

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

EIGHTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, April 10, 1997

The Senate was called to order at 9:30 o'clock A.M., by Hon. Randy Ewing, President of the Senate.

ROLL CALL

The roll was called with the following result:

PRESENT

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

ABSENT

Jordan
Total—1

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

Prayer

The prayer was offered by Senator 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 Fields, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

Messages from the Governor

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

State of Louisiana
Office of the Governor
Baton Rouge

April 9, 1997

The Honorable President and Members of the Senate:

Ladies and Gentlemen:

I have appointed the person on the attached list of the offices indicated.

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

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

Louisiana State Board of Certified Public Accountants

Susan C. Cochran	Mark P. Harris
Leonard P. Hood	Patrick D. McCarthy
Donald L. Moore	John Gordon Reische
Michael A. Tham	

Division of Administration

Angele Davis

Louisiana Executive Board on Aging

Kenneth P. Ritter

Agricultural Commodities Commission

Floyd E. Carter, Sr.	James E. Hoppe
Joe Jackson	Rodney D. Kendrick, Jr.
Thomas A. LeJeune	Walter A. Morales
Leslie L. Rodrigue	

Louisiana Agriculture Finance Authority

Fred D. Bolding	Ted Glaser
Michael K. Hensgens	J. Wade O'Neal, III

Louisiana Airport Authority

W. Sherwood Bailey, Jr.	Patrick Lee Colvin
Cheryl M. Gonsoulin	Larry Hooper
Kenneth P. Perry	

Alarm Services Advisory Board

Danny R. Northcutt	Howard O. Sanders
Kenneth Mark Serbanic	Spencer G. Smith, Jr.

Louisiana Commission on Alcohol and Drug Abuse

Roy Franklin Baas	James H. Blackburn, M.D.
Mary Jo Brook	Forrest Dunn
John N. Fornea, Jr.	Norman L. Gunn
Cleveland Johnson	Florence "Freddie" G. Landry
Kathleen H. Leary	Thomas P. Lief
Beth O. Lundy	Kenny P. Poche
George M. Smith	

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Kathryn "Betsy" E. Jones	Willie George Lee
Terry Loque	Michael D. McDaniel
Keith R. Saucier	Olin Lawrence Stubbs
Jeffrey G. Taylor	Donald E. Thompson
Robert C. Williams	Floyd L. Younger, Jr.

Louisiana Archaeological Survey and Antiquities Commission

April 10, 1997

Alan W. Dorian
George Marshall Riser, Jr.
Harry Tanner

Marc Dupuy, Jr.
Edward Dan Shipman
Malcolm C. Webb

Louisiana State Board of Architectural Examiners

Raymond Post

Governor's Advisory and Review Commission on Assistant District Attorneys

Hugh M. Collins
Rep. H.B. Hunt Downer, Jr.
Cheney Joseph

Sen. Donald R. Cravins
Anthony "Tony" G. Falterman
Rep. Joseph F. Toomy

Atchafalaya Basin Levee District

Gerald P. Alexander, Sr.
David Berard
William E. Coyle, Jr.
Mark E. Engemann
Earl J. Matherne
Gene P. Seneca
Chester L. Simon
Brian S. Willis

Ebert Benoit
Ray J. Brignac
Merlin M. Dupre
Michael A. Maranto, Sr.
Wayne H. Orillion
Johnny J. Settoon
Thomas M. Tillman

Auctioneers Licensing Board

Barbara Bonnette
Delmar "Buster" E. Gay
Larry G. Nobles
Fred Walker

Marion M. Drennen
Bobby L. Green
Tessa S. Steinkamp

Louisiana State Board of Barber Examiners

Audry Adams
Gervis Ned

Gerald J. Breaux

Baton Rouge Port Commission

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Alvin L. Dragg
Calvin Ishmael
H.M. Kimball, Jr.
Boyd H. Robert
Henry Scott
Robert E. Wales
Larry D. Woods

Charles F. D'Agostino
Maurice A. Gautreau, Jr.
Larry L. Johnson, Sr.
Sandra B. Ribes
Lynn B. Robertson
Lucille M. Smith
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Lawrence E. Hill

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Larry Warren Lott
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Kevin A. Gravois
Mitchell Hollier
Darwin Knochenmus
William H. Walter

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Joseph C. Hebert
Robert W. Jackson
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William Dupont
Annelle Fontenot
Rev. Lionel Johnson
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Jack B. Parker
Eloise V. Wells

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Robert L. Eichelberger
Dean Hotard
Willie Johnson
Frances L. Martine
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Derronica L. Dukes
Lynette Farrill
Janie H. Humphries
Jane Molloy
Jacinta "Jay" Settoon

Denise D. Curwick
Perlie H. Elloie
Linda H. Hardie
Demetria H. McJulien
Barbara J. Pickney
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Mercedes Hernandez
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Manuel A. Pineda, Jr.

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Manuela Gonzales-Bueno
Jeannette P. Hicks
Eric Lopez

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David Gallo	Tara Gilliland
Ronny Graham	Brent S. Honore
Doanld G. Lambert	Byron E. Talbot
A. Hays Town, Jr.	

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George Matta	Ronald C. Navarro
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Mary Ida Simoneaux	Bernice S. Smith

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Daryl G. Hippensteel	Allen R. Hodgkins, Jr.
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Bobby Joe Robinson	Dorothy R. Temple
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Charles Leonard Wise	

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Judith J. Foil	Esther McGee
Tony Piontek	Traci B. Starr
Wayne B. Toups	Joan R. Turcotte-Dodd

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Wayne Tolar	Brent J. Vaughn

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Wayne F. McElveen	Kurt Mercier
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R.B. "Bucky" Rives	

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Paul Connick	Rep. Reggie Dupre
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Louisiana Economic Development Corporation

A.J. Roy, III

Louisiana Economic Development Council

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Gregg Gothreaux	David Guidry
Tim H. Johnson	Larry Kinlaw
Cornelius A. Lewis	James H. Prince
William D. Sawyer, Jr.	Greg M. St. L. O'Brien
W. Richard Zuber	

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Louann A. Bierlein	Cecil J. Picard
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Louann A. Bierlein

April 10, 1997

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William C. Raspberry, Jr.
Sydalise F. Villaume

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Belton J. Sonnier, Sr.
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Murray Lloyd
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Nathan J. Thornton, Jr.

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Jeff Smith

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Mikel York
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Deborah W. Lockwood
Gregory L. Monier
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William G. Palmer
Larry R. Raymond
Bill Smith

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Curtis J. Landry
Molly O. Rau
Bera J. Smith
Lee Dell Woods, Jr.

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Ralph J. Stassi, Jr.

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Elmer G. Litchfield
Harry J. Morel, Jr.

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Sheriff William E. Hilton
James M. McDonald
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Ruth Ann Campbell Jean

Philip C. Aucoin
Robert L. Eastin, Sr.
T. Morris Rabb

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Gail M. Pearce

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Channing F. Hayden, Jr.
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James C. Finley

Louisiana State Board of Polygraph Examiners

William L. Carroll, Jr.
Forrest M. Kavanaugh
Robert Wayne Nissen

J.W. Jones
Vicki Hopkins King

Ponchartrain Levee District, Board of Commissioners

Jessie J. Bartley
Joseph H. Gautreau
David L. Laborde
Michael W. Reames
Charles D. Thornton

LeVerne Brown
Timothy M. Kane
Aubrey J. LaPlace
Carey Simoneaux

Louisiana State Board of Practical Nurse Examiners

Robertra R. Connelley

Ann V. Laws

Committee on Prescriptive Authority for Advanced Practice Registered Nurses

Patsy McClanahan

Louisiana Prison Enterprises Board

Eugene A. Andries, Jr.
Gerald (Gerry) Lane
H.C. Peck, Sr.
Chris A. Wisecarver

Felix H. Johnson, Jr.
Weldon A. Nipper
Randy Strickland

Louisiana Private Employment Service Advisory Council

Jessie Dejoie
Jim Stalls

Cecile M. Johnson
Michelle K. Stokes

Private Investigator Examiners, Board of Review

Julius Bombet
Mallory J. Lessard
John Vernon Mowell
George B. Recile

L. Bruce Childers
Linda Fabre Magri
Joseph A. Ostre

Board of Review for Private Security Examiners

Loretta L. Bickerstaff
Renella G. Chouest
Charles V. Duplechain
Louis S. Gurvich, Jr.
Ralph Edward White

Dale Brownell
Clayton J. Deslattes
Paul S. Graffeo
James "Chip" H. Romero

Louisiana State Board of Psychologist Examiners

John A. Brun

David D. Thomason

Louisiana State Racing Commission

J.D. Blondin
A.J. Goubler
Jon R. McKinnie
Michael J. Smith

Payton R. Covington
Aubrey J. LaPlace
Jerry Meaux
Oscar J. Tolmas

April 10, 1997

Real Estate Appraisal Certification Board

Daniel Blanchard
Karen K. Long
James A. Gallagher
Jim G. Sherman

Real Estate Commission

George H. Diedrich, III
David Reinauer
Bety H. Phelps
Stephen S. Thomson, Jr.

Louisiana Board of Directors for the Recovery District

Mark C. Drennen
Cheney C. Joseph, Jr.
Don J. Hutchinson
J. Stephen Perry

Red River Waterway Commission

Larry Ferdinand
Donald Edward Sonnier
Albert Paul Fleming
Alvin R. Wiley

Board of Regents

Mary E. Sanders
Roland M. Toups

Rehabilitation Services Advisory Council

V. Sue M. Bollin
E. Venora Hall
Loretta N. Jones
Doyal A. McDade
Julie M. Nesbit
R. Brantley Cagle
Jane W. Hollier
David LeGendre
Claude A. Medine
Kathy L. Travis

Residential Building Contractors Subcommittee

Patrick Lee Colvin
Ronald J. Perrin
John R. Gentry

Department of Revenue and Taxation

Ben Morrison
Pam Hutchinson

Rice Promotion Board

Ralph L. Cowen
J.C. Griffin
James E. Hoppe
Glenray Trahan
Wayne N. Zaunbrecher
Fred G. Denison
Leonard J. Hensgens
Edwin J. Leonards
Edward H. Wild

Rice Research Board

Stephen H. Berken
John Denison
Paul Guillory
Paul Loewer, Jr.
Robert Miller
Charles Hine Unkel
John W. Boudreaux
R.E. Girouard
Johnny Hensgens
Errol Lounsberry
Edward W. Patrick, Jr.
Wayne Wild

River Region Cancer Screening and Early Detection District

Felix "Pappy" LeBoeuf

South Terrebonne Tidewater Management and Conservation District

Walton Daisy
S.T. Kennedy
Bobby Marmande
Gilbert J. Talbot, Sr.
Philip B. Fanguy
Allan A. Luke
Roger Dale Joseph Pellegrin

Sabine River Authority

Vergie Ashton
Daniel W. Cupit
Dennis Freeman
George Knippers
Donnie Sebren
Warren W. Smith
Aubrey T. Temple

John W. Bonner
John A. DeBarge
Robert D. Geoghagan
Walter Martinez
Jesse Dale Skinner
Finly S. Stanly

Safe and Drug-Free Schools and Communities

Jacki Ackel
Rodney C. Braxton
Senator James D. Cain
Dr. James Haley
Bobby R. Pierce
Stanley J. Schofield
Murphy J. Armelin
Tim Breaux
Ranord Darendburg
Fair C. King
Terry R. Reeves
Osa Williams

Sanitarians Board

William P. Goins

School Based Health Clinic Task Force

John S. Baker, Jr.
Sally S. Campbell
Dr. Jimmy Guidry
Sylvia Sterne
Dorothy H. Wallis
Arthur N. Zieske
Sister Olive Bordelon
Dr. Bill Cassidy
Piyush "Bobby" Jindal
Dr. David G. Thibodaux
Dr. Gary M. Wiltz

Louisiana Seafood Promotion and Marketing Board

Lydia Amato
Tommy J. Bush, Jr.
Darryl Daigle
Steven H. Loga
Harlon H. Pearce, Jr.
Sal R. Sunseri
Robert J. Samanie, III
Nolton Bailey
William D. Chauvin
Dexter Guillory
Donna Montgomery
Darrel J. Rivere
Wilson P. Voisin, Jr.

Louisiana Serve Commission

J. Richard Bassett
Moselle A. Dearbone
Roderick K. Hawkins
Clarence L. Hymon
James Meza, Jr.
Joe Sampite
Kirk Bennett
Barry M. Delcambre
Sibal S. Holt
Holly L. Martien
Ann D. Miller
Madalyn Schenk

Department of Social Services

William M. Hightower

Louisiana State Board of Social Work Examiners

Cammie A. Lapenas
Lacey M. Tillotson
Sherril Rudd
Robert Alan Walker

South Lafourche Levee District, Board of Commissioners

Lula Auenson
Ronald L. Callais
Joseph P. Leonard, III
Leon J. Theriot
Edles J. Williams
Russell A. Bruce
Albert J. Guidry
Ernest J. Richoux, Jr.
Monty J. Vegas

South Louisiana Port Commission

Louis A. Joseph

South Tangipahoa Parish Port Commission

Charles R. McKaskle

Southern Rapid Rail Transit Commission

Wayne Waddell

Southern Board of Supervisors

Myron K. Lawson

Soybean and Grain Research and Promotion Board

Jules P. Bordelon	Ike P. Boudreaux
Jerry D. Hunter	Fred O. Laing
Byron F. Lemoine, III	Donald H. Marshall
Leslie L. Rodrigue	Raymond S. Schexnayder
Darrell VandeVen	Donald L. Zaunbrecher

**Louisiana Board of Examiners for
Speech Pathology and Audiology**

Lawrence Braud	Stephen J. Harris
Annie L. Mouton	Theresa H. Rodgers
Glenn M. Waguespack	

Louisiana Stadium and Exposition District

Don P. Stiel

Statewide Independent Living Council

Henry Bateman	David H. Belton
Glade Bilby, II	John F. Bolter
Allen E. Chighizola, Jr.	Audrey Courtney
Darleen Fust	Susan G. Killam
Maurice H. Lamothe	Diane I. Legendre
Cynthia H. Lobue	Maria D. Lopez
Yadi D. Mark	Harry L. Miley
William E. Moak	Johnnie A. Morris
Page T. Salley	Zita Z. Sorace
Phil J. Templet	

Louisiana Strawberry Marketing Board

Peter V. Arnone	Delton Delatte
Michael A. Doss	William R. Harper
Lucy Mike King	Jackie L. Kupper
Anthony Liuzza	Jack N. Liuzza
Ronald Patnelia	Nathan D. Wall
Byron H. Wild, Jr.	

**Louisiana Sweet Potato Advertising and
Development Commission**

Bill Brunet	Wayne T. Garber
Seldon McCleskey	Charles K. Thornhill

Tax Appeals Board

Evelyn G. Gravel	Leonard P. Hood
Edna J. Tingle	

Tensas Basin Levee District, Board of Commissioners

Tom R. Bond	Homer A. Boughton
A.J. "Bob" Chapman	Jimmy Don Hudson
Jack Keahy	Rex G. Kervin
Venoy Kinnaird	James P. Mayo, Sr.
Harlon E. Nobles	Jerry Regienold Peters
Shelton Ruffin	

Louisiana Tourism Development Commission

Robert (Tico) Andrew Bevier	Gerald P. Breaux
Rosy W. Bromell	Louis J. Cornay
Gwendolyn Y. Elmore	Carol LeAnne W. Everhardt
Anne Y. Fitzgerald	Preston R. Friedly, Jr.
Robert Giancontieri	Curtis J. Hue
Shelley G. Johnson	Leo Kessler
Deborah Meaux	Emory D. Oney
Ryan William Richard	Allen Thibodeaux
Mary Wolbrette	

Louisiana Tourism Promotion District

Dwayne Cooley	Shirley Deluzain
Julia Beth Smith Trechell	Louise Wheeler
Mary Holt Wright	

Tri-parish Drainage and Water Conservation District

Huey P. Brown	Fred McKenzie
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Louisiana Tuition Trust Authority

J. Lynn Bordelon

University of Louisiana System, Board of Trustees

Edward B. Anders	Erle E. Barham
Andre G. Coudrain	Eunice W. Smith
Mrs. Carroll W. Suggs	

Louisiana Used Motor Vehicle Commission

James C. Cook	Samuel L. Davidson
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Veterans Affairs Commission

Charles Dale Aucoin	David Band
Norman Barnum	Don A. Beasley
Oris (Red) A. Kemp	Jack L. Kilcrease
Huey P. O'Neal	Everett A. Sutton
George Thompson, Jr.	

Veterinary Examiners Board

Dr. Adrienne Aycock Faul, M.D.	Dick C. Walther
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**Louisiana Licensed Vocational Rehabilitation Counselors,
Board of Examiners**

Mary C. Elvir	Bob A. Gisclair
Carla Seyer	

Washington Parish State Park Steering Committee

Geraldine (Jerry) S. Alford	Rickie Branch
Judy Sharpe Farmer	Samuel Gregory Genco
Mike Gill	Henry Harrison
Mike McNeal, Jr.	Randall O'Neal Thomas

West Jefferson Levee District, Board of Commissioners

Francis Boffone	Harry L. Cahill, III
Anthony A. Caramonta	Clarence R. Guidry
Ronald Jones	Byron L. Lee
Philip J. Loyacano	Tommy Plaisance
Rita Scheffler	

Louisiana State Board of Wholesale Drug Distributors

Robert V. Broadus	Paul M. Dickson
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Wayne J. Gremillion
Susan J. Kolb

Frederic King
Gayle R. White

Wildlife and Fisheries Commission

Thomas M. Gattle, Jr.

Norman Francis McCall

Department of Wildlife and Fisheries

Ronald G. Couvillion

John E. Roussell

**Petitions, Memorials and
Communications**

The following petitions, memorials and communications were received and read:

**W. Fox McKeithen
Secretary of State
State of Louisiana**

April 9, 1997

The Honorable President
and Members of the Senate

Gentlemen:

I would like to notify you, in accordance with R.S. 36:746, that I have appointed John E. Newton, residing at 8435 Pourciau Street, Livonia, Louisiana 70755 as the Deputy Secretary of the Office of Uniform Commercial Code. I am hereby submitting this appointment to you for confirmation.

Thank you for your attention regarding this matter.

Sincerely,
W. Fox McKeithen
Secretary of State

**W. Fox McKeithen
Secretary of State
State of Louisiana**

April 9, 1997

The Honorable President
and Members of the Senate

Gentlemen:

I would like to notify you, that I have appointed Bob G. Dean, Jr. residing at 3465 East Lakeshore Drive, Baton Rouge, Louisiana as a member of the Old State Capitol Advisory Board. I am hereby submitting this appointment to you for confirmation.

Thank you for your attention regarding this matter.

Sincerely,
W. Fox McKeithen
Secretary of State

**W. Fox McKeithen
Secretary of State
State of Louisiana**

April 9, 1997

The Honorable President
and Members of the Senate

Gentlemen:

I would like to notify you, that I have appointed W. Prescott Foster residing at Hwy. 317 Franklin, Louisiana 70538 as a member of the Old State Capitol Advisory Board. I am hereby submitting this appointment to you for confirmation.

Thank you for your attention regarding this matter.

Sincerely,
W. Fox McKeithen
Secretary of State

**W. Fox McKeithen
Secretary of State
State of Louisiana**

April 9, 1997

The Honorable President
and Members of the Senate

Gentlemen:

I would like to notify you, that I have appointed Cherly Breaux Scharf residing at 208 Fairfield Drive, Thibodaux, Louisiana 70301, as a member of the Governing Board for Edward Douglas White Historic Site. I am hereby submitting this appointment to you for confirmation.

Thank you for your attention regarding this matter.

Sincerely,
W. Fox McKeithen
Secretary of State

**W. Fox McKeithen
Secretary of State
State of Louisiana**

April 9, 1997

The Honorable President
and Members of the Senate

Gentlemen:

I would like to notify you, that I have appointed Sam Donald residing at 4105 Deborah Drive, Monroe, Louisiana 71201 as a member of the Governing Board for the Louisiana Cotton Museum. I am hereby submitting this appointment to you for confirmation.

Thank you for your attention regarding this matter.

Sincerely,
W. Fox McKeithen
Secretary of State

**W. Fox McKeithen
Secretary of State
State of Louisiana**

April 9, 1997

The Honorable President
and Members of the Senate

Gentlemen:

I would like to notify you, that I have appointed Margaret McCue Rogers residing at 762 Bayou Blue Road, Houma, Louisiana 70364 as a member of the Governing Board for Edward Douglas White Historic

Site. I am hereby submitting this appointment to you for confirmation.

Thank you for your attention regarding this matter.

Sincerely,
W. Fox McKeithen
Secretary of State

W. Fox McKeithen
Secretary of State
State of Louisiana

April 9, 1997

The Honorable President
and Members of the Senate

Gentlemen:

I would like to notify you, that I have appointed Sophie F. Bergeron residing at 4935 Hwy. 1 Napoleonville, Louisiana 70390 as a member of the Governing Board for Edward Douglas White Historic Site. I am hereby submitting this appointment to you for confirmation.

Thank you for your attention regarding this matter.

Sincerely,
W. Fox McKeithen
Secretary of State

James H. "Jim" Brown
Commissioner of Insurance
State of Louisiana

April 9, 1997

The Honorable Randy Ewing & Members of the Senate
President, Louisiana Senate
Post Office Box 94183
Baton Rouge, Louisiana 70804

Dear Senator Ewing:

This is to inform you that I have appointed effective April 9, 1997 the following employees for your review and consideration:

- (1) Allan J. Pursnell as Deputy Commissioner of Receivership
- (2) Craig A. Gardner as Deputy Commissioner of Financial Solvency
- (3) Richard L. Chambers as Deputy Commissioner of Minority Affairs
- (4) Helen Smith as Assistant Commissioner
- (5) A. Kip Wall as Chief Deputy Commissioner
- (6) Patrick J. Frantz as Deputy Commissioner of Management of Finance
- (7) Joseph Shorter, III as Deputy Commissioner of Licensing/Market Compliance

Attached are copies of the Oaks of Office for each employee.

If further information is needed, please do not hesitate to contact me.

With warm regards,
James H. "Jim" Brown
Commissioner of Insurance

**Introduction of
Senate Concurrent Resolutions**

Senator Bagneris asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate

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

SENATE CONCURRENT RESOLUTION NO. 69—
BY SENATOR SMITH AND REPRESENTATIVE LONG
A CONCURRENT RESOLUTION

To commend the players, coaches, managerial personnel, and statisticians of the Atlanta High School boys basketball team upon its excellence during the 1996-1997 season that culminated in its winning a third consecutive and fifth overall Class C state high school basketball title and in compiling a record of 39-5 and a district record of 6-0.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bajoie	Ellington	Landry
Bean	Fields	Lentini
Branch	Greene	Robichaux
Cain	Guidry	Romero
Campbell	Heitmeier	Schedler
Casanova	Hines	Short
Cox	Hollis	Smith
Dardenne	Irons	Tarver
Dean	Jones	Ullo
Total—30		

NAYS

Total—0

ABSENT

Bagneris	Hainkel	Malone
Barham	Johnson	Siracusa
Cravins	Jordan	Theunissen
Total—9		

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

Messages from the House

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

Message from the House

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

April 9, 1997

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. 882—
BY REPRESENTATIVES KENNARD, DIMOS, AND BRUCE
AN ACT

To amend and reenact R.S. 32:412(A)(7), relative to drivers' licenses; to provide for an extension on the expiration period of a Class "E" driver's license; to provide for exemptions to the extension; to provide for rules and regulations; and to provide for related

April 10, 1997

matters.

HOUSE BILL NO. 970—
BY REPRESENTATIVE R. ALEXANDER
AN ACT

To amend and reenact R.S. 47:1925.1 and 1925.2(A)(1); to create an assessment district in Bienville Parish to fund the office of the assessor; and to provide for related matters.

HOUSE BILL NO. 996—
BY REPRESENTATIVE PERKINS
AN ACT

To amend and reenact R.S. 15:306(A) and (B) and R.S. 32:378.2(A)(1) and (I), relative to the use of ignition interlock devices by persons on probation for the offense of driving while intoxicated; to require the use of interlock devices by certain persons who are placed on probation; to allow for an exception for persons driving a vehicle owned by their employer during the scope and course of employment; and to provide for related matters.

HOUSE BILL NO. 1065—
BY REPRESENTATIVES KENNARD AND DEWITT
AN ACT

To repeal R.S. 32:409.1(A)(2)(d)(ix), relative to drivers' licenses; to delete the thirty-day residency requirement for obtaining a driver's license.

HOUSE BILL NO. 1066—
BY REPRESENTATIVES KENNARD AND DEWITT
AN ACT

To amend and reenact R.S. 47:508(D), relative to commercial vehicles; to provide for the registration of commercial vehicles; to provide for a pro rata reduction of the license fee; and to provide for related matters.

HOUSE BILL NO. 1239—
BY REPRESENTATIVES TRAVIS, DOWNER, AND DEWITT
AN ACT

To amend and reenact R.S. 51:2380(D), relative to the initial submission date of the State Master Plan for Economic Development; to provide that the date for initial submission shall be January 1, 1999; and to provide for related matters.

HOUSE BILL NO. 1241—
BY REPRESENTATIVES TRAVIS, DOWNER, AND DEWITT
AN ACT

To amend and reenact R.S. 51:923(C), relative to the membership of the Board of Commerce and Industry; to permit the secretary of the Department of Economic Development to appoint a designee to serve on the board; and to provide for related matters.

HOUSE BILL NO. 1339—
BY REPRESENTATIVES BARTON, DURAND, FLAVIN, FRITH, GAUTREAUX, HILL, MICHOT, MURRAY, PINAC, POWELL, SCHNEIDER, AND WESTON
AN ACT

To amend and reenact R.S. 51:1711, relative to deceptive trade practices; to delete references in the law pertaining to deceptive advertising and representation; and to provide for related matters.

HOUSE BILL NO. 1539—
BY REPRESENTATIVES HAMMETT, BARTON, DURAND, FLAVIN, GAUTREAUX, HILL, MICHOT, MURRAY, POWELL, SCHNEIDER, AND WESTON
AN ACT

To amend and reenact R.S. 51:1787(B)(6), relative to the Louisiana Enterprise Zone Act; to provide for the requirement of the creation of a minimum number of net new jobs to be eligible for incentives; and to provide for related matters.

HOUSE BILL NO. 1608—
BY REPRESENTATIVE KENNARD
AN ACT

To amend and reenact R.S. 32:1301 and to enact R.S. 32:1305(G), relative to motor carriers; to provide for certain motor carriers to establish official inspection stations; to authorize that such stations be located either in state or out of state; to require such motor carriers to have Louisiana registration; and to provide for related matters.

HOUSE BILL NO. 1765 —
BY REPRESENTATIVES DAMICO AND DEWITT
AN ACT

To amend and reenact R.S. 30:2050.5, relative to the enforcement of final actions; to provide for the powers of the secretary of the Department of Environmental Quality; to delete certain powers and duties; and to provide for related matters.

HOUSE BILL NO. 1767—
BY REPRESENTATIVES DAMICO AND DEWITT
AN ACT

To amend and reenact R.S. 30:2050.20, relative to the record of decision; to provide for preparation of the record; and to provide for related matters.

HOUSE BILL NO. 418—
BY REPRESENTATIVES TRAVIS, BARTON, DURAND, FLAVIN, FRITH, GAUTREAUX, HILL, MICHOT, MURRAY, PINAC, POWELL, SCHNEIDER, AND WESTON
AN ACT

To amend and reenact R.S. 51:1256(B) and to enact R.S. 51:1256(B)(2)(f) and (i), relative to the Louisiana Tourism Development Commission; to provide for an increase in membership; and to provide for related matters.

HOUSE BILL NO. 1815—
BY REPRESENTATIVE FORSTER AND SENATOR ELLINGTON AND REPRESENTATIVES BARTON, BOWLER, CRANE, DEVILLE, HUNTER, MICHOT, MURRAY, ODINET, SCALISE, AND WIGGINS
AN ACT

To enact Chapter 15-A of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:2201 through 2210, and R.S. 36:4(B)(1)(w), relative to workforce development; to create and provide relative to the Governor's School-to-Work Council; to provide for membership and appointment of members; to provide for the powers and duties; and to provide for related matters.

HOUSE BILL NO. 1835—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 51:2317, relative to the Louisiana Economic Development Corporation; to provide for fees to be charged with regard to certain programs; and to provide for related matters.

HOUSE BILL NO. 2042—
BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 32:707(K), relative to certificates of title; to designate the Department of Public Safety and Corrections to assess civil penalties to anyone who has sold or dismantled a total loss vehicle in violation of the law; and to provide for related matters.

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

HOUSE BILL NO. 418—
BY REPRESENTATIVES TRAVIS, BARTON, DURAND, FLAVIN, FRITH, GAUTREAUX, HILL, MICHOT, MURRAY, PINAC, POWELL, SCHNEIDER, AND WESTON
AN ACT

To amend and reenact R.S. 51:1256(B) and to enact R.S. 51:1256(B)(2)(f) and (i), relative to the Louisiana Tourism

Development Commission; to provide for an increase in membership; and to provide for related matters.

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

HOUSE BILL NO. 882—
BY REPRESENTATIVES KENNARD, DIMOS, AND BRUCE
AN ACT

To amend and reenact R.S. 32:412(A)(7), relative to drivers' licenses; to provide for an extension on the expiration period of a Class "E" driver's license; to provide for exemptions to the extension; to provide for rules and regulations; and to provide for related matters.

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

HOUSE BILL NO. 970—
BY REPRESENTATIVE R. ALEXANDER
AN ACT

To amend and reenact R.S. 47:1925.1 and 1925.2(A)(1); to create an assessment district in Bienville Parish to fund the office of the assessor; and to provide for related matters.

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

HOUSE BILL NO. 996—
BY REPRESENTATIVE PERKINS
AN ACT

To amend and reenact R.S. 15:306(A) and (B) and R.S. 32:378.2(A)(1) and (I), relative to the use of ignition interlock devices by persons on probation for the offense of driving while intoxicated; to require the use of interlock devices by certain persons who are placed on probation; to allow for an exception for persons driving a vehicle owned by their employer during the scope and course of employment; and to provide for related matters.

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

HOUSE BILL NO. 1065—
BY REPRESENTATIVES KENNARD AND DEWITT
AN ACT

To repeal R.S. 32:409.1(A)(2)(d)(ix), relative to drivers' licenses; to delete the thirty-day residency requirement for obtaining a driver's license.

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

HOUSE BILL NO. 1066—
BY REPRESENTATIVES KENNARD AND DEWITT
AN ACT

To amend and reenact R.S. 47:508(D), relative to commercial vehicles; to provide for the registration of commercial vehicles; to provide for a pro rata reduction of the license fee; and to provide for related matters.

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

HOUSE BILL NO. 1239—
BY REPRESENTATIVES TRAVIS, DOWNER, AND DEWITT
AN ACT

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

HOUSE BILL NO. 1241—
BY REPRESENTATIVES TRAVIS, DOWNER, AND DEWITT
AN ACT

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

HOUSE BILL NO. 1339—
BY REPRESENTATIVES BARTON, DURAND, FLAVIN, FRITH, GAUTREAU, HILL, MICHOT, MURRAY, PINAC, POWELL, SCHNEIDER, AND WESTON
AN ACT

To amend and reenact R.S. 51:1711, relative to deceptive trade practices; to delete references in the law pertaining to deceptive advertising and representation; and to provide for related matters.

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

HOUSE BILL NO. 1539—
BY REPRESENTATIVES HAMMETT, BARTON, DURAND, FLAVIN, GAUTREAU, HILL, MICHOT, MURRAY, POWELL, SCHNEIDER, AND WESTON
AN ACT

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

HOUSE BILL NO. 1608—
BY REPRESENTATIVE KENNARD
AN ACT

To amend and reenact R.S. 32:1301 and to enact R.S. 32:1305(G), relative to motor carriers; to provide for certain motor carriers to establish official inspection stations; to authorize that such stations be located either in state or out of state; to require such motor carriers to have Louisiana registration; and to provide for related matters.

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

HOUSE BILL NO. 1765 —
BY REPRESENTATIVES DAMICO AND DEWITT
AN ACT

To amend and reenact R.S. 30:2050.5, relative to the enforcement of final actions; to provide for the powers of the secretary of the Department of Environmental Quality; to delete certain powers and duties; and to provide for related matters.

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

HOUSE BILL NO. 1767—
BY REPRESENTATIVES DAMICO AND DEWITT
AN ACT

To amend and reenact R.S. 30:2050.20, relative to the record of decision; to provide for preparation of the record; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and

April 10, 1997

referred to the Committee on Environmental Quality.

HOUSE BILL NO. 1815—
BY REPRESENTATIVE FORSTER AND SENATOR ELLINGTON AND REPRESENTATIVES BARTON, BOWLER, CRANE, DEVILLE, HUNTER, MICHOT, MURRAY, ODINET, SCALISE, AND WIGGINS
AN ACT

To enact Chapter 15-A of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:2201 through 2210, and R.S. 36:4(B)(1)(w), relative to workforce development; to create and provide relative to the Governor's School-to-Work Council; to provide for membership and appointment of members; to provide for the powers and duties; and to provide for related matters.

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

HOUSE BILL NO. 1835—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 51:2317, relative to the Louisiana Economic Development Corporation; to provide for fees to be charged with regard to certain programs; and to provide for related matters.

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

HOUSE BILL NO. 2042—
BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 32:707(K), relative to certificates of title; to designate the Department of Public Safety and Corrections to assess civil penalties to anyone who has sold or dismantled a total loss vehicle in violation of the law; and to provide for related matters.

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

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. 175—
BY SENATOR HINES
AN ACT

To amend and reenact R.S. 37:913(3)(b) and 1171(5), relative to registered nurses; to provide for definitions; to provide that the scope of practice of advanced practice registered nursing includes certain acts of medical diagnosis and limited prescriptive authority in accordance with rules and regulations promulgated by the Louisiana State Board of Nursing; to provide an effective date; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 175 by Senator Hines

AMENDMENT NO. 1
On page 1, delete line 2 in its entirety and insert the following:

"To amend and reenact R.S. 37:913(3)(b), 1031(E), 1033, 1035, and 1171(5), relative to registered"

AMENDMENT NO. 2
On page 1, at the end of line 6, insert the following:

"to provide for the terms of the members of the Committee on Prescriptive Authority for Advanced Practice Registered Nurses; to provide for reporting on the activities of the committee;"

AMENDMENT NO. 3
On page 1, line 15, delete "Advanced" and insert the following:

"(i) Subject to the provisions of Subsubparagraph (ii) of this Subparagraph, advanced"

AMENDMENT NO. 4
On page 2, between lines 5 and 6, insert the following:

"(ii) Until such time as rules and regulations are promulgated under the provisions of Subsubparagraph (i) of this Paragraph, the rules and regulations promulgated under the provisions of R.S. 37:1032 shall apply to advanced practice registered nursing."

AMENDMENT NO. 5
On page 2, line 23, after "regulations" insert a comma ","

AMENDMENT NO. 6
On page 2, delete line 26 and insert the following:

"Section 3. R.S. 37:1031(E), 1033, and 1035 are hereby amended and reenacted to read as follows:

§1031. Committee on Prescriptive Authority for Advanced Practice Registered Nurses; creation; membership; appointment; officers; meetings; reimbursement

E. The term of the committee members shall expire on July 1, 1997 1998. However, each member shall serve until his successor has been appointed. Any vacancy occurring in the membership of the committee shall be filled for the unexpired term in the same manner as the original appointment.

§1033. Report
The committee shall make a written report of its activities to the Joint Senate Committee on Health and Welfare prior to the 1996 Regular Session and the House Committee on Health and Welfare and a written report of its findings, and recommendations, and proposed legislation regarding the safety and effectiveness of limited prescriptive authority for advanced practice registered nurses sixty days prior to the 1997 Regular Session. The Joint Committee on Health and Welfare shall hold nine regional public meetings throughout the state prior to the 1997 Regular Session to obtain public response to the written report on the activities of advanced practice registered nurses as authorized in this Part and any proposed legislation related to the practice of advanced practice registered nurses February 15, 1998.

§1035. Termination
The Committee on Prescriptive Authority for Advanced Practice Registered Nurses shall terminate on July 1, 1999 1998.

Section 4. Section 3 of this Act shall become effective on June 30, 1997.

Section 5. Sections 1 and 2 of this Act shall become effective on July 1, 1998."

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

SENATE BILL NO. 176—
BY SENATOR GUIDRY
AN ACT

To amend and reenact R.S. 18:1463(B), relative to election offenses; to prohibit the unauthorized use of a person's photograph or likeness on any sample ballot, political campaign pamphlet or other political

material; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 176 by Senator Guidry

AMENDMENT NO. 1

On page 2, line 8, after "ballot" delete the remainder of the line, and delete line 9 in its entirety and insert in lieu thereof "containing a"

AMENDMENT NO. 2

On page 2, line 10, after "person" delete the remainder of the line and delete lines 11 through 15 and insert in lieu thereof "which falsely alleges, with an intent to misrepresent, that any person or candidate, or group of candidates in an election is endorsed by or supported by another candidate, group of candidates or other person."

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

SENATE BILL NO. 182— BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 37:75(13)(a) and R.S. 37:79(C) and to enact R.S. 37:79(D), relative to Certified Public Accountants; to provide for reciprocity of licenses of other states; and to provide for related matters.

Reported with amendments by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Original Senate Bill No. 182 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 37:75" and before "(13)(a)" insert "(B)"

AMENDMENT NO. 2

On page 1, line 7, after "R.S. 37:75" insert "(B)(13)(a)" and after "R.S. 37:79" insert "(C)"

AMENDMENT NO. 3

On page 1, line 8, after "reenacted" insert "and R.S. 37:79(D) is hereby enacted, all"

AMENDMENT NO. 4

On page 2, line 12, change "Section" to "R.S. 37:"

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

SENATE BILL NO. 263— BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 6:548(A), (B), (C), and (G); to provide for the importing and exporting of interest rates and other charges; to allow for the assessment of interest, finance charges and credit services charges which equal or are less than the amounts charged by financial institutions domiciled in other states; to allow a Louisiana creditor to file an affidavit to assess rates and fees in other states; provides for fees and charges adopted from another

state; and to provide for related matters.

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

SENATE BILL NO. 265— BY SENATOR ULLO

AN ACT

To enact R.S. 22:1473, relative to cash back incentive programs by multi-line insurance companies; to require the commissioner of insurance to promulgate rules and regulations to require insurance companies to offer cash back incentives to certain customers; to provide for restrictions; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 265 by Senator Ullo.

AMENDMENT NO. 1

On page 1, line 2, change "1473" to "1474"

AMENDMENT NO. 2

On page 1, line 8, change "1473" to "1474"

AMENDMENT NO. 3

On page 1, line 9, change "1473" to "1474."

AMENDMENT NO. 4

On page 1, line 10, change "Commissioner of Insurance" to "commissioner of insurance"

AMENDMENT NO. 5

On page 1, line 12, change "insure" to "ensure"

AMENDMENT NO. 6

On page 1, line 13, change "policy holders" to "policyholders"

AMENDMENT NO. 7

On page 1, line 16, change "policy holders" to "policyholders"

AMENDMENT NO. 8

On page 2, line 1, change "policy holder" to "policyholder"

AMENDMENT NO. 9

On page 2, line 2, change "auto" to "automobile"

AMENDMENT NO. 10

On page 2, line 2, change "home owners insurance" to "homeowner's insurance policy"

AMENDMENT NO. 11

On page 2, line 4, change "years" to "year's"

AMENDMENT NO. 12

On page 2, line 5, after "fourth" delete the remainder of the line and insert in lieu thereof the following:

"year anniversary date and the premium shall remain at such discounted amount"

AMENDMENT NO. 13

On page 2, line 6, delete "after"

AMENDMENT NO. 14

On page 2, line 7, after "reported." add the following:

"The premium discount provided in this Section shall be in

addition to any other premium discount which may be available to the policyholder and the provisions of this Section shall not be construed to deny or prohibit any other premium discount which may be available to a policyholder."

AMENDMENT NO. 15

On page 2, lines 9 and 10, change "there after" to "thereafter"

AMENDMENT NO. 16

On page 2, line 10, change "policy holder" to "policyholder"

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

SENATE BILL NO. 295—

BY SENATOR JORDAN

A JOINT RESOLUTION

Proposing to add Article I, Section 25 of the Constitution of Louisiana, relative to state sovereignty; to provide that the people of this state shall have the right to govern themselves as a sovereign state; to provide for related matters; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE BILL NO. 307—

BY SENATOR DYESS

AN ACT

To authorize and empower the Department of Health and Hospitals to lease certain state property in Rapides Parish to Volunteers of America; to provide for preparation of documents; to provide for certain protections for the lessor; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 307 by Senator Dyess

AMENDMENT NO. 1

On page 1, line 8, change "Secretary" to "secretary"

AMENDMENT NO. 2

On page 1, line 9, after "Louisiana" insert a comma ","

AMENDMENT NO. 3

On page 2, line 27, change "Secretary" to "secretary"

AMENDMENT NO. 4

On page 3, line 2, after "lease" insert "in accordance with the provisions of Title 39 of the Louisiana Revised Statutes of 1950"

AMENDMENT NO. 5

On page 3, line 5, after "for" insert "adequate"

AMENDMENT NO. 6

On page 3, line 6, delete "from time to time" and change "Secretary" to "secretary"

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

SENATE BILL NO. 350—

BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 32:432, R.S. 37:2952, and R.S. 56:647(A), and to enact of Part VI of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:299.50 through 299.55, relative to tax collection; to provide for the suspension of certain driver's licenses, and professional, occupational, and hunting, and fishing licenses for failure to pay state personal income tax; to provide for reissuance of such licenses; and to provide for related matters.

Reported with amendments by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Original Senate Bill No. 350 by Senator Greene

AMENDMENT NO. 1

On page 1, line 3, after "enact" delete "of"

AMENDMENT NO. 2

On page 4, line 26, after "certificate," insert: "Social Security Number,"

AMENDMENT NO. 3

On page 5, line 11, after "written notice" insert: "by certified mail sent to the address that has been provided by the licensee to the board"

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

SENATE BILL NO. 364—

BY SENATOR GREENE

AN ACT

To enact R.S. 37:2887(C), relative to certified stress analysts; to exempt certain peace officers from licensing requirements for activities conducted in course and scope of employment as peace officers; and to provide for related matters.

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

SENATE BILL NO. 376—

BY SENATOR LAMBERT

AN ACT

To amend and reenact R.S. 22:1401(A), (B), and (C), relative to the membership of the Louisiana Insurance Rating Commission; to provide for the election, terms of office, compensation, powers and offices of the members of the Louisiana Insurance Rating Commission; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 376 by Senator Lambert

AMENDMENT NO. 1

On page 2, line 13, change "elections" to "election"

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

SENATE BILL NO. 407—
BY SENATOR DEAN

AN ACT

To amend and reenact R.S. 4:1(B) and to enact R.S. 4:1(E), relative to amusements and sports; to provide with respect to the sale of tickets for more than the price; to provide an exception for athletic contest; and to provide for related matters.

Reported unfavorably by the Committee on Commerce and Consumer Protection.

Motion

Senator Hollis moved that the bill be indefinitely postponed.

Senator Dean moved as a substitute motion that the bill be engrossed and passed to a third reading.

Senator Hollis objected.

ROLL CALL

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

YEAS

Bajoie	Campbell	Johnson
Barham	Dean	Landry
Cain	Hines	Ullo
Total—9		

NAYS

Mr. President	Fields	Malone
Bagneris	Greene	Robichaux
Bean	Guidry	Romero
Branch	Hainkel	Schedler
Casanova	Heitmeier	Short
Cox	Hollis	Smith
Dardenne	Jones	Tarver
Dyess	Lambert	Theunissen
Ellington	Lentini	
Total—26		

ABSENT

Cravins	Jordan
Irons	Siracusa
Total—4	

The Chair declared that the Senate refused to pass the bill to a third reading.

ROLL CALL

The roll was called on the motion to postpone with the following result:

YEAS

Mr. President	Dyess	Landry
Bagneris	Ellington	Lentini
Bajoie	Fields	Malone
Barham	Greene	Robichaux
Bean	Guidry	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Johnson	Theunissen
Dardenne	Jones	Ullo

Dean	Lambert
Total—35	

NAYS

Total—0	ABSENT
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Cravins	Jordan
Irons	Siracusa
Total—4	

The Chair declared the bill was indefinitely postponed.

SENATE BILL NO. 420—
BY SENATOR MALONE

AN ACT

To enact R.S. 9:2800.11, relative to limitations on damages; to limit the recovery for certain damages arising from the operation of a motor vehicle; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 420 by Senator Malone.

AMENDMENT NO. 1

On page 1, line 13, after "policy" change the period "." to a comma "," and add the following:

"plus such additional coverage for personal injuries which the insured may carry in addition to the insured's motor vehicle liability insurance policy."

AMENDMENT NO. 2

On page 2, line 2, after "policy" change the period "." to a comma "," and add the following:

"plus such additional coverage for property damage which the insured may carry in addition to the insured's motor vehicle liability insurance policy."

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

SENATE BILL NO. 459—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 46:56(F)(4)(a), relative to public records; to authorize the Louisiana State Board of Dentistry and the Louisiana State Board of Medical Examiners to obtain certain information in case records of the Department of Health and Hospitals and the Department of Social Services without a written request by the board or a written waiver from an applicant, client, or his legal representative under certain circumstances; and to provide for related matters.

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

SENATE BILL NO. 467—
BY SENATOR BAGNERIS

AN ACT

To amend and reenact R.S. 25:891(A) and (B) and to enact R.S. 25:891(D), relative to the Louisiana State Arts Council; to provide for membership of the council; to provide for terms of service; and to provide for related matters.

Reported favorably by the Committee on Senate and

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Governmental Affairs. On motion of Senator Dardenne, the bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 497—
BY SENATORS HEITMEIER AND HOLLIS
AN ACT

To amend and reenact R.S. 37:3171(A) and (B), 3173(A)(2) and (B)(2), 3176(C), 3179(B), (C), and (G)(3), 3181(A)(6), (7), and (10), and (I), 3182 and 3183, to enact R.S. 37:3172(3), 3176(A)(3), and 3179.2(G), and to repeal R.S. 37:3185; to add "registered interior designers" designation to the Interior Design Licensing Statute; provide for qualifications; provide for fees; and to provide for related matters.

Reported with amendments by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Original Senate Bill No. 497 by Senator Heitmeier

AMENDMENT NO. 1
On page 1, line 6, after "Statute;" insert "to"

AMENDMENT NO. 2
On page 4, line 7, delete "(a)"

AMENDMENT NO. 3
On page 4, line 9, change "(i)" to "(a)"

AMENDMENT NO. 4
On page 4, at the end of line 10, add "and"

AMENDMENT NO. 5
On page 4, line 11, change "(ii)" to "(b)"

AMENDMENT NO. 6
On page 4, line 15, change "(b)" to "(3)"

AMENDMENT NO. 7
On page 4, line 17, after "1998," delete "and all" and insert "will be granted licenses as Registered Interior Designers. All"

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

SENATE BILL NO. 501—
BY SENATOR HINES AND REPRESENTATIVE DEWITT
AN ACT

To amend and reenact the introductory paragraph of R.S. 37:760 and to enact R.S. 37:760(B) and 763.1, relative to the Louisiana State Board of Dentistry; to provide for its powers and duties; to authorize the board to request and obtain criminal history record information on any person applying for any dental health care practitioner license, permit, certificate, or registration; to provide definitions; to provide for fees; to provide for confidentiality of information obtained; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 501 by Senator Hines and Representative DeWitt

AMENDMENT NO. 1

On page 1, line 12, after "760" and before "(B)" delete ")"

AMENDMENT NO. 2
On page 1, delete line 14 in its entirety

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

SENATE BILL NO. 502—
BY SENATOR HINES AND REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 37:751(G), 752(4) and (8), 753(B) and (E)(3), 755, 760(4), (8), (9), (10), and (12), 761.1(2) and (4), 763(B), 764.1(A), (B), and (C), 770(A)(1) and (2), 774, 776(A)(8), the introductory paragraph of 777, 777(A)(11), 778, 780(A)(2) and (B)(1), 781(B), and 782, to enact R.S. 37:751(M), 753(J), 757, 764(C), 770(A)(3), (C), and (D), 776(A)(27), (28), and (29), 777(A)(21), (22), and (23), (B), and (C), and to repeal R.S. 37:761.1(5) and 764.1(4), relative to the practice of dentistry; to provide for definitions; to provide for exemptions from licensing; to provide for appointments, vacancies, compensation, and powers and duties of the Louisiana State Board of Dentistry; to provide certain requirements for applicants for licensure, license reactivation, and renewal; to provide for refusal to issue, suspension, or revocation of a dental hygienist license and reinstatement thereof; to provide for a board hearing, notice, and penalty on charges against a licensed person; to provide relative to the issuance of subpoenas; to authorize the board to purchase immovable property; to provide for maintenance of certain records; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

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

SENATE BILL NO. 665—
BY SENATORS SCHEDLER AND HINES
AN ACT

To amend and reenact R.S. 37:2401(1)(b) and (d) and 2410(A), relative to the practice of physical therapy; to authorize the practice of physical therapy without prescription or referral; to provide for limitations on such authorization; to provide for physical therapy diagnosis; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 665 by Senators Schedler and Hines

AMENDMENT NO. 1
On page 2, line 9, after "history" delete the comma "," and insert "; **and through the use of**"

AMENDMENT NO. 2
On page 2, line 16, change "may" to "shall"

AMENDMENT NO. 3
On page 2, line 17, between "goals" and the period "." insert "and a treatment plan"

AMENDMENT NO. 4
On page 3, line 13, after "podiatry" insert ", and immediately cease all physical therapy"

AMENDMENT NO. 5

On page 3, line 14, change "reasonable" to "any"

AMENDMENT NO. 6

On page 3, line 15, after "which" insert "may"

AMENDMENT NO. 7

On page 3, line 16, change "is" to "may be"

AMENDMENT NO. 8

On page 3, delete lines 17 and 18 and at the beginning of line 19, delete "medicine, surgery, dentistry, or podiatry. " and insert in lieu thereof the following:

"(b) If physical therapy services are required beyond a period of thirty calendar days from the date of the initial physical therapy evaluation, the physical therapist shall not render additional physical therapy until the patient has obtained a referral or prescription from a person licensed to practice medicine, surgery, dentistry, or podiatry."

AMENDMENT NO. 9

On page 3, line 21, change "treatment" to "physical therapy services"

AMENDMENT NO. 10

On page 3, after line 22, insert the following:

"(c) A physical therapist shall not render physical therapy services to a patient under Subparagraph (b) of this Paragraph during the period of ninety days from the date of the initial physical therapy evaluation unless the patient is referred by, or has a prescription from, a person licensed to practice medicine, surgery, dentistry, or podiatry.

(d) A physical therapist shall not render physical therapy services to a patient who resides in a nursing home or who receives physical therapy services from a home health agency unless the patient is referred by, or has a prescription from, a person licensed to practice medicine, surgery, dentistry, or podiatry."

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

SENATE BILL NO. 716—

BY SENATOR FIELDS

AN ACT

To enact Chapter 4 of Title 21 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 21:81 and 82, relative to the rental of rooms to persons under the age of eighteen; to provide penalties; and to provide for related matters.

Reported with amendments by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Original Senate Bill No. 716 by Senator Fields

AMENDMENT NO. 1

On page 1, line 3, after "21:81" insert "and 82"

AMENDMENT NO. 2

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

"D. Nothing in this Chapter shall prevent persons under the age of eighteen years from registering in hotels or motels when they are participating in chaperoned activities such as Youth Legislature, the Youth Congress on Health, Model United Nations, 4-H shows, or athletic team activities."

On motion of Senator Hollis, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and

passed to a third reading.

SENATE BILL NO. 736—

BY SENATOR ROBICHAUX

AN ACT

To enact R.S. 42:1125, relative to the code of governmental ethics; to provide for disclosure of private contributions to governor-elect's transition and inauguration; to provide for definitions; to provide for penalties; and to provide for related matters.

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

SENATE BILL NO. 963—

BY SENATOR HINES

AN ACT

To enact R.S. 36:259(BB)(3), and R.S. 40:5.11, relative to fluoridation of certain public water systems; to create the Fluoridation Advisory Board in the Department of Health and Hospitals and provide for the composition, powers, duties, functions, and compensation thereof; to establish a water fluoridation program in the office of public health and provide for the functions thereof; to authorize rulemaking related to the fluoridation of public water systems; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 963 by Senator Hines

AMENDMENT NO. 1

On page 2, line 19, change "thirteen" to "fourteen"

AMENDMENT NO. 2

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

"(f) A representative of the Louisiana Medical Association."

AMENDMENT NO. 3

On page 3, line 4, after "serve" delete the remainder of the line and insert "for a term concurrent with the term of"

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

SENATE BILL NO. 1135—

BY SENATOR BRANCH

AN ACT

To authorize the naming of certain veterinary hospitals after a living person; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 1135 by Senator Branch

AMENDMENT NO. 1

On page 1, at the end of line 2, insert "to provide for an expiration date;"

AMENDMENT NO. 2

On page 1, after line 10 insert the following:

"Section 2. The authority granted by Section 1 of this Act shall

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expire on September 1, 1997."

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

SENATE BILL NO. 1219— BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 37:3111(B)(2), 3112(D), 3121(B), 3125(B) and 3143 and to repeal R.S. 37:3112(A)(6), 3126, and 3127, relative to the Auctioneers Licensing Board; to provide for a chairman and vice-chairman; to provide for payments and accounts; to provide for discipline; and to provide for related matters.

Reported with amendments by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Original Senate Bill No. 1219 by Senator Jordan

AMENDMENT NO. 1

On page 1, line 2, after "37:" insert "3103(A)(11), 3105(A)," and after "3112(D)," insert "3115(A)(2),"

AMENDMENT NO. 2

On page 1, line 8, after "37:" insert "3103(A)(11), 3105(A)," and after "3112" delete "(A)(7), (8), and" after "(D)," insert "3115(A)(2),"

AMENDMENT NO. 3

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

"§3103. Definitions of terms

A. As used in this Chapter, these terms shall have the definitions ascribed to them, unless the context indicates otherwise:

* * *

(11) "Auction house, auction company, and auction business" are synonymous and interchangeable terms and mean any person or persons who, as a significant part of their business, arrange, manage, sponsor, advertise, or carry out auctions: own any business, property or building which arranges, manages, sponsors, advertises or carries out auctions and is not a licensed auctioneer in the state of Louisiana.

* * *

§3105. Auction regulations generally

A. No person, firm, auction house, or corporation, or combination thereof shall sell, dispose of, or offer for sale at public auction or cause or permit to be sold, disposed of, or offered for sale at any public auction any property of whatsoever nature unless said auction is conducted by a duly licensed auctioneer: and if such sale takes place at an auction house, by a duly licensed auction house, if the owner of the auction house is not a licensed auctioneer.

* * *

AMENDMENT NO. 4

On page 2, between lines 8 and 9, insert " * * * "

AMENDMENT NO. 5

On page 2, between lines 13 and 14, insert

"§3115. Renewal of license, certificate; penalty

A.

* * *

(2) All bonds and licenses issued under the provisions of this Chapter shall expire on December thirty-first following the date of issuance and shall be nontransferable. Each renewal license shall be valid throughout this state from January first of each year to December

thirty-first of each year. All applications for renewal of auctioneers' licenses shall be submitted to the board by November first of each year, and licenses shall be issued by January tenth of each year. If application for renewal of license has not been made, the license shall expire on December thirty-first and it shall be illegal for any person to represent himself and act as an auctioneer thereafter. Any auctioneer who submits a renewal application after January first shall be subject to a late penalty of seventy-five dollars, which shall be paid to the Louisiana Auctioneers Licensing Board. Any auctioneer having a previous annual license shall be presumed to be a renewal applicant unless that auctioneer has allowed the license to lapse for more than one year from the date of renewal. If such has lapsed for ~~one year or more, then the auctioneer shall be charged a license restoration fee of one hundred dollars, in addition to all other applicable fees, and the auctioneer must appear before the Louisiana Auctioneers Licensing Board to apply for such restoration at one of the board's regularly scheduled meetings: twelve~~ (12) continuous months or more, then the auctioneer shall be deemed unlicensed and shall only be licensed by completing the same requirements as a new applicant. This requirement may be waived and restoration of the license granted if, in the board's discretion, the circumstances surrounding the auctioneers failure to renew timely so warrant.

* * *

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

SENATE BILL NO. 1303—

BY SENATOR HINES AND REPRESENTATIVES R. ALEXANDER AND THOMAS

AN ACT

To amend and reenact R.S. 17:2353 and 2354.4(D), (E), (J), and (K)(1) and to enact R.S. 17:2351(9), (10), and (11), relative to the Anatomical Gift Act; to provide for the designation of a state organ procurement organization; to provide for the donation of vascular organs to the Louisiana-designated organ procurement organization; to provide restrictions on the donation of vascular organs to out-of-state organ procurement organizations; to authorize the state organ procurement organization to enter into reciprocity agreements with organizations in other states; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 1303 by Senator Hines, et al.

AMENDMENT NO. 1

On page 3, line 15, after "(2)" delete "If" and insert the following:

"(a) Subject to the provisions of Subparagraph (b) of this Paragraph, if"

AMENDMENT NO. 2

On page 3, after line 27, insert the following:

"(b) Prior to the Louisiana-designated organ procurement organization entering into a reciprocal agreement, the proposed agreement shall be submitted to the Senate Committee on Health and Welfare and the House Committee on Health and Welfare for review and comment."

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

SENATE BILL NO. 1335—
BY SENATOR SMITH

AN ACT

To enact R.S. 32:1254(N)(6)(r), relative to motor vehicles; to provide for interest rates; and to provide for related matters.

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

SENATE BILL NO. 1388—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 22:635, relative to automobile insurance rates; to prohibit premium increases to policyholders due to a lapse for failure to renew; to provide for application on effective date; and to provide for related matters.

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

SENATE BILL NO. 1437—
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 6:2(10), 201(3), and 215(B) and (C) and to enact R.S. 6:201(18) and 215(D), relative to mutual state banks; to provide a definition; to provide for what shall constitute the capital of a mutual state bank; and to provide for related matters.

Reported with amendments by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Original Senate Bill No. 1437 by Senator Hollis

AMENDMENT NO. 1

On page 1, line 3, delete "mutual"

AMENDMENT NO. 2

On page 1, at the end of line 3, insert: "for mutual state banks"

AMENDMENT NO. 3

On page 1, line 4, delete "a definition"

AMENDMENT NO. 4

On page 1, line 5, after "bank;" insert "to provide for mergers or conversions of federally insured financial institutions;"

AMENDMENT NO. 5

On page 1, line 3, delete "R.S. 6:201(18) and 215(D)" and insert "R.S. 6:121(B)(4), 201(18), 215(D) and 365.1"

AMENDMENT NO. 6

On page 1, line 5, after "bank;" insert "to provide for conversions from one form of federally insured financial institution to another;"

AMENDMENT NO. 7

On page 1, line 8, delete "R.S. 6:201(18) and 215(D) is" and insert "R.S. 6:121(B)(4), 201(18), 215(D) and 365.1 are"

AMENDMENT NO. 8

On page 1, line 15, delete "any corporation" and insert "a form of state bank"

AMENDMENT NO. 9

On page 1, line 16, after "Title" delete "without capital ownership and operating in the" and add " ;"

AMENDMENT NO. 10

On page 2, delete line 1 in its entirety

AMENDMENT NO. 11

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

"§121. Regulatory powers; promulgation of rules and regulations

* * *

B. * * *

R.S. 6:121(B)(4) is all proposed new law.

(4) The commissioner of financial institutions may promulgate such rules as are necessary to carry out the regulatory function of this office, including, but not limited to, the organization, administration, and supervision of mutual state banks as defined by R.S. 6:2(10).

* * *

AMENDMENT NO. 12

On page 2, line 18, delete "mutual capital" and insert "retained earnings"

AMENDMENT NO. 13

On page 2, after line 24, insert the following:

* * *

§365.1. Merger or conversion of an existing financial institution

R.S. 6:365.1 is all proposed new law

With the approval of the commissioner, and notwithstanding any other law to the contrary, an existing federally insured financial institution may merge with or convert to any other form of federally-insured financial institution by filing an acceptable plan, which has been adopted by a majority vote of all members of the board of directors of each institution, and by doing all of the following:

(1) Obtaining the approval of the requisite number of shareholders or members as provided for in each institution's articles of incorporation and the applicable statute.

(2) Complying with all applicable provisions of this Title and the rules and regulations of the commissioner, except that the commissioner may waive any requirements of publication, notice, and public hearing.

(3) Paying all outstanding bills for supervisory fees, examination fees, membership fees, and other fees, penalties, and assessments associated with the original charter.

(4) Recording its new charter with the Secretary of State and in the parish of its domicile and complying with the requirements of its current chartering authority."

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

**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. 7—
BY SENATORS HINES AND EWING**

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, office of public health, to enter into a cooperative endeavor with other public and private organizations and institutions in establishing the Louisiana Public Health Institute.

Reported favorably by the Committee on Health and Welfare.

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

April 10, 1997

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Jordan	Siracusa
Total—2	

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

SENATE CONCURRENT RESOLUTION NO. 30—
BY SENATOR DARDENNE
A CONCURRENT RESOLUTION

To urge and request the Committee on Senate and Governmental Affairs and the Committee on House and Governmental Affairs to function as a joint committee to study the possible implementation of various recommendations propounded by the Select Council on Revenues and Expenditures in Louisiana's Future (SECURE) relative to state civil service.

Reported favorably by the Committee on Senate and Governmental Affairs.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Jordan	Siracusa
Total—2	

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

Senate Concurrent Resolutions to be Adopted, Subject to Call

The following Senate Concurrent Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Hainkel asked that Senate Concurrent Resolution No. 35 be called from the Calendar at this time.

SENATE CONCURRENT RESOLUTION NO. 35—
BY SENATORS HAINKEL, DARDENNE, EWING AND BARHAM
A CONCURRENT RESOLUTION

To memorialize the United States Congress to amend federal statutes 46 USCS §11108 and 11109, otherwise known as Seaman Protection and Relief Act, to remove the prohibition against states from withholding income tax from wages due or accruing to a master or seaman and the attachment of wages for tax payments.

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
Bagneris	Ellington	Lentini
Bajoie	Fields	Malone
Barham	Greene	Robichaux
Bean	Guidry	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Cravins	Johnson	Ullo
Dardenne	Jones	
Dean	Lambert	
Total—37		

NAYS

Total—0

ABSENT

Jordan	Siracusa
Total—2	

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

SENATE BILL NO. 1436 (Substitute for SB No. 16 by Senator Cain)—

BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 15:571.4(B)(4) and to enact Part I-C of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:741 through 743 and R.S. 15: 571.4(B)(5), relative to inmate litigation; to provide for loss of privileges, sanctions, or forfeiture of good time when litigation instituted by an inmate is determined by the court to be frivolous or malicious; to provide for definitions; to require inmates to pay for court cost and fees; and to provide for related matters.

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

Rules Suspended

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

Introduction of Senate Bills and Joint Resolutions

Senator Bagneris 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. 1448—

BY SENATOR HOLLIS

AN ACT

To enact Subpart B of Part II of Chapter 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2115.11 through 2115.22, and to redesignate R.S. 40:2100 through 2115 as Subpart A of Part II of Chapter 11 of the Louisiana Revised Statutes of 1950, relative to hospitals; to authorize the Department of Health and Hospitals and the attorney general to review and approve or disapprove the acquisition of certain hospitals; to provide for criteria for such review and procedures; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Health and Welfare.

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 70—

BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of former Loyola and Delgado baseball coach Louis "Rags" Scheuermann.

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

Bagneris
Bajoie
Barham
Bean
Branch
Cain
Campbell
Casanova
Cox
Dardenne
Dean
Dyess

Total—37

Total—0

Cravins

Total—2

Fields
Greene
Guidry
Hainkel
Heitmeier
Hines
Hollis
Irons
Johnson
Jones
Lambert
Landry

NAYS

ABSENT

Jordan

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

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

Senator Dardenne, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 10, 1997

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Resolution has been properly enrolled:

SENATE RESOLUTION NO. 9—

BY SENATOR BEAN

A RESOLUTION

To commend the Shriners' Hospital for Children in Shreveport on their seventy-fifth anniversary.

Respectfully submitted,
JAY DARDENNE
Chairman

The foregoing Senate Resolution was signed by the President of the Senate and presented to the Secretary of State by the Secretary.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

Senator Dardenne, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 10, 1997

To the President and Members of the Senate:

I am directed by your Committee on Senate and Governmental Affairs to submit the following report:

The following Senate Concurrent Resolutions have been properly

April 10, 1997

enrolled:

SENATE CONCURRENT RESOLUTION NO. 6—
BY SENATOR HEITMEIER

A CONCURRENT RESOLUTION

To commend Ted Davisson for his actions in averting disaster on the Mississippi River.

SENATE CONCURRENT RESOLUTION NO. 9—
BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To commend Representative John T. Bragg for his extraordinary service to the people of Tennessee and to the legislative bodies of our nation.

SENATE CONCURRENT RESOLUTION NO. 10—
BY SENATORS THEUNISSEN, CAIN, CASANOVA, COX AND HINES AND REPRESENTATIVES FLAVIN, GUILLORY, HILL, ISLES, JOHNS, MORRISH, AND STELLY

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of D.C. "Chick" Green.

SENATE CONCURRENT RESOLUTION NO. 13—
BY SENATORS THEUNISSEN, BAGNERIS, BAJOIE, BARHAM, BEAN, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, EWING, FIELDS, GREENE, GUIDRY, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SHORT, SIRACUSA, SMITH, TARVER AND ULLO AND REPRESENTATIVES MICHOT AND PINAC

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of former state representative James B. "J.B." Broussard.

SENATE CONCURRENT RESOLUTION NO. 22—
BY SENATORS HAINKEL, LANDRY, ROBICHAUX, BAGNERIS, BAJOIE, BARHAM, BEAN, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, EWING, FIELDS, GREENE, GUIDRY, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN, LAMBERT, LENTINI, MALONE, ROMERO, SCHEDLER, SHORT, SIRACUSA, SMITH, TARVER, THEUNISSEN AND ULLO AND REPRESENTATIVES TRICHE AND DOWNER

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Betsy Cheramie Ayo.

SENATE CONCURRENT RESOLUTION NO. 23—
BY SENATORS HAINKEL, BAGNERIS, BAJOIE, BARHAM, BEAN, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, EWING, FIELDS, GREENE, GUIDRY, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SHORT, SIRACUSA, SMITH, TARVER, THEUNISSEN AND ULLO

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Mississippi State Representative William Jerome Huskey and to commend his life and public service.

SENATE CONCURRENT RESOLUTION NO. 24—
BY SENATORS COX, BAGNERIS, BAJOIE, BARHAM, BEAN, BRANCH, CAIN, CAMPBELL, CASANOVA, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, EWING, FIELDS, GREENE, GUIDRY, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SHORT, SIRACUSA, SMITH, TARVER, THEUNISSEN AND ULLO

A CONCURRENT RESOLUTION

To commend former Louisiana Supreme Court Justice and United States Fifth Circuit Court of Appeals Judge Albert Tate, Jr. for his many scholarly contributions to the development of the law in Louisiana and for his many achievements on the bench.

SENATE CONCURRENT RESOLUTION NO. 36—
BY SENATOR GUIDRY AND REPRESENTATIVES CRANE, DANIEL, HOLDEN, JENKINS, JETSON, KENNARD, McCAIN, WELCH AND WESTON

A CONCURRENT RESOLUTION

To commend and congratulate the 1997 Louisiana State University Lady Tigers for winning their fifth consecutive National Collegiate Athletic Association Indoor Track and Field Championship and to record the outstanding accomplishments of this record-setting

team.

SENATE CONCURRENT RESOLUTION NO. 37—
BY SENATOR GUIDRY AND REPRESENTATIVES WESTON AND HOLDEN

A CONCURRENT RESOLUTION

To recognize and commend the players, coaches and managerial personnel of Southern University Laboratory School on capturing an impressive fifth consecutive Class 1-A state basketball championship.

SENATE CONCURRENT RESOLUTION NO. 43—
BY SENATOR CAIN

A CONCURRENT RESOLUTION

To recognize and commend the Anacoco High School Lady Indians, the Hicks High School Lady Pirates, the South Beauregard High School Lady K's, and the Merryville High School Lady Panthers for their outstanding seasons and for their performances in the Sweet Sixteen State Championships.

SENATE CONCURRENT RESOLUTION NO. 44—
BY SENATOR CAIN AND REPRESENTATIVES HILL AND JOHN R. SMITH

A CONCURRENT RESOLUTION

To recognize and commend the Merryville High School Lady Panthers for their outstanding season and for their performance in the Sweet Sixteen State Championship.

SENATE CONCURRENT RESOLUTION NO. 45—
BY SENATOR CAIN AND REPRESENTATIVES HILL AND JOHN R. SMITH

A CONCURRENT RESOLUTION

To recognize and commend the Anacoco High School Lady Indians for their outstanding season and for their performance in the Sweet Sixteen State Championship.

SENATE CONCURRENT RESOLUTION NO. 46—
BY SENATOR CAIN AND REPRESENTATIVE JOHN R. SMITH

A CONCURRENT RESOLUTION

To recognize and commend the Hicks High School Lady Pirates for their outstanding season and for their performance in the Sweet Sixteen State Championship.

SENATE CONCURRENT RESOLUTION NO. 47—
BY SENATOR CAIN

A CONCURRENT RESOLUTION

To recognize and commend the South Beauregard High School Lady K's for their outstanding season and for their performance in the Sweet Sixteen State Championship.

SENATE CONCURRENT RESOLUTION NO. 56—
BY SENATORS BAJOIE, IRONS, BAGNERIS, BARHAM, BEAN, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, EWING, FIELDS, GREENE, GUIDRY, HAINKEL, HEITMEIER, HINES, HOLLIS, JOHNSON, JONES, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SHORT, SIRACUSA, SMITH, TARVER, THEUNISSEN AND ULLO

A CONCURRENT RESOLUTION

To commend the Girl Scouts of the U.S.A. for their exemplary efforts to afford girls from all segments of American life a chance to develop their potential, to become a vital part of their community, and to make life-long friends; and to congratulate the Girl Scouts on the 85th anniversary of girl scouting in the United States.

SENATE CONCURRENT RESOLUTION NO. 63—
BY SENATOR LAMBERT AND REPRESENTATIVES DIEZ AND QUEZAIRE

A CONCURRENT RESOLUTION

To commend and congratulate the city of Gonzales on its seventy-fifth anniversary and the tenth anniversary of its twinning with the city of Meylan, France.

Respectfully submitted,
JAY DARDENNE
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate and the Speaker of the House of Representatives

and presented to the Secretary of State by the Secretary.

Leaves of Absence

The following leaves of absence were asked for and granted:

Jordan 1 Day

Adjournment

Senator Bagneris moved that the Senate adjourn until Monday, April 14, 1997 at 4:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 4:00 o'clock P.M. on Monday, April 14, 1997.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk