana at New Orleans. Notwithstanding the provisions of R.S. 42:1101 et seq., the administrative board shall be comprised of representatives of three institutions to include the Louisiana State University ~~Medical~~ **Health Sciences** Center, the Tulane University Medical Center, and a third institution. Each institution shall have one vote. Each institution shall have three members on the board. Each board member shall have a fiduciary duty to the Medical Center of Louisiana at New Orleans.

\* \* \*

(c) The enumeration of policy decisions which shall require unanimous vote of the three institutions represented on the board prior to implementation. Such decisions shall include only the following:

\* \* \*

(vi) Annual distribution of house staff and faculty resources between Louisiana State University ~~Medical~~ **Health Sciences** Center and Tulane University Medical Center.

\* \* \*

(5) The selection of the private third party manager shall be as provided in this Paragraph:

(a) Timing. The initial third party manager shall be selected within six months after July 1, 1997. The Louisiana State University ~~Medical~~ **Health Sciences** Center through its chancellor and the Tulane University Medical Center through its chancellor shall enter into a cooperative endeavor agreement or contract with a third party manager for the day-to-day management of the Medical Center of Louisiana at New Orleans. Any such cooperative endeavor agreement or contract with a third party manager shall require the third party manager to give six months notice prior to the termination of the agreement or contract. Such private third party manager shall be a not-for-profit corporation, as provided in Section 501(3)(c) of the 1954 Internal Revenue Service Code, that has been in existence for more than five years.

\* \* \*

(d) Voting on subsequent third party managers. The selection of a third party manager, after withdrawal, resignation, or termination of a prior third party manager shall always be accomplished by vote of the administrative board composed of Louisiana State University ~~Medical~~ **Health Sciences** Center, Tulane University Medical Center, and the Department of Health and Hospitals. Representatives of any third party manager are prohibited from voting on the selection of any subsequent third party manager.

\* \* \*

C. Disputes among Louisiana State University ~~Medical~~ **Health Sciences** Center, Tulane University Medical Center, and the secretary of the Department of Health and Hospitals while the Department of Health and Hospitals is an institution represented on the administrative board may be resolved as follows:

(1) If the Louisiana State University ~~Medical~~ **Health Sciences** Center and Tulane University Medical Center are unable to agree upon a third party manager, either Louisiana State University ~~Medical~~ **Health Sciences** Center or Tulane University Medical Center may refer the matter to nonbinding arbitration. In such case, one arbitrator shall be selected by each medical center, and those two arbitrators shall name an additional arbitrator to the panel, who shall serve as chair. If the panel is unable to make a determination, or if either medical center is not satisfied with the determination of the panel, either medical center may appeal to the commissioner of administration for a final determination.

\* \* \*

§1519.7. Huey P. Long Medical Center; administration

\* \* \*

B.(1) The Louisiana State University ~~Medical~~ **Health Sciences** Center, through its chancellor, shall enter into a cooperative endeavor agreement with Tulane University Medical Center through its chancellor and the secretary of the Department

of Health and Hospitals or his designee for the administration of the Huey P. Long Medical Center.

\* \* \*

(3) The cooperative endeavor agreement shall include the establishment of an administrative board. The administrative board shall have policymaking authority for the administration of Huey P. Long Medical Center. The board shall be comprised of nine representatives, three from each of the following institutions: the Louisiana State University ~~Medical~~ **Health Sciences** Center, Tulane University Medical Center, and the Department of Health and Hospitals. Each institution shall have one vote. Each board member shall have a fiduciary duty to the Huey P. Long Medical Center.

(4) The cooperative endeavor agreement shall also include the enumeration of policy decisions which shall require a unanimous vote of the three institutions represented on the board prior to implementation. Such decisions shall include the following:

\* \* \*

(f) Annual distribution of house staff and faculty resources between Louisiana State University ~~Medical~~ **Health Sciences** Center and Tulane University Medical Center.

\* \* \*

§1519.8. Medical Education Commission

\* \* \*

B. Notwithstanding the provisions of R.S. 42:1101, the Medical Education Commission shall be composed of three members as follows:

\* \* \*

(2) The chancellor of Louisiana State University ~~Medical~~ **Health Sciences** Center or his designee.

\* \* \*

C. The Medical Education Commission shall:

(1) Make recommendations to the secretary of the Department of Health and Hospitals on the distribution of funding for residency positions, residency supervision, and other medical education resources for the hospitals in the health care services division of the Louisiana State University ~~Medical~~ **Health Sciences** Center among medical education programs providing services in such hospitals.

(2) Analyze and make recommendations to the secretary of the Department of Health and Hospitals regarding appropriate formulas to be used in calculating the amounts to be paid to a medical institution in support of its training programs in hospitals in the health care services division of the Louisiana State University ~~Medical~~ **Health Sciences** Center.

\* \* \*

§3036.1. Appropriation for Thomas H. Harris Scholarship

\* \* \*

B. At the Louisiana State University ~~Medical~~ **Health Sciences** Center and the Louisiana State University School of Veterinary Medicine only undergraduate students may benefit from scholarships pursuant to this Section.

\* \* \*

§3041. Purpose

It is the purpose and intent of this Chapter to bring about an adequate supply of doctors of medicine and dentists who will engage in the general practice of medicine and dentistry in the more sparsely populated rural areas of the state of Louisiana by inducing a sufficient number of the graduates from Louisiana State University ~~Medical~~ **Health Sciences** Center to remain in or relocate to rural areas of Louisiana to practice their profession, thus affording adequate medical and dental care to the people of Louisiana in the areas where there is a shortage of medical doctors and dentists.

\* \* \*

§3041.2. Amount; requirements

Loans guaranteed for not in excess of five thousand dollars per year, or a total of twenty thousand dollars, may be granted to any one approved applicant, provided such loan is used to defray the tuition and other expenses of any such applicant at the Louisiana State University ~~Medical~~ **Health Sciences** Center.

Loans guaranteed under the provisions of this Chapter to any one applicant shall not exceed the total herein stated, but they may be prorated in such manner as to pay to the medical or dental school to which any applicant is admitted such funds as are required by that school, and the balance to be paid directly to the applicant; all of which shall be under such terms and conditions as may be provided under rules and regulations of the commission. The said loans shall be guaranteed by the commission based upon the condition that the full amount thereof shall be repaid to the lending institution except that the commission shall repay such loans on behalf of the applicant in return for services to be rendered by the applicant by engaging in the general practice of medicine or dentistry in some rural community within the state of Louisiana to be approved by the commission. One-fourth of the loan together with the interest thereon shall be repaid by the commission for the applicant for each year of practicing his profession, except as an intern or resident, in a community of fifteen thousand population or less, according to the United States decennial census of 1970 or any future such census. A physician or dentist shall not be considered to be practicing his profession in a community of fifteen thousand or less if the physician practices in an unincorporated area in the same parish and within three miles of a municipality with a population of more than fifteen thousand. The commission shall have the authority to cancel the contract of any applicant at any time for cause deemed sufficient by the commission. Upon cancellation of the contract for any cause whatsoever, including default or breach thereof by the applicant, the remaining amount of the loan paid to the applicant which the commission has not paid on his behalf in return for service shall become due and payable by the applicant in accordance with the terms of the loan as originally granted by the lending institution and the contract between the commission and the applicant.

\* \* \*

§3041.4. Louisiana State University ~~Medical~~ Health Sciences Center; contracts

It shall be the duty of the commission to contact and make inquiry of the Louisiana State University ~~Medical~~ Health Sciences Center, and make such arrangements and enter into such contracts, within the limitations as to cost as herein provided, for students who have been admitted to the medical or dental school, such contracts to be approved by the attorney general, and the money obligations of such contract as made by the commission with the medical or dental school shall be paid for out of funds to be provided in accordance with law for such purposes.

\* \* \*

§3041.10. Tuition payment program for medical students; eligibility; applications; definition

A. The Louisiana Student Financial Assistance Commission, hereinafter referred to as "the commission", shall provide for and administer a tuition payment program for students who meet all of the following eligibility criteria:

\* \* \*

(4) Agree to practice the profession in a rural or poor community in Louisiana as determined by the Louisiana State University ~~Medical~~ Health Sciences Center for at least two consecutive years after completion of their medical education and upon becoming licensed, practicing physicians.

\* \* \*

§3041.12. Louisiana State University ~~Medical~~ Health Sciences Center; contracts

The commission shall enter into such contracts for students who have been admitted to the medical school, and the money obligations of such contract as made by the commission with the medical school shall be paid for out of funds to be provided in accordance with law for such purposes.

\* \* \*

§3215. Louisiana State University system

The Louisiana State University system is composed of the institutions under the supervision and management of the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College as follows:

\* \* \*

(6) The ~~medical~~ health sciences center, also referred to as the medical center, which shall be composed of and shall administer:

\* \* \*

Section 2. R.S. 22:3021(A), (B), (C), (E), (F) and (G) and 3022 are hereby amended and reenacted to read as follows:

§3021. Establishment of the Louisiana State University ~~Medical~~ Health Sciences Center Health Maintenance Organization

A. The Board of Supervisors of Louisiana State University and Agricultural and Mechanical College may create a health maintenance organization, to be called the Louisiana State University ~~Medical~~ Health Sciences Center Health Maintenance Organization, which shall include all hospitals, clinics, and such medical service provider organizations as shall be established by or under the direct control of the Louisiana State University ~~Medical~~ Health Sciences Center.

B. Subject to the approval of the commissioner of insurance, the chancellor of the Louisiana State University ~~Medical~~ Health Sciences Center may promulgate rules and regulations, in accordance with the procedures provided in R.S. 17:1519.2(D), to create the Louisiana State University ~~Medical~~ Health Sciences Center Health Maintenance Organization and to institute some collection of payment from the enrollees of the Louisiana State University ~~Medical~~ Health Sciences Center Health Maintenance Organization. Such rules and regulations shall provide for a board of the organization which represents both patients and health care professionals. Such rules and regulations shall specify the organizational features of the organization which shall, except for minimum financial requirements and the requirements for incorporation, comply with the provisions of Part XII of Chapter 2 of this Title. The minimum financial requirements and the requirements for incorporation provided in said Part XII for health maintenance organizations, are hereby waived for the organization created as provided in this Section.

C. The rules and regulations for which provision is made in Subsection B of this Section shall further provide for the organization membership by enrollees in the Louisiana State University ~~Medical~~ Health Sciences Center Health Maintenance Organization.

\* \* \*

E. The rates charged for services by the Louisiana State University ~~Medical~~ Health Sciences Center Health Maintenance Organization shall be based on actuarially derived costs of providing care to the same population as certified by the Department of Health and Hospitals.

F. The Louisiana State University ~~Medical~~ Health Sciences Center Health Maintenance Organization shall be limited to persons eligible for Medicaid or eligible for enrollment in a managed care plan pursuant to the state Medicaid plan and pursuant to Title XIX (Medicaid) of the Social Security Act or a successor to the Medicaid program.

G. The Louisiana State University ~~Health Sciences~~ Center Health Maintenance Organization shall enter into a contract with any willing provider licensed by the Louisiana State Board of Medical Examiners or the Louisiana State Board of Dental Examiners to provide primary care services delivered in an outpatient setting including medical and surgical services. Such providers shall satisfy the standards that are established as part of the approved managed care plan relating to quality, utilization, and accessibility of services.

\* \* \*

§3022. Traditional providers access retained

The establishment of the Louisiana State University ~~Medical~~ Health Sciences Center Health Maintenance Organization shall not interrupt the patient-doctor relationship that has been established by non-Louisiana State University ~~Medical~~ Health Sciences Center admitting providers. Persons eligible for Medicaid, the uninsured, and medically indigent residents of the state and

others in need of medical care shall retain access to traditional providers of medical care who are licensed by the Louisiana State Board of Medical Examiners and the Louisiana State Board of Dentistry.

\* \* \*  
Section 3. R.S. 36:251(B) and 254(A)(14) are hereby amended and reenacted to read as follows:

§251. Department of Health and Hospitals; creation; domicile; composition; purpose and functions

\* \* \*  
B. The Department of Health and Hospitals, through its offices and officers, shall be responsible for the development and providing of health and medical services for the prevention of disease for the citizens of Louisiana. The Department of Health and Hospitals shall provide health and medical services for the uninsured and medically indigent citizens of Louisiana. The secretary and the chancellor of the Louisiana State University ~~Medical Health Sciences~~ Center shall provide for coordination in the delivery of services provided by the Louisiana State University ~~Medical Health Sciences~~ Center with those services provided by the Department of Health and Hospitals, local health departments, and federally qualified health centers, including but not limited to services for the mentally ill, for persons with mental retardation and developmental disabilities, for alcohol and drug abusers, public health services, and services provided under the Medicaid program.

\* \* \*  
§254. Powers and duties of the secretary of the Department of Health and Hospitals

A. In addition to the functions, powers, and duties otherwise vested in the secretary by law, he shall:

\* \* \*  
(14) Determine how funding for residency positions, residency supervision, and other medical education resources shall be allocated among institutions which provide medical education at hospitals in the health care services division of the Louisiana State University ~~Medical Health Sciences~~ Center, including the Medical Center of Louisiana at New Orleans, to ensure that there is an equitable distribution among medical education programs providing services in public institutions. In making such determinations, the secretary shall consider advice provided by the Medical Education Commission, the historical distribution of graduate medical education resources, the long-term effects of the allocation of medical education resources to each program, and the clinical workload of each program.

\* \* \*  
Section 4. R.S. 39:1593.1(A) is hereby amended and reenacted to read as follows:

§1593.1. Group purchasing

A. The Louisiana State University ~~Medical Health Sciences~~ Center may contract with a group purchasing organization through a competitive request for proposals process for medical and laboratory supplies and medical equipment required for the purpose of diagnosis or direct treatment of a patient by a health care provider in a hospital or clinic setting.

\* \* \*  
Section 5. R.S. 40: 5.11(C)(4), 1051, 1299.90.1(F)(4), 1300.5(A)(1), 1300.83(2) and (3), 1300.84(A), the introductory paragraph of 2212(B), and the introductory paragraph of 2232(B) are hereby amended and reenacted to read as follows:

§5.11. Water fluoridation program; Fluoridation Advisory Board

\* \* \*  
C. There is hereby created within the Department of Health and Hospitals, office of public health, the Fluoridation Advisory Board, which shall consist of the following members appointed by the governor, to serve at his pleasure, upon recommendation of the Louisiana Dental Association, and confirmation by the Senate:

\* \* \*  
(4) A representative of the Louisiana State University ~~Medical Health Sciences~~ Center.

\* \* \*  
§1051. Commission created; membership; tenure; vacancies

There is hereby created the Louisiana Narcotics Rehabilitation Commission to consist of five members appointed by the governor, by and with the advice and consent of the Senate, in the following manner. The governor shall appoint two members from a list of four nominees submitted to him by the head of the Louisiana State University ~~Medical School~~ **Health Sciences Center**; he shall appoint two members from a list of four nominees submitted to him by the head of the Tulane University School of Medicine; and he shall appoint one member from a list of two nominees submitted by the president of Loyola University. Insofar as practicable, the nominees shall possess broad knowledge and experience in medicine, psychology, social work, sociology, education or law. The governor shall designate one of the members of the commission to serve as chairman thereof. The term of office of each member of the commission shall be for five years; provided that the members first appointed shall serve for terms of one, two, three, four and five years, respectively, from January first next succeeding their appointment, and provided further that any member appointed to fill a vacancy occurring otherwise than by expiration of term shall be appointed for the remainder of the unexpired term of the member whom he is to succeed.

\* \* \*  
§1299.90.1. Louisiana Advisory Committee on Populations and Geographic Regions With Excessive Cancer Rates; creation; membership; duties

\* \* \*  
F.

(4) The committee shall seek comment and review of its conclusions and findings from appropriate scientific, medical, or health panels established by local chapters or affiliates of national groups that may include but should not be limited to the following: The Louisiana State Medical Society, the Louisiana Cancer Consortium, Louisiana Cancer and Lung Trust Fund Board, National Cancer Institute, American College of Epidemiology, U. S. Public Health Service, Louisiana State University ~~Medical Health Sciences~~ Center, American Cancer Society, etc. Final recommendations will be sent to the secretary of the Department of Health and Hospitals and other appropriate department agencies and officers as provided in this Subsection.

\* \* \*  
§1300.5. Scholarship program

A. The department shall administer a state scholarship program. To be eligible for the scholarship program an applicant must:

(1) Be accepted for enrollment, or be enrolled as a full-time student in a program offering a doctor of medicine at a professional school of the Louisiana State University ~~Medical Health Sciences~~ Center, an approved program offering training as a registered nurse in a public or regionally accredited independent institution of higher education, or an approved program offering training as a licensed practical nurse at a public institution.

\* \* \*  
§1300.83. Definitions

For the purpose of this Part, the following terms shall have the following meanings unless the context clearly indicates otherwise:

\* \* \*  
(2) "Chancellor" means the chancellor of the Louisiana State University ~~Medical Health Sciences~~ Center at Shreveport.

(3) "Medical center" means the Louisiana State University ~~Medical Health Sciences~~ Center at Shreveport.

\* \* \*  
§1300.84. Louisiana Kidney Health Care Program; creation; eligibility

A. The chancellor of the Louisiana State University ~~Medical Health Sciences~~ Center at Shreveport shall establish the Louisiana Kidney Health Care Program through the medical center.

\* \* \*  
§2212. Basic benefit plans

\* \* \*

April 19, 1999

B. Each qualified plan shall disclose to each enrollee or prospective enrollee orally or in writing in a manner understandable at a fifth grade reading level and reviewed and approved by the literacy program of the Louisiana State University ~~Medical~~ **Health Sciences** Center in Shreveport:

§2232. Rights of each enrollee

B. Any qualified plan shall provide to an enrollee or prospective enrollee information, orally or in writing, using understandable, objective, truthful, and consumer-tested terms, about the policy or plan prepared in a manner understandable at a fifth grade reading level and reviewed and approved by the literacy program of the Louisiana State University ~~Medical~~ **Health Sciences** Center in Shreveport, including:

Section 6. R.S. 45:836(3) is hereby amended and reenacted to read as follows:

§836. Composition of council

The council shall be comprised of nineteen members who shall serve at the pleasure of their respective appointing authorities. One shall be appointed by the president of the Senate; one shall be appointed by the speaker of the House of Representatives, and seventeen shall be appointed as follows, subject to confirmation by the Senate.

(3) One member to be appointed by the chancellor of the Louisiana State University ~~Medical~~ **Health Sciences** Center.

Section 7. R.S. 46:153.3(C)(2)(a), 160.8(A)(3)(a), 812(A)(1), 2513(A)(7) and 2605(B)(27) are hereby amended and reenacted to read as follows:

§153.3. Medical vendor reimbursements; allowable restrictions; Medicaid Drug Program Committee

C.

(2) The committee shall be comprised of the following persons:

(a) One physician representing the Louisiana State University ~~Medical~~ **Health Sciences** Center.

§160.8. The Louisiana Access to Better Care Medicaid Insurance Demonstration Project Oversight Board

A.

(3) The eleven remaining members of the board shall be appointed by the governor, to serve at his pleasure, upon the recommendation of each institution or organization represented:

(a) A representative from the health care services division of Louisiana State University ~~Medical~~ **Health Sciences** Center.

§812. Commission; composition; appointment; officers

A. The commission shall be composed of nine members or their permanent designees as follows:

(1) The chancellor of the Louisiana State University ~~Medical~~ **Health Sciences** Center.

§2513. Selection of members; compensation; terms; staff; meetings

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

(7) A representative of the Addictions Disease Unit at the Louisiana State University ~~Medical~~ **Health Sciences** Center, New Orleans, selected by the dean of the school.

§2605. Children's Cabinet Advisory Board

B. The advisory board shall be composed of the following members:

(27) The chancellor of the Louisiana State University ~~Medical~~ **Health Sciences** Center.

Section 8. The Louisiana State Law Institute is hereby authorized and directed to change all references in law from the "Louisiana State University Medical Center" to the "Louisiana State University Health Sciences Center".

Section 9. 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 Greene, the committee substitute bill was adopted and becomes Senate Bill No. 1025 by Senator Greene, substitute for Senate Bill No. 946 by Senator Greene.

# SENATE BILL NO. 1025 (SUBSTITUTE FOR SENATE BILL 946 BY SENATOR GREENE)—

BY SENATOR GREENE

AN ACT

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

The bill was read by title; lies over under the rules.

## SENATE BILL NO. 1000—

BY SENATORS HOLLIS AND GREENE

AN ACT

To enact Chapter 37 of Title 17 of the Louisiana Revised Statutes of 1950, composed of R.S. 17:3831 through 3833, relative to certain incentive programs; to authorize city and parish school boards to establish teacher pay incentive programs for unused sick leave; and to provide for related matters.

Reported with amendments by the Committee on Education.

## SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 1000 by Senator Hollis

### AMENDMENT NO. 1

On page 1, line 3, after "3833" insert ", relative to certain incentive programs"

### AMENDMENT NO. 2

On page 1, line 4, after "programs" insert "for unused sick leave"

### AMENDMENT NO. 3

On page 2, line 5, after "means" delete the remainder of the line and delete line 6 and insert "a program limited to providing incentive pay to teachers for not using sick leave days."

### AMENDMENT NO. 4

On page 2, line 10, after "teachers" insert "for not using sick leave"

### AMENDMENT NO. 5

On page 2, line 14 after "pay" delete "and" and after "which" insert "eligible" and after "receive" delete "incentive pay"

**AMENDMENT NO. 6**

On page 2, at the end of line 15, insert "for not using sick leave"

On motion of Senator Greene, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 1006—**

BY SENATOR BARHAM

**AN ACT**

To authorize and provide for the transfer of certain state property, located in Morehouse Parish, from the state land office to the Morehouse Parish Police Jury; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. On motion of Senator Romero, the bill was read by title, ordered engrossed and passed to a third reading.

**SENATE BILL NO. 1021 (SUBSTITUTE FOR SENATE BILL 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.

On motion of Senator Tarver, the bill was read by title and ordered engrossed and passed to a third reading.

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

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

**HOUSE BILL NO. 305—**

BY REPRESENTATIVES HILL, HAMMETT, BRUCE, DEWITT, FAUCHEUX, FLAVIN, FRITH, GUILLORY, HUDSON, JOHNS, LONG, MCDONALD, PIERRE, PINAC, QUEZAIRE, JOHN SMITH, STELLY, TRICHE, WARNER, AND GAUTREAUX AND SENATORS CAIN AND DYESS

**AN ACT**

To amend and reenact R.S. 56:767, relative to private property surrounded by a wildlife management area; to provide for hunting and fishing regulations on such property; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Bill No. 305 by Representative Hill

**AMENDMENT NO. 1**

On page 2, at the end of line 7, add the following:

**"The provisions of this Section shall apply only to private property which, as of June 30, 1999, is surrounded by a wildlife management area or property which is privately owned as of June 30, 1999, and is subsequently surrounded by a newly created or expanded wildlife management area. The provisions of this Section shall continue to apply to such property until the property is sold to a new owner."**

On motion of Senator Romero, 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. 448—**

BY REPRESENTATIVE SALTER

**AN ACT**

To enact R.S. 41:899, relative to school boards; to authorize the Red River Parish School Board to exchange unused school land, including but not limited to sixteenth section land; to provide procedures, terms, and conditions, including advertisement, appraisals, and public hearings; 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.

**HOUSE BILL NO. 565—**

BY REPRESENTATIVES JOHN SMITH, DANIEL, FLAVIN, AND MICHOT

**AN ACT**

To repeal R.S. 30:607 and Chapter 10 of Subtitle 1 of Title 30 of the Louisiana Revised Statutes of 1950, comprised of R.S. 30:1001 through 1011, relative to conservation; to repeal certain requirements regarding the first sale of new natural gas.

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.

**HOUSE BILL NO. 1115—**

BY REPRESENTATIVE HUDSON

**AN ACT**

To amend and reenact R.S. 33:2740.37(B)(1), relative to educational facilities improvement districts; to create such a district in certain parishes; to provide for district boundaries; and to provide for related matters.

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

**HOUSE BILL NO. 1260—**

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

**AN ACT**

To repeal Act No. 208 of the 1997 Regular Session of the Legislature, relative to the requirement that the commissioner of conservation hold monthly public hearings in Shreveport; 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.

**HOUSE BILL NO. 1264—**

BY REPRESENTATIVES JOHN SMITH, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, FRITH, AND HEBERT AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, SCHEDLER, AND ULLO

**AN ACT**

To amend and reenact R.S. 56:700.4(B)(introductory paragraph) and (2), relative to the Fishermen's Gear Compensation Fund; to authorize the secretary of the Department of Natural Resources to waive the ninety-day limit on the required reporting period in order to meet eligibility requirements for payments from the fund; 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.

**HOUSE BILL NO. 1559—**

BY REPRESENTATIVES JOHN SMITH, DEWITT, DOWNER, MCMAINS, DIEZ, CRANE, DANIEL, AND SCHNEIDER AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

**AN ACT**

To amend and reenact R.S. 34:855.3(C) and (F) and to enact R.S. 34:855.3(G), relative to the Personal Watercraft Safety Act; to provide relative to regulation of personal watercraft, including hours of operation; to provide relative to violations and penalties; 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.

**HOUSE BILL NO. 1564—**

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. 56:53, 54, 55, and 55.2, relative to wildlife enforcement agents; to restrict which personnel of the Department of Wildlife and Fisheries qualify as enforcement agents; to provide for the powers and authority of commissioned wildlife enforcement agents; 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.

### House Bills and Joint Resolutions on Second Reading

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

**HOUSE BILL NO. 507—**

BY REPRESENTATIVE WINDHORST

**AN ACT**

To amend and reenact R.S. 15:574, relative to the adoption of rules by the Board of Pardons; to provide with regard to notices of hearings or applications for a pardon, commutation, or clemency; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 366, was read by title and referred to the Legislative Bureau.

**HOUSE BILL NO. 1018—**

BY REPRESENTATIVES HILL, BAUDOIN, BRUCE, CARTER, FRITH, ILES, AND THOMPSON

**AN ACT**

To enact R.S. 3:4278.3, relative to forest products, to provide that persons transporting or receiving forest products shall maintain appropriate records as required by the commissioner of agriculture and forestry; to provide for rules and regulations; to provide for penalties; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the bill, which is a duplicate of Senate Bill No. 967, was read by title and referred to the Legislative Bureau.

### Senate Concurrent Resolutions on Second Reading Reported by Committees

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

**SENATE CONCURRENT RESOLUTION NO. 25—**

BY SENATOR LAMBERT

**A CONCURRENT RESOLUTION**

To direct the Department of Transportation and Development to install a left-turn signal light at the intersection of Louisiana Highway 3125 and Louisiana Highway 3274 in St. James Parish, Louisiana.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Concurrent Resolution No. 25 by Senator Lambert

**AMENDMENT NO. 1**

On page 1, line 2, change the word "direct" to "urge and request"

**AMENDMENT NO. 2**

On page 1, line 12, change the word "directs" to "urges and requests"

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Total—0

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

**SENATE CONCURRENT RESOLUTION NO. 34—**

BY SENATOR GREENE

**A CONCURRENT RESOLUTION**

To provide legislative approval to the Board of Regents and to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to change the name of the Louisiana State University Medical Center to the Louisiana State University Health Sciences Center.

Reported favorably by the Committee on Education.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Tarver  
Total—1

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

**SENATE CONCURRENT RESOLUTION NO. 38—**  
BY SENATOR SCHEDLER

**A CONCURRENT RESOLUTION**

To urge and request the Department of Wildlife and Fisheries to institute a public awareness campaign highlighting Louisiana's "Personal Watercraft Safety Act."

Reported favorably by the Committee on Natural Resources.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Tarver  
Total—1

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

**SENATE CONCURRENT RESOLUTION NO. 40—**

BY SENATOR HAINKEL

**A CONCURRENT RESOLUTION**

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

Reported favorably by the Committee on Natural Resources.

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

**NAYS**

Total—0

**ABSENT**

Hines  
Total—1

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

**SENATE CONCURRENT RESOLUTION NO. 47—**

BY SENATOR HAINKEL

**A CONCURRENT RESOLUTION**

To urge and request the Board of Regents and the Board of Supervisors for the University of Louisiana System to take the necessary steps to name the administration building, located at Southeastern Louisiana University, the Dr. Luther H. Dyson Administration Building.

Reported favorably by the Committee on Education.

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
Bajoie	Fields C	Malone
Barham	Fields W	Robichaux
Bean	Greene	Romero

Boissiere  
Branch  
Cain  
Campbell  
Casanova  
Cox  
Dardenne  
Dean  
Dyess  
Total—37

Hainkel  
Heitmeier  
Hollis  
Irons  
Johnson  
Jones  
Jordan  
Lambert  
Landry

Schedler  
Siracusa  
Smith  
Tarver  
Theunissen  
Thomas  
Ullo

NAYS

Total—0

ABSENT

Cravins  
Total—2

Hines

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

#### SENATE CONCURRENT RESOLUTION NO. 52—

BY SENATOR BRANCH

##### A CONCURRENT RESOLUTION

To direct the Department of Transportation and Development to lower the speed limit to forty-five miles per hour on Louisiana Highway 964 from its intersection with Louisiana Highway 61 north to the East Baton Rouge Parish line.

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

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

#### ROLL CALL

The roll was called with the following result:

YEAS

Bajoie  
Barham  
Bean  
Boissiere  
Branch  
Cain  
Campbell  
Casanova  
Cox  
Cravins  
Dardenne  
Dean  
Dyess  
Total—38

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

Landry  
Lentini  
Malone  
Robichaux  
Romero  
Schedler  
Siracusa  
Smith  
Tarver  
Theunissen  
Thomas  
Ullo

NAYS

Total—0

ABSENT

Mr. President  
Total—1

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

#### SENATE CONCURRENT RESOLUTION NO. 55—

BY SENATOR DARDENNE

##### A CONCURRENT RESOLUTION

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

Reported with amendments by the Committee on Education.

#### SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Concurrent Resolution No. 55 by Senator Dardenne

##### AMENDMENT NO. 1

On page 3, line 16, after "meeting" insert ", during the 1999-2000 school year,"

##### AMENDMENT NO. 2

On page 3, between lines 19 and 20 insert the following:

"BE IT FURTHER RESOLVED that the Legislature of Louisiana further directs the State Board of Elementary and Secondary Education to include in such requirement of public schools provision for personal and direct contact with the parents of each student to inform them of the high stakes test, the preparation their child will need to achieve at a required level, and the impact these tests may have on the student."

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

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

#### ROLL CALL

The roll was called with the following result:

YEAS

Mr. President  
Bajoie  
Barham  
Bean  
Boissiere  
Branch  
Cain  
Campbell  
Casanova  
Cox  
Cravins  
Dardenne  
Dean  
Total—38

Dyess  
Ellington  
Fields C  
Fields W  
Greene  
Hainkel  
Heitmeier  
Hines  
Hollis  
Irons  
Johnson  
Jones  
Jordan

Lambert  
Landry  
Lentini  
Malone  
Robichaux  
Romero  
Schedler  
Siracusa  
Smith  
Tarver  
Theunissen  
Ullo

NAYS

Total—0

ABSENT

Thomas  
Total—1

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

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

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

### SENATE BILL NO. 156— BY SENATOR LENTINI

#### AN ACT

To enact Section 1-A of Chapter 4 of Title XXIV 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.

### Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini on behalf of the Legislative Bureau to Engrossed Senate Bill No. 156 by Senator Lentini

#### AMENDMENT NO. 1

On page 1, lines 2 and 9, following "XXIV" and before "of" insert "of Book III"

On motion of Senator Lentini, the amendments were adopted.

### Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

#### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed Senate Bill No. 156 by Senator Lentini

#### AMENDMENT NO. 1

On page 2, line 3, after "sustained." delete the remainder of the line and lines 4 through 6 in their entirety.

On motion of Senator Lentini, the amendments were adopted.

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

### ROLL CALL

The roll was called with the following result:

#### YEAS

Mr. President	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	
Dyess	Lambert	
Total—37		

#### NAYS

Dean  
Total—1

#### ABSENT

Siracusa  
Total—1

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

### SENATE BILL NO. 157— BY SENATOR LENTINI

#### AN ACT

To amend and reenact Code of Criminal Procedure Arts. 793, 801, and 808, relative to juries; to allow jurors in criminal cases to take notes and use them during deliberations; to permit written instructions and charges to go to the jury room and be used during deliberations; 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	Heitmeier	Siracusa
Branch	Hines	Smith
Campbell	Hollis	Tarver
Casanova	Irons	Theunissen
Dardenne	Jordan	Thomas
Dean	Lambert	Ullo
Total—27		

#### NAYS

Bajoie	Fields W	Jones
Cain	Hainkel	Landry
Fields C	Johnson	Romero
Total—9		

#### ABSENT

Cox	Cravins	Schedler
Total—3		

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

### Personal Privilege

Senator Schedler 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 Senate Bill No. 157. He had intended to vote yea on the bill. He asked that the Official Journal so state.

### SENATE BILL NO. 159— BY SENATOR LENTINI

#### AN ACT

To enact R.S. 9:164.1, relative to the disposition of unclaimed property; to authorize the clerks of court of parishes with a population in excess of four hundred thousand to retain abandoned or unclaimed court cost deposits which have remained unclaimed for more than three years; to provide for reclamation by the owner; to provide for

the commencement of the three-year period; 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 Senate Bill No. 159 by Senator Lentini

#### AMENDMENT NO. 1

On page 1, line 4, after "thousand" insert "but less than four hundred ninety thousand according to the 1990 U. S. Decennial Census"

#### AMENDMENT NO. 2

On page 1, line 12, after "thousand" insert "but less than four hundred ninety thousand according to the 1990 U. S. Decennial Census"

#### AMENDMENT NO. 3

On page 2, at the end of line 1, insert ", but less than four hundred ninety thousand according to the 1990 U. S. Decennial Census,"

On motion of Senator Johnson, the amendments were adopted.

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

### ROLL CALL

The roll was called with the following result:

#### YEAS

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

#### NAYS

Dean  
Total—1

#### ABSENT

Total—0

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

### SENATE BILL NO. 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 committed while under the age of twenty-one; to specify an election date for submission of the proposition to electors and provide a ballot proposition.

### Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

### SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 217 by Senator Malone

#### AMENDMENT NO. 1

On page 1, line 5, delete "committed while under the age of twenty-one"

#### AMENDMENT NO. 2

On page 2, at the beginning of line 6, delete "committed while under the age of twenty-one and"

On motion of Senator Landry, the amendments were adopted.

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

### ROLL CALL

The roll was called with the following result:

#### YEAS

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

#### NAYS

Bajoie	Fields C	Jones
Bean	Fields W	Robichaux
Boissiere	Hines	
Cravins	Irons	
Total—10		

#### ABSENT

Cox	Johnson	Tarver
Total—3		

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

### Senator C. Fields in the Chair

### 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.

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

April 19, 1999

## SENATE BILL NO. 507—

BY SENATORS CASANOVA AND 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.

## Floor Amendments Sent Up

Senator Jordan sent up floor amendments which were read.

## SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jordan to Engrossed Senate Bill No. 507 by Senator Casanova

### AMENDMENT NO. 1

On page 3, at the end of line 5, delete "or" and delete lines 6 and 7 in their entirety

### AMENDMENT NO. 2

On page 3, line 8, before "solely" delete "established" and after "purposes," delete the remainder of the line and insert in lieu thereof "whose"

### AMENDMENT NO. 3

On page 3, line 9, before "principal" delete "that has the" and between "function" and "to" insert "is" and after "supply" delete the remainder of the line

### AMENDMENT NO. 4

On page 3, at the beginning of line 10, delete "for the supply of the"

Senator Jordan moved adoption of the amendments.

Senator Casanova objected.

## ROLL CALL

The roll was called with the following result:

### YEAS

Bajoie	Fields C	Jones
Cain	Fields W	Jordan
Cox	Irons	Landry
Cravins	Johnson	
Total—11		

### NAYS

Barham	Ellington	Robichaux
Bean	Greene	Romero
Boissiere	Hainkel	Schedler
Branch	Heitmeier	Siracusa
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Dardenne	Lambert	Theunissen
Dean	Lentini	Thomas
Dyess	Malone	Ullo
Total—27		

### ABSENT

Mr. President  
Total—1

The Chair declared the amendments were rejected.

## Floor Amendments Sent Up

Senator Casanova sent up floor amendments which were read.

## SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Casanova to Engrossed Senate Bill No. 507 by Senator Casanova

### AMENDMENT NO. 1

On page 3, at the end of line 5, change "or" to "and" and at the beginning of line 6, delete "which provides or arranges" and insert "which may provide or arrange"

On motion of Senator Casanova, the amendments were adopted.

The bill, which was designated a duplicate of House Bill No. 712, was read by title. Senator Casanova moved final passage of the amended bill.

## ROLL CALL

The roll was called with the following result:

### YEAS

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

### NAYS

Fields C	Irons
Fields W	Jordan
Total—4	

### ABSENT

Cravins  
Total—1

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

## Mr. President in the Chair

## Rules Suspended

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

## Privilege Report of the Legislative Bureau

April 19, 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. 1115—**

BY REPRESENTATIVE HUDSON

AN ACT

To amend and reenact R.S. 33:2740.37(B)(1), relative to educational facilities improvement districts; to create such a district in certain parishes; to provide for district boundaries; 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.

**Introduction of Senate Bills  
and Joint Resolutions**

Senator Bean asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

**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.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**SENATE BILL NO. 1027—**

BY SENATOR JONES

AN ACT

To enact R.S. 33:2740.46 relative to special taxing districts; to create a downtown economic development district in the city of Monroe; to authorize special uses of the Ouachita River; and to provide for related matters.

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

**SENATE BILL NO. 1028—**

BY SENATOR DARDENNE

AN ACT

To amend and reenact R. S. 14:62.4(A), relative to the unauthorized entry of a place of business; to provide that a place of business shall include any structure or premises that is partially or completely enclosed by any type of physical barrier; and to provide for related matters.

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

**SENATE BILL NO. 1029—**

BY SENATOR JOHNSON

AN ACT

To enact Subpart I of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:348.1 through R.S. 17:348.4, relative to the Alternative Early Education Pilot Program; to provide for a program under which state funding is made available to pay the cost of non-public preschool, kindergarten, and first grade for certain eligible students; to provide

for eligibility of students; to provide for qualification of participating schools; to limit program to certain areas; to provide for the responsibilities of the department; to provide for termination of the program; and to provide for related matters.

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

**SENATE BILL NO. 1030—**

BY SENATOR GREENE (BY REQUEST)

AN ACT

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

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

**SENATE BILL NO. 1031—**

BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 40:1299.35.1, 1299.35.4, and 1299.35.10(A)(18) and to enact R.S. 40:1299.35.6(C)(5), 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 after viability; to provide for termination of pregnancy after viability under certain circumstances and for certification of reason thereof; to require the Department of Health and Hospitals to provide for the production and mandatory presentation of a videotape explaining certain information to each woman seeking an abortion; to provide for certain information contained in an abortion report; to provide for severability provisions; and to provide for related matters.

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

**SENATE BILL NO. 1032—**

BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 56:305(B)(2), relative to crabbing; to limit the number of crab traps a commercial fisherman may possess; to provide that the crab trap gear license is non-transferrable; and to provide for related matters.

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

**SENATE BILL NO. 1033—**

BY SENATORS BOISSIERE AND HAINKEL

AN ACT

To enact Chapter 10 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25: 571 through 577 and R.S. 36:209(Q), relative to the New Orleans Center for Creative Arts; to establish the center in the Department of Culture, Recreation and Tourism; to provide for the operation, administration, and governance of the center; to provide relative to the programming offered at the center; to provide relative to students at the center; to establish a board of trustees for the center and to provide for their appointment, terms, and qualifications; to provide for the powers and duties of the board; and to provide for related matters.

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

**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. 18—  
BY SENATOR C. FIELDS****A RESOLUTION**

To direct the Department of Transportation and Development to study, in conjunction with the United States Department of Transportation, the feasibility of four-laning Harding Lane (L.A. 408), from Southern University to the existing overpass; and to further urge and request Department of Transportation and Development to work with local officials to facilitate the four-laning of Swan Street, from Southern University to Scenic Drive (U.S. 61) and the construction of an overpass at the rail-crossing on Swan Street.

On motion of Senator Bean, the resolution was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**SENATE RESOLUTION NO. 19—  
BY SENATOR C. FIELDS****A RESOLUTION**

To direct the Department of Health and Hospitals, the Department of Environmental Quality, the Department of Wildlife and Fisheries, the Department of Agriculture and Forestry, and to urge and request the federal Agency for Toxic Substances and Disease Registry, to cooperate in a study to determine the risks to humans, wildlife, and fisheries living or located in areas in close proximity to chemical plants in the state, particularly facilities involved in the handling of hazardous waste and the environmental impact of such entities to the areas in which they are located.

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

**SENATE RESOLUTION NO. 20—  
BY SENATOR CASANOVA****A RESOLUTION**

To proclaim March thirtieth as Doctors Day in the state of Louisiana in order to honor and recognize all physicians who dedicate themselves and their careers to the care of their patients and the advancement of medicine and to thank them for their contributions to improving the quality of life for all of Louisiana's citizens.

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

**SENATE RESOLUTION NO. 21—  
BY SENATOR CASANOVA****A RESOLUTION**

To commend and honor the memory of former commissioner of the Louisiana Music Commission, Dr. Tommy Comeaux, a talented musician and his beautiful song, "Native Son".

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

**SENATE CONCURRENT RESOLUTION NO. 69—  
BY SENATOR DEAN****A CONCURRENT RESOLUTION**

To memorialize the United States Senate to refuse to ratify the Kyoto Protocol on global climate change.

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

**SENATE CONCURRENT RESOLUTION NO. 70—  
BY SENATOR ROMERO****A CONCURRENT RESOLUTION**

To urge and request the Louisiana Public Service Commission to investigate the use of regulated funds by public utility companies for non-regulated contracting activities.

On motion of Senator Bean, the resolution was read by title and referred to the Committee on Commerce and Consumer Protection.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON  
REVENUE AND FISCAL AFFAIRS**

Senator Barham, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

April 19, 1999

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

**SENATE BILL NO. 163—  
BY SENATOR BARHAM****AN ACT**

To amend and reenact R.S. 47:2304(B), relative to use value assessment of immovable property; to authorize the permanent filing of applications for use value assessment; and to provide for related matters.

Reported with 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 favorably.

**SENATE BILL NO. 819—  
BY SENATOR EWING****AN ACT**

To amend and reenact R.S. 39:128(B), relative to certain higher education capital outlay projects; to index the threshold for the exemption of such projects for the capital outlay process; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
ROBERT J. BARHAM  
Chairman

**REPORT OF COMMITTEE ON  
FINANCE**

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

April 19, 1999

To the President and Members of the Senate:

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

**SENATE BILL NO. 110—**

BY SENATORS HOLLIS, BEAN, CAIN, COX, DYESS, HAINKEL, HINES, LAMBERT, LANDRY, LENTINI, SCHEDLER, SIRACUSA, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO AND REPRESENTATIVES ANSARDI, BARTON, BAYLOR, BOWLER, BRUCE, BRUNEAU, CHAISSON, CLARKSON, DAMICO, DOERGE, DUPRE, DURAND, FAUCHEUX, FRITH, GAUTREAUX, 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 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 favorably.

**SENATE BILL NO. 225—**

BY SENATORS JORDAN, COX, C. FIELDS AND SCHEDLER  
AN ACT

To amend and reenact Civil Code Art. 26, relative to rights of an unborn child; to authorize survival actions, bystander actions, and other personal injury actions for an unborn child; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
JOHN HAINKEL  
Chairman

**Rules Suspended**

Senator Lentini asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 364 from the Committee on Health and Welfare.

**SENATE BILL NO. 364—**

BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 37:1204(A), relative to physicians; to authorize a licensed physician to delegate the actual dispensing or supplying of drugs and medicines under certain circumstances; and to provide for related matters.

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

**Rules Suspended**

Senator Romero asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 1 from the Committee on Local and Municipal Affairs.

**SENATE BILL NO. 1—**

BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 3:1207(B), relative to supervisors of soil and water conservation districts; to increase the per diem for supervisors of the St. Martin Soil and Water Conservation District; and to provide for related matters.

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

**Rules Suspended**

Senator Romero asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 371 from the Committee on Judiciary A.

**SENATE BILL NO. 371—**

BY SENATOR ROMERO

AN ACT

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

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

**Rules Suspended**

Senator Dean asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 128 from the Committee on Health and Welfare.

**SENATE BILL NO. 128—**

BY SENATOR DEAN

AN ACT

To enact Part XXIV-C of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.64.21 through 1299.64.36, and to amend and reenact R.S. 14:32.12(C), relative to responding to the request of a person suffering from terminal disease for assistance in ending his life; to define terms; to provide for the right of such person to request and obtain a prescription to end his life; to provide for the form of the written request and for the procedure for executing the written request; to provide for the right to rescind the request; to provide for a waiting period; to provide for the effect of the written request on wills, contracts, insurance policies and annuity policies; to provide for immunities and penalties; to provide relative to the crime of and penalty for criminal assistance to suicide; and to provide for related matters.

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

**Messages from the House**

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

**Message from the House**

**SIGNED HOUSE CONCURRENT RESOLUTIONS**

April 19, 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. 131—**

BY REPRESENTATIVE MONTGOMERY

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Ronny Beard, former head football coach and principal of Homer High School.

**HOUSE CONCURRENT RESOLUTION NO. 132—**

BY REPRESENTATIVES KENNARD, CARTER, CRANE, DANIEL, DEVILLE, DEWITT, FRITH, HEBERT, HOLDEN, JENKINS, MARIONNEAUX, MCCAIN, PERKINS, POWELL, THOMPSON, TRAVIS, AND WESTON AND SENATORS BRANCH, DARDENNE, AND LAMBERT

**A CONCURRENT RESOLUTION**

To urge and request the United States Department of Transportation to approve an application of the Greater Baton Rouge Airport District to allow nonstop service from Baton Rouge, Louisiana, to Chicago O'Hare International Airport in Illinois.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,  
**ALFRED W. SPEER**

Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

**Message to the Secretary of State**

**SIGNED**

**SENATE CONCURRENT RESOLUTIONS**

April 19, 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. 6—**

BY SENATORS LANDRY, BAJOE, HINES, IRONS AND SCHEDLER

**A CONCURRENT RESOLUTION**

To urge and request the Department of Health and Hospitals, office of public health, to conduct a public campaign to improve awareness of the benefits of folic acid and to increase consumption of folic acid among women of child-bearing age.

**SENATE CONCURRENT RESOLUTION NO. 61—**

BY SENATOR CAIN

**A CONCURRENT RESOLUTION**

To commend Kevin Marcantel on his excellent service, as administrative director of W.O. Moss Regional Medical Center, LSU Healthcare Services Division.

**SENATE CONCURRENT RESOLUTION NO. 63—**

BY SENATORS EWING, BAJOE, BARHAM, BEAN, BOISSIERE, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, C. FIELDS, W. FIELDS, GREENE, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SIRACUSA, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO AND REPRESENTATIVES BRUNEAU AND DOWNER

**A CONCURRENT RESOLUTION**

To extend the heartfelt condolences of the Legislature of Louisiana and its staff to the family of Delmar "Dee Dee" Fulmer-Gilbert, a longtime and treasured member of the legislative staff.

**SENATE CONCURRENT RESOLUTION NO. 64—**

BY SENATOR MALONE

**A CONCURRENT RESOLUTION**

To express the condolences of the Legislature of Louisiana on the death of Ronny Beard, former head football coach and principal of Homer High School.

**SENATE CONCURRENT RESOLUTION NO. 65—**

BY SENATORS EWING, BAJOE, BARHAM, BEAN, BOISSIERE, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, C. FIELDS, W. FIELDS, GREENE, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SIRACUSA, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO AND REPRESENTATIVES ALARIO, ALEXANDER, ANSARDI, BARTON, BAUDOUIN, BAYLOR, BOWLER, BRUCE, BRUNEAU, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DEWITT, DIEZ, DIMOS, DOERGE, DONELON, DOWNER, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREAUX, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, McDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JOHN SMITH, STELLY, STRAIN, THERIOT, THOMPSON, THORNHILL, TOOMY, TRAVIS, TRICHE, VITTER, WADDELL, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD, WINDHORST, WINSTON, WOOTON AND WRIGHT

**A CONCURRENT RESOLUTION**

To acknowledge the breadth, depth, and richness of the accomplishments of Stephen E. Ambrose and to commend him on his extraordinary body of work and its contribution to our knowledge and understanding of history and our awareness of its significance in our lives.

**SENATE CONCURRENT RESOLUTION NO. 66—**

BY SENATORS JORDAN, BAJOE, BARHAM, BEAN, BOISSIERE, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, EWING, C. FIELDS, W. FIELDS, GREENE, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SIRACUSA, SMITH, TARVER, THEUNISSEN, THOMAS AND ULLO

**A CONCURRENT RESOLUTION**

To express the sincere regrets of the Legislature of Louisiana upon the death of Frank Foreman, Jr., husband, father, brother, educator, coach, civic and community leader, and friend.

Respectfully submitted,  
**MICHAEL S. BAER, III**  
Secretary of the Senate

**Adjournment**

Senator Bean moved that the Senate adjourn until Tuesday, April 20, 1999 at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Tuesday, April 20, 1999.

**MICHAEL S. BAER, III**  
Secretary of the Senate

**GAYE F. HAMILTON**  
Journal Clerk