

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

SIXTEENTH 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 24, 1997

The Senate was called to order at 1:30 o'clock P.M., by Hon. Randy Ewing, President of the Senate.

ROLL CALL

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

PRESENT

Mr. President	Dyess	Lambert
Bagneris	Ellington	Landry
Bajoie	Fields	Lentini
Barham	Greene	Malone
Bean	Guidry	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hollis	Short
Casanova	Irons	Siracusa
Cox	Johnson	Smith
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Total—36		

ABSENT

Cravins	Hines	Tarver
Total—3		

The President of the Senate announced there were 36 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 House

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

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

April 23, 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 concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 81—
BY SENATOR ROMERO

A CONCURRENT RESOLUTION
To commend the staff and students of Iberia Middle School on their efforts in proposing, promoting and celebrating Peace Week.

Reported without amendments.

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 20—
BY SENATOR THEUNISSEN

A RESOLUTION
To commend PPG Industries, Inc., Lake Charles Complex on its fiftieth anniversary of serving southwest Louisiana.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dean	Lambert
Bagneris	Dyess	Landry
Bajoie	Ellington	Lentini
Barham	Fields	Malone
Bean	Greene	Robichaux
Branch	Guidry	Romero
Cain	Hainkel	Schedler
Campbell	Hollis	Short
Casanova	Irons	Siracusa
Cox	Johnson	Smith
Cravins	Jones	Theunissen
Dardenne	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Heitmeier	Hines	Tarver
Total—3		

The Chair declared the Senate had adopted the Senate Resolution.

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 23, 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. 487— BY REPRESENTATIVE WESTON AN ACT

To enact R.S. 30:2531(D)(5), relative to penalties to be imposed for littering; to provide for the penalty to be imposed for littering on a Louisiana byway; and to provide for related matters.

HOUSE BILL NO. 542— BY REPRESENTATIVE MARTINY AN ACT

To amend and reenact R.S. 38:291(D)(2) and 304(B) and to enact R.S. 38:304.2, relative to the East Jefferson Levee District; to provide for the membership of the board of commissioners of the district; to provide for the appointment of an additional member; and to provide for related matters.

HOUSE BILL NO. 1189— BY REPRESENTATIVE QUEZAIRE AN ACT

To amend and reenact R.S. 30:2017, relative to public hearings by the Department of Environmental Quality; to provide for local citizen participation; and to provide for related matters.

HOUSE BILL NO. 1228— BY REPRESENTATIVES MCMAINS, DEWITT, AND VITTER AN ACT

To amend and reenact Code of Civil Procedure Art. 1561 and to enact Code of Civil Procedure Art. 253.2, relative to transfer, reassignment, and consolidation of pending cases in the same court; to provide for procedures for consolidation of actions; and to provide for related matters.

HOUSE BILL NO. 1230— BY REPRESENTATIVES MCMAINS AND DEWITT AN ACT

To amend and reenact Code of Civil Procedure Arts. 966(C) and (E) and 1915 and to repeal Code of Civil Procedure Art. 966(F) and (G), relative to motions for summary judgment; to establish and allocate the burden of proof; to authorize partial summary judgments; to provide with respect to renditions of partial summary judgments; and to provide for related matters.

HOUSE BILL NO. 1826— BY REPRESENTATIVE QUEZAIRE AN ACT

To enact R.S. 30:2011.2, relative to environmental justice; to provide for studies; to provide for minority populations; to provide for toxic discharges; and to provide for related matters.

HOUSE BILL NO. 1958— BY REPRESENTATIVE PINAC AN ACT

To amend and reenact R.S. 33:381(A) and (B), 386(D), 404(A)(1), and 426 and to enact R.S. 33:406(A)(3), relative to Lawrason Act municipalities; to provide relative to the authority of the mayor and the board of aldermen on matters including revenues and debt, the adoption of resolutions, and oversight of the street commissioner; to provide relative to terms of certain municipal officials; to provide relative to other positions which mayors and aldermen may hold;

to provide relative to limits on the authority of the mayor; and to provide for related matters.

HOUSE BILL NO. 2073— BY REPRESENTATIVE FAUCHEUX AN ACT

To enact R.S. 33:4570.11, to create a recreation and park commission in certain parishes; to provide for the composition, operation, powers, and duties of such commission which powers shall include, subject to voter approval, the incurrence of debt and the levy of ad valorem taxes; to provide for a recreation director, who shall be an employee of the board, and his duties and responsibilities; and to provide for related matters.

HOUSE BILL NO. 2293 (SUBSTITUTE FOR HOUSE BILL NO. 24 BY REPRESENTATIVE FLAVIN, ET AL.)— BY REPRESENTATIVES FLAVIN, A. ALEXANDER, CLARKSON, DIEZ, DIMOS, DOWNER, DUPRE, FONTENOT, FRITH, FRUGE, GUILLORY, HEATON, HILL, HUDSON, ILES, JOHNS, MARTINY, MCDONALD, MCMAINS, MICHOT, MITCHELL, ODINET, PIERRE, ROUSSELLE, SALTER, SHAW, STELLY, STRAIN, AND TRICHE AND SENATORS BARHAM, BEAN, COX, DEAN, HAINKEL, ROBICHAUX, SCHEDLER, AND SHORT AN ACT

To enact R.S. 9:2793.1(C), relative to agents of the Federal Bureau of Investigation; to grant the agents qualified immunity under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 1628— BY REPRESENTATIVES DIMOS AND MCMAINS AN ACT

To amend and reenact Chapters 4, 5, 6, and 13 of Title I of Book III of the Civil Code, heretofore comprised of Articles 934 through 1074 and Articles 1415 through 1466, to comprise Articles 934 through 968 and Articles 1415 through 1429, Chapter 6 of Title II of Book III of the Civil Code, heretofore comprised of Articles 1570 through 1723, to comprise Articles 1570 through 1616, Civil Code Article 3506(28), Code of Civil Procedure Articles 427, 2825, 2826, 2852, 2856, 2891, 2932, 2951(A)(1) and (B), 3001, 3004, 3031, 3228, 3301 through 3304, 3332, 3361, 3362, 3371, 3393, and 3394, R.S. 9:1521 and R.S. 9:2501; to enact R.S. 9:2440; to transfer and redesignate Civil Code Article 890.1 as R.S. 9:1400, and R.S. 9:1471 through 1474 as Code of Civil Procedure Articles 3295 through 3298 of Section 5 of Chapter 6 of Title III of Book VI; to redesignate Civil Code Article 1497 as Civil Code Article 1515; and to repeal Code of Civil Procedure Articles 2887, 2933, and 3155.1, and R.S. 9:2442 through 2445, all relative to the revision of the law of successions; to provide for intestate successions and the usufruct of the surviving spouse; to provide for commencement of successions, loss of succession rights, acceptance and renunciation of successions, and payment of the debts of an estate; to provide for testamentary dispositions; to provide for probate procedure; to provide for public sale of succession property; to provide for transitional provisions; and to provide for related matters.

HOUSE BILL NO. 584— BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS AN ACT

To amend and reenact Code of Civil Procedure Arts. 72, 82, 123(A), 928(A), 929, 964, and 967, all relative to the continuous revision of the Code of Civil Procedure; to provide for the effect of judgments in certain actions involving property, venue in actions to partition community property, transfer of venue, time of pleading and trial of exceptions, motions to strike, and the use of affidavits of expert witnesses in motions for summary judgment; and to provide for related matters.

HOUSE BILL NO. 601— BY REPRESENTATIVE FAUCHEUX AN ACT

To amend and reenact R.S. 34:2471, relative to port commissions; to provide with respect to the appointment and confirmation of the members of the South Louisiana Port Commission; and to provide for related matters.

HOUSE BILL NO. 627—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To enact R.S. 17:157(C), relative to the Sunshine Bridge; to provide for student toll exemption hours; and to provide for related matters.

HOUSE BILL NO. 872—

BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To repeal Civil Code Article 3506(4), (6), (7), (9), (10), (11), (13) through (22), and (24) through (31), relative to the general definitions of "advertisements", "bulk", "certain", "uncertain", "contribution", "discretion", "failure", "fault", "gross fault", "slight fault", "very slight fault", "force", "superior force", "fortuitous event", "inofficious", "judge", "litigious rights", "notification", "notice", "obligee or creditor", "obligor or debtor", "onerous", "posterity", "precarious", "solvency", "sons", "daughters", "such as", "tacit", and "thing adjudged."

HOUSE BILL NO. 668—

BY REPRESENTATIVES BRUNEAU AND WINDHORST
AN ACT

To amend and reenact Code of Criminal Procedure Arts. 330 and 332(B) and (C) and to enact Code of Criminal Procedure Art. 330.1, relative to bail; to provide for denial of bail after contradictory hearing if defendant is a flight risk or poses a danger to others; and to provide for related matters.

HOUSE BILL NO. 1277—

BY REPRESENTATIVE DURAND AND SENATOR DYESS
AN ACT

To amend and reenact R.S. 47:463.8, relative to motor vehicles and motorcycles; to provide for license plates for antique motor vehicles and motorcycles; to provide for collector plates for special interest motor vehicles; to provide for fees; and to provide for related matters.

HOUSE BILL NO. 1388—

BY REPRESENTATIVE MCMAINS
AN ACT

To amend and reenact Children's Code Articles 634, 663(D), 672, 674, 675, 677, 682, 684, 702, 731, 1413, 1461, and 1463(D)(2) and to enact Children's Code Article 616.1, all relative to the continuous revision of the Children's Code; to provide for children in need of care, the correction of records, contents of the petition, suspension of evidentiary privileges, custody assignment to the Department of Social Services or other public agencies or institutions, filing, contents and review of the case plan, removal of the child from the parent's custody, judgment of disposition, and dispositional review; to provide for the complaint in families in need of services proceedings; to provide for mental health proceedings, the time for the hearing, and advice of rights; and to provide for related matters.

HOUSE BILL NO. 1437—

BY REPRESENTATIVES ALARIO AND DEWITT
AN ACT

To enact R.S. 47:296.1, relative to the individual income tax; to authorize the secretary of the Department of Revenue and Taxation to simplify the income tax filing requirements for certain resident individual taxpayers by providing a no-return option; to require employers to withhold income taxes at special rates from employees that properly elect a no-return option; to authorize the promulgation of rules and regulations, subject to legislative oversight; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1491—

BY REPRESENTATIVES FONTENOT AND DEWITT
AN ACT

To enact R.S. 40:5.9(C), relative to civil actions to enforce drinking water regulations; to authorize the court to appoint a receiver to a defendant public water system; to provide for the powers of the

state health officer relative to establishment of the receivership; to provide for powers and duties of an appointed receiver; to provide for dissolution of the receivership; and to provide for related matters.

HOUSE BILL NO. 1528—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 9:3561.1(F)(1) and 3565(C), relative to the Louisiana Consumer Credit Law; to provide relative to notification and fee sent to the commissioner of financial institutions by a person engaged in making consumer credit sales or consumer loans and to a person who takes assignments of and undertakes direct collection of payments from or enforcement of rights against debtors arising from these sales or loans; and to provide for related matters.

HOUSE BILL NO. 1592—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 9:3572.1, 3572.2(A)(introductory paragraph) and (2) and (B)(introductory paragraph) and (1), 3572.3(A), 3572.4, 3572.5(A)(introductory paragraph), (1)(g) and (h), (2)(g), (h), and (i), and (B)(2)(introductory paragraph), 3572.6, 3572.7, 3572.8(A), 3572.9, 3572.10, 3572.11, 3572.12(B) through (D) and (E)(1), relative to loan brokers; to provide a definition; to provide for exceptions to licensing and bond requirements; to provide relative to licensing procedure; to provide relative to records and examination by the commissioner; to provide relative to violations; and to provide for related matters.

HOUSE BILL NO. 1764 —

BY REPRESENTATIVES DAMICO AND DEWITT
AN ACT

To enact Chapter 22 of Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950, consisting of R.S. 30:2561 through 2566, relative to environmental regulation; to provide for the Louisiana Environmental Regulatory Innovations Programs; to provide for regulatory flexibility; to provide for the Excellence and Leadership Program; to provide for criteria and requirements; to provide for regulations; to provide for demonstration projects; and to provide for related matters.

HOUSE BILL NO. 1790—

BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 30:74(A)(3) and to enact R.S. 30:74(A)(4), relative to abandoned oilfield waste sites; to provide for approval by the commissioner of conservation of sheriff's sale of such property; to require and provide for recordation and enforcement of liens; and to provide for related matters.

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

House Bills and Joint Resolutions

Senator Bagneris 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. 487—

BY REPRESENTATIVE WESTON
AN ACT

To enact R.S. 30:2531(D)(5), relative to penalties to be imposed for littering; to provide for the penalty to be imposed for littering on a Louisiana byway; 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. 582—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 11:42(B)(introductory paragraph), 102(B)(3)(b), 103(B)(3)(d), and 127(A), relative to all state and statewide public retirement systems; to provide with respect to the application and use of proceeds generated from the issuance of bonds for the purpose of amortizing the systems' unfunded accrued liability; to further provide with respect to the schedule for amortization of such unfunded accrued liability; to further provide with respect to funding, employee and employer contributions; to further provide with respect to the duties of the Public Retirement Systems' Actuarial Committee; 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. 584—

BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS

AN ACT

To amend and reenact Code of Civil Procedure Arts. 72, 82, 123(A), 928(A), 929, 964, and 967, all relative to the continuous revision of the Code of Civil Procedure; to provide for the effect of judgments in certain actions involving property, venue in actions to partition community property, transfer of venue, time of pleading and trial of exceptions, motions to strike, and the use of affidavits of expert witnesses in motions for summary judgment; and to provide for related matters.

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

HOUSE BILL NO. 601—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 34:2471, relative to port commissions; to provide with respect to the appointment and confirmation of the members of the South Louisiana Port Commission; 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. 627—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To enact R.S. 17:157(C), relative to the Sunshine Bridge; to provide for student toll exemption hours; 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. 668—

BY REPRESENTATIVES BRUNEAU AND WINDHORST

AN ACT

To amend and reenact Code of Criminal Procedure Arts. 330 and 332(B) and (C) and to enact Code of Criminal Procedure Art. 330.1, relative to bail; to provide for denial of bail after contradictory hearing if defendant is a flight risk or poses a danger to others; 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. 872—

BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS

AN ACT

To repeal Civil Code Article 3506(4), (6), (7), (9), (10), (11), (13) through (22), and (24) through (31), relative to the general definitions of "advertisements", "bulk", "certain", "uncertain", "contribution", "discretion", "failure", "fault", "gross fault", "slight fault", "very slight fault", "force", "superior force", "fortuitous event", "inofficious", "judge", "litigious rights", "notification", "notice", "obligee or creditor", "obligor or debtor", "onerous", "posterity", "precarious", "solvency", "sons", "daughters", "such as", "tacit", and "thing adjudged."

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

HOUSE BILL NO. 1189—

BY REPRESENTATIVE QUEZAIRE

AN ACT

To amend and reenact R.S. 30:2017, relative to public hearings by the Department of Environmental Quality; to provide for local citizen participation; 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. 1228—

BY REPRESENTATIVES MCMAINS, DEWITT, AND VITTER

AN ACT

To amend and reenact Code of Civil Procedure Art. 1561 and to enact Code of Civil Procedure Art. 253.2, relative to transfer, reassignment, and consolidation of pending cases in the same court; to provide for procedures for consolidation of actions; and to provide for related matters.

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

HOUSE BILL NO. 1230—

BY REPRESENTATIVES MCMAINS AND DEWITT

AN ACT

To amend and reenact Code of Civil Procedure Arts. 966(C) and (E) and 1915 and to repeal Code of Civil Procedure Art. 966(F) and (G), relative to motions for summary judgment; to establish and allocate the burden of proof; to authorize partial summary judgments; to provide with respect to renditions of partial summary judgments; and to provide for related matters.

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

HOUSE BILL NO. 1277—

BY REPRESENTATIVE DURAND AND SENATOR DYESS

AN ACT

To amend and reenact R.S. 47:463.8, relative to motor vehicles and motorcycles; to provide for license plates for antique motor vehicles and motorcycles; to provide for collector plates for special interest motor vehicles; to provide for fees; 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. 1388—

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact Children's Code Articles 634, 663(D), 672, 674, 675, 677, 682, 684, 702, 731, 1413, 1461, and 1463(D)(2) and to enact Children's Code Article 616.1, all relative to the continuous revision of the Children's Code; to provide for children in need of care, the correction of records, contents of the petition,

suspension of evidentiary privileges, custody assignment to the Department of Social Services or other public agencies or institutions, filing, contents and review of the case plan, removal of the child from the parent's custody, judgment of disposition, and dispositional review; to provide for the complaint in families in need of services proceedings; to provide for mental health proceedings, the time for the hearing, and advice of rights; and to provide for related matters.

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

HOUSE BILL NO. 1437—
BY REPRESENTATIVES ALARIO AND DEWITT
AN ACT

To enact R.S. 47:296.1, relative to the individual income tax; to authorize the secretary of the Department of Revenue and Taxation to simplify the income tax filing requirements for certain resident individual taxpayers by providing a no-return option; to require employers to withhold income taxes at special rates from employees that properly elect a no-return option; to authorize the promulgation of rules and regulations, subject to legislative oversight; to provide for an effective date; 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. 1491—
BY REPRESENTATIVES FONTENOT AND DEWITT
AN ACT

To enact R.S. 40:5.9(C), relative to civil actions to enforce drinking water regulations; to authorize the court to appoint a receiver to a defendant public water system; to provide for the powers of the state health officer relative to establishment of the receivership; to provide for powers and duties of an appointed receiver; to provide for dissolution of the receivership; 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. 1528—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 9:3561.1(F)(1) and 3565(C), relative to the Louisiana Consumer Credit Law; to provide relative to notification and fee sent to the commissioner of financial institutions by a person engaged in making consumer credit sales or consumer loans and to a person who takes assignments of and undertakes direct collection of payments from or enforcement of rights against debtors arising from these sales or loans; 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. 1592—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 9:3572.1, 3572.2(A)(introductory paragraph) and (2) and (B)(introductory paragraph) and (1), 3572.3(A), 3572.4, 3572.5(A)(introductory paragraph), (1)(g) and (h), (2)(g), (h), and (i), and (B)(2)(introductory paragraph), 3572.6, 3572.7, 3572.8(A), 3572.9, 3572.10, 3572.11, 3572.12(B) through (D) and (E)(1), relative to loan brokers; to provide a definition; to provide for exceptions to licensing and bond requirements; to provide relative to licensing procedure; to provide relative to records and examination by the commissioner; to provide relative to violations; 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. 1628—
BY REPRESENTATIVES DIMOS AND MCMAINS
AN ACT

To amend and reenact Chapters 4, 5, 6, and 13 of Title I of Book III of the Civil Code, heretofore comprised of Articles 934 through 1074 and Articles 1415 through 1466, to comprise Articles 934 through 968 and Articles 1415 through 1429, Chapter 6 of Title II of Book III of the Civil Code, heretofore comprised of Articles 1570 through 1723, to comprise Articles 1570 through 1616, Civil Code Article 3506(28), Code of Civil Procedure Articles 427, 2825, 2826, 2852, 2856, 2891, 2932, 2951(A)(1) and (B), 3001, 3004, 3031, 3228, 3301 through 3304, 3332, 3361, 3362, 3371, 3393, and 3394, R.S. 9:1521 and R.S. 9:2501; to enact R.S. 9:2440; to transfer and redesignate Civil Code Article 890.1 as R.S. 9:1400, and R.S. 9:1471 through 1474 as Code of Civil Procedure Articles 3295 through 3298 of Section 5 of Chapter 6 of Title III of Book VI; to redesignate Civil Code Article 1497 as Civil Code Article 1515; and to repeal Code of Civil Procedure Articles 2887, 2933, and 3155.1, and R.S. 9:2442 through 2445, all relative to the revision of the law of successions; to provide for intestate successions and the usufruct of the surviving spouse; to provide for commencement of successions, loss of succession rights, acceptance and renunciation of successions, and payment of the debts of an estate; to provide for testamentary dispositions; to provide for probate procedure; to provide for public sale of succession property; to provide for transitional provisions; and to provide for related matters.

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

HOUSE BILL NO. 1764 —
BY REPRESENTATIVES DAMICO AND DEWITT
AN ACT

To enact Chapter 22 of Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950, consisting of R.S. 30:2561 through 2566, relative to environmental regulation; to provide for the Louisiana Environmental Regulatory Innovations Programs; to provide for regulatory flexibility; to provide for the Excellence and Leadership Program; to provide for criteria and requirements; to provide for regulations; to provide for demonstration projects; 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. 1790—
BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 30:74(A)(3) and to enact R.S. 30:74(A)(4), relative to abandoned oilfield waste sites; to provide for approval by the commissioner of conservation of sheriff's sale of such property; to require and provide for recordation and enforcement of liens; 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. 1826—
BY REPRESENTATIVE QUEZAIRE
AN ACT

To enact R.S. 30:2011.2, relative to environmental justice; to provide for studies; to provide for minority populations; to provide for toxic discharges; 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. 1958—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 33:381(A) and (B), 386(D), 404(A)(1), and 426 and to enact R.S. 33:406(A)(3), relative to Lawrason Act municipalities; to provide relative to the authority of the mayor and the board of aldermen on matters including revenues and debt, the adoption of resolutions, and oversight of the street commissioner; to provide relative to terms of certain municipal officials; to provide relative to other positions which mayors and aldermen may hold; to provide relative to limits on the authority of the mayor; and to provide for related matters.

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

HOUSE BILL NO. 2073—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To enact R.S. 33:4570.11, to create a recreation and park commission in certain parishes; to provide for the composition, operation, powers, and duties of such commission which powers shall include, subject to voter approval, the incurrence of debt and the levy of ad valorem taxes; to provide for a recreation director, who shall be an employee of the board, and his duties and responsibilities; and to provide for related matters.

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

HOUSE BILL NO. 2293 (SUBSTITUTE FOR HOUSE BILL NO. 24 BY REPRESENTATIVE FLAVIN, ET AL.) —

BY REPRESENTATIVES FLAVIN, A. ALEXANDER, CLARKSON, DIEZ, DIMOS, DOWNER, DUPRE, FONTENOT, FRITH, FRUGE, GUILLORY, HEATON, HILL, HUDSON, ILES, JOHNS, MARTINY, MCDONALD, MCMAINS, MICHOT, MITCHELL, ODINET, PIERRE, ROUSSELLE, SALTER, SHAW, STELLY, STRAIN, AND TRICHE AND SENATORS BARHAM, BEAN, COX, DEAN, HAINKEL, ROBICHAUX, SCHEDLER, AND SHORT

AN ACT

To enact R.S. 9:2793.1(C), relative to agents of the Federal Bureau of Investigation; to grant the agents qualified immunity under certain circumstances; and to provide for related matters.

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

**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. 8—

BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 22:1118(F)(1) and (2), relative to insurance agents of record; to provide that an insured shall have the right to remove an agent of record; to require written notice to the agent of record thirty days prior to removal; to provide relative to the payment of commissions and servicing of policies; to require certain contract clauses; 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. 8 by Senator Barham

AMENDMENT NO. 1

On page 2, line 13 after "agent" delete the remainder of the line and delete line 14 and on line 15 delete "the written notice of removal." and

insert "for the current 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. 49—

BY SENATOR DARDENNE

A JOINT RESOLUTION

Proposing to amend Article III, Section 2(A) and Article XIII, Section 1(A) of the Constitution of Louisiana, relative to legislative sessions; to provide for general sessions of the legislature in even-numbered years; to provide for limited sessions of the legislature in odd-numbered years; to provide for the convening of legislative sessions; to provide for deadlines for the prefiling, introduction, and consideration of legislation during sessions of the legislature; to provide for effectiveness; to provide for submission of the proposed amendment to the electors; 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, ordered engrossed and passed to a third reading.

SENATE BILL NO. 190—

BY SENATORS BEAN AND MALONE

AN ACT

To enact R.S. 22:1464.1, relative to policies of homeowner's insurance; to provide for premium discounts to owners of mobile homes, manufactured homes, or manufactured housing based on installation or existence of a security system; and to provide for related matters.

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

SENATE BILL NO. 220—

BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 42:1113(B), relative to the code of governmental ethics; to provide for the donation of office space to newly created boards or commissions; to provide for three year transition period; 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, ordered engrossed and passed to a third reading.

SENATE BILL NO. 224—

BY SENATOR SHORT

AN ACT

To enact Chapter 4 of Code Title XV of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3891 through 3899, relative to real estate transactions; to provide relative to various agency relationships in real estate transactions; to provide for duties and liabilities between agents, clients, and other people; 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. 224 by Senator Short

AMENDMENT NO. 1

On page 9, line 4, change "July 1, 1998" to "March 1, 1998"

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. 405—
BY SENATOR DARDENNE

AN ACT

To enact R.S. 22:215.18, relative to health insurance coverage; to provide for coverage for diabetes outpatient self-management training and education, including medical nutrition therapy, and diabetes equipment and supplies; 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. 405 by Senator Dardenne.

AMENDMENT NO. 1

On page 1, delete lines 10 through 14 and insert:

"A. Any hospital, health, or medical expense insurance policy, hospital or medical service contract, health and accident insurance policy, or any other contract of this type providing comprehensive major medical benefits, including a group insurance plan, or any policy of family group, blanket, or franchise health and accident insurance, a self-insurance plan, an employee welfare benefit plan, or a health maintenance organization subscriber agreement which is issued or renewed in this state on or after January 1, 1998, or the State Employees Group Benefits Program or medical assistance provided under 42 U.S.C. § 1396, et. seq. shall"

AMENDMENT NO. 2

On page 2, delete lines 3 and 4 and insert in lieu thereof the following:

"prescribed by a physician or, if applicable, the patient's primary care physician."

AMENDMENT NO. 3

On page 2, delete lines 5 through 10 and insert in lieu thereof the following:

"B.(1) Every health insurance policy shall include coverage for a one time evaluation and training program per policy for diabetes self-management when medically necessary as determined by a physician and when provided by an appropriately licensed health care professional upon certification by the health care professional providing the training that the insured patient has successfully completed the training. Such programs shall be provided by a health care professional in compliance with the National Standards for Diabetes Self-Management Education Program as developed by the American Diabetes Association. The coverage afforded by this Paragraph shall not exceed five hundred dollars.

(2) In addition to the evaluation and training program provided in Paragraph (1) of this Subsection, coverage for additional diabetes self-management training shall be provided if a physician prescribes such additional training based upon its medical necessity because of a significant change in the insured's symptoms or conditions. This additional coverage shall be limited to one hundred dollars per year and a lifetime limit of two thousand dollars per insured.

(3) The diabetes self-management training provided in Paragraphs (1) and (2) of this Subsection shall be provided by a health care professional within his or her scope of practice after having demonstrated expertise in diabetes care and treatment and after having completed an educational program required by his/her licensing board when that program is in compliance with the National Standards for Diabetes Self-Management Education Program as developed by the American Diabetes Association."

AMENDMENT NO. 4

On page 2, line 11, delete "(1)".

AMENDMENT NO. 5

On page 2, delete lines 14 and 15 in their entirety.

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. 485—

BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 24:51(5), relative to the term "lobbyist"; to provide for the definition of "lobbyist"; 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. 485 by Senator Jordan

AMENDMENT NO. 1

On page 1, line 10, change "either" to "any"

AMENDMENT NO. 2

On page 1, line 11, after "employed" insert "and contracted"

AMENDMENT NO. 3

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

"(c) Any person who appears before committees of the legislature on a regular basis and who receives no compensation for such appearance, shall be considered a lobbyist for the purposes of this Part.

A legislator may request the board to notify any person not registered as a lobbyist, as defined in this Paragraph, that such person is in violation of the provisions of this Part."

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. 519—

BY SENATOR SMITH

AN ACT

To enact R.S. 24: 513(D)(6), and R.S. 49:216, relative to the office of the inspector general; to terminate the office of the inspector general in the division of administration, office of the governor; to transfer the authority, duties, powers, and employees of the office of the inspector general to the legislative auditor; to provide for duties of the legislative auditor; to specify transitional provisions; to provide for an effective date; 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. 519 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, delete "and R.S. 49:216,"

AMENDMENT NO. 2

On page 2, delete lines 10 through 12 in their entirety and on line 13

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change "A." to "Section 2."

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. 563— BY SENATORS HAINKEL, DARDENNE AND EWING AN ACT

To amend and reenact R.S. 46:2602(A) and (B) and 2605(B), to enact R.S. 46:2606, and to repeal Section 2 of Act No. 1232 of the 1995 Regular Session of the Legislature, relative to the Children's Cabinet; to change the composition of the Children's Cabinet and the Children's Cabinet Advisory Board; to provide relative to the termination date of the Children's Cabinet; 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. 563 by Senator Hainkel, et al.

AMENDMENT NO. 1

On page 1, lines 2 and 9, change "and (B)" to "(B), and (D)" and "2605(B)" to "2605(B) and (E)"

AMENDMENT NO. 2

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

" * * *

D. The cabinet may elect officers as it deems necessary. The cabinet shall meet at least monthly quarterly for the first year of its existence and at least every other month thereafter, according to a schedule established by the cabinet. Meetings shall also be held on call of the chairman or at the request of at least three members of the cabinet. The chairman shall give seven days notice to the members of the cabinet of the time and place where regular or special meetings will be held."

AMENDMENT NO. 3

On page 5, delete lines 14 through 21 and insert the following:

"(20) Four representatives of the Department of Education, as designated by the superintendent, one each representing academic programs, special education, educational support programs, and secondary vocational education."

AMENDMENT NO. 4

On page 5, line 22, change "(24)" to "(21)" and on line 24, change "(25)" to "(22)"

AMENDMENT NO. 5

On page 5, between lines 25 and 26, insert the following:

"E. The advisory board may elect officers, shall meet as needed, and may meet at times other than when the full cabinet is meeting."

AMENDMENT NO. 6

On page 6, after line 5, add the following:

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

such approval."

On motion of Senator 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. 575— BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS AN ACT

To enact R.S. 46:236.1(O), relative to consumer reports to be used in child support enforcement actions; to require consumer reporting agencies to provide consumer reports; to provide limitations; to require prior notification to consumers; to provide for confidentiality; 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. 575 by Senators Hainkel, et al.

AMENDMENT NO. 1

On page 1, line 14, after "department" delete "pay any" and insert "pays a"

AMENDMENT NO. 2

On page 2, delete line 6 in its entirety and on line 7, delete "consumer agency reporting agency shall provide" and insert the following:

"(c) The requestor has provided"

AMENDMENT NO. 3

On page 2, line 10, change "(3)" to "(2)"

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. 580— BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS AN ACT

To enact R.S. 40:46.2, relative to vital records; to provide for paternity establishment services; to provide duties for the state registrar of vital records; to provide relative to ex officio notaries public; 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. 580 by Senators Hainkel, et al.

AMENDMENT NO. 1

On page 1, line 14, delete "full"

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. 581— BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS AN ACT

To enact R.S. 9:392, relative to paternity; to provide for evidence of hospital bills and tests in paternity actions; 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. 581 by Senators Hainkel, et al.

AMENDMENT NO. 1

On page 1, line 8, between "paternity," and "bills" insert "originals or certified copies 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. 590—

BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To amend and reenact R.S. 46:460.21, relative to state payment of legal fees and expenses in child protection cases; to provide for the cases in which the state shall make such payments; to provide for approved expenses and documentation; 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. 590 by Senators Hainkel, et al.

AMENDMENT NO. 1

On page 1, line 15, after "made" delete the remainder of the line. on page 2, delete lines 1 through 3 and on line 4, delete "1023, 1042, 1136, and 1146, exclusively." and insert the following:

"only if legal services corporations and private attorneys are not otherwise paid for services in these child protection proceedings to those attorneys who otherwise will not be paid for their services, and who are already serving as counsel pro bono in at least two other child protection cases. Payment shall be made only for services, including appeals rendered pursuant to appointments under Children's Code Articles 607, 608, 643, 1016, 1023, 1042, 1136, and 1146 exclusively."

AMENDMENT NO. 2

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

AMENDMENT NO. 3

On page 2, at the end of line 25, insert the following:

"The rate of reimbursement for mileage as well as expenses incurred by experts shall be in accordance with state travel regulations established by the division of administration."

AMENDMENT NO. 4

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

"(5) "Legal services corporations" means those 501(c)(3) tax exempt corporations, organized under the laws of the state, which are recipients of federal funding from the Legal Services Corporation (LSC)."

AMENDMENT NO. 5

On page 4, line 12, after "adjudication," delete "disposition" and insert the following:

"adjudication and disposition; hearings and actions in support of such hearings."

AMENDMENT NO. 6

On page 6, after line 17, insert the following:

"Section 3. The provisions of this Act shall apply to all counsel or curator appointment made on or after July 1, 1997, as well as to all services rendered and expenses incurred after such date."

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. 591—

BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To amend and reenact R.S. 36:477(C)(1), relative to the office of community services of the Department of Social Services; to provide for the purposes and functions of the office; to provide an effective date; 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, ordered engrossed and passed to a third reading.

SENATE BILL NO. 595—

BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To enact R.S. 49:191(11) and to repeal R.S. 49:191(8)(l), relative to the Department of Social Services, including provisions to provide for the re-creation of the Department of Social Services and the statutory entities made a part of the Department of Social Services by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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

SENATE BILL NO. 596—

BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To enact R.S. 46:236.10, relative to the child support enforcement program within the Department of Social Services; to create an automated state case registry of child support orders; to provide relative to linking of local registries; to define elements of the registry; to authorize exchange of information; to provide with respect to the federal case registry of child support orders; to provide with respect to the federal parent locator service; 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. 596 by Senators Hainkel, et al.

AMENDMENT NO. 1

On page 2, line 15, after "registry," delete "Clerks of court may" and insert "The court shall"

AMENDMENT NO. 2

On page 2, line 17, between "information" and the period "." insert "to the clerks of court" and after the period "." insert "The Department of Social Services shall enter into cooperative agreements with clerks of court to provide for reimbursement of the actual costs of collecting and transmitting the information required by this Section."

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. 688—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 44:7(F), relative to hospital records; to provide for confidentiality of persons participating in medical research; 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. 688 by Senator Landry

AMENDMENT NO. 1

On page 1, at the end of line 11, add "laboratory and clinical data,"

AMENDMENT NO. 2

On page 2, after line 20, add the following:

"Section 2. The provisions of this Subsection shall be retroactive.

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 of 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 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. 708—
BY SENATOR LANDRY

AN ACT

To enact R.S. 40:1580.1, relative to hotels or motels; to require hotels or motels to install approved fire detection and alarm systems for the hearing impaired in all rooms; 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. 708 by Senator Landry

AMENDMENT NO. 1

On page 1, at the beginning of line 9, insert "A."

AMENDMENT NO. 2

On page 1, line 9, after "Every" insert "new or renovated" and after "shall" delete "be" and insert "have sleeping rooms"

AMENDMENT NO. 3

On page 1, at the end of line 10, delete "." and add "in accordance with the requirements of Section 9 of the Americans with Disabilities Act Accessibility Guidelines (ADAAG) table 9.1.2 and 9.1.3."

AMENDMENT NO. 4

On page 1, at the end of line 10, insert "B. In hotels or motels not covered by Section A which have less than fifty rooms one system shall be available. In such hotels or motels with more than fifty but less than one hundred rooms at least two systems shall be available. In such hotels or motels with more than one hundred rooms four systems shall be available. The availability of such system shall be posted in every room."

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. 749—
BY SENATOR COX

AN ACT

To amend and reenact R.S. 38:3098(B), relative to licensing of water well and other drillers; to provide for continuing education; to provide relative to qualifying examinations; 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, ordered engrossed and passed to a third reading.

SENATE BILL NO. 787—
BY SENATOR HEITMEIER

AN ACT

To enact Chapter 59 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:3601 through 3616, relative to the Louisiana Board of Personal Training Instructors; to create the board and provide for its rights, powers, and duties; to provide for licensing of and standards for personal training and instructors, and personal training establishments; to provide for penalties for violations; to provide for fees and a special fund and expenditures therefrom; 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. 787 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 2, after "To" change "enact" to "amend and reenact R.S. 36:803(A) and to enact R.S. 36:259(FF) and"

AMENDMENT NO. 2

On page 1, between lines 10 and 11, insert:

"Section 1. R.S. 36:803(A) is hereby amended and reenacted and R.S. 36:259(FF) is hereby enacted all to read as follows:

§259. Transfer of agencies and functions to Department of Health and Hospitals

* * *

FF. The Louisiana Board of Personal Training Instructors (R.S. 37:3601-3616) is placed within the Department of Health and Hospitals and shall exercise and perform its powers, duties, functions, and responsibilities in the manner provided for agencies transferred in accordance with R.S. 36:803.

* * *

§803. Transfer; licensing agencies

A. Each of the agencies transferred by the provisions of R.S. 36:109(E), R.S. 36:209(D), R.S. 36:259(E), R.S. 36:309(D), R.S. 36:409(D), R.S. 36:478(I), and R.S. 36:509(C), and R.S. 36:259(FF), all of which are charged by law with the responsibility for the regulation, examination, certification and/or licensing of persons in this state, and the enforcement of the laws relating thereto, shall continue to be composed and selected as provided by law, and each shall continue to exercise all of the powers, duties, functions, and responsibilities provided or authorized for each by the constitution or laws which are in the nature of policy making, rule making, certification, licensing, regulation, enforcement, or adjudication and also shall continue to exercise all advisory powers, duties, functions, and responsibilities

provided by law. In addition, each of those agencies shall continue to impose, collect, and retain license or certification fees as provided by law; issue and renew certificates for qualified applicants, set standards for and approve the preparation, conduct, and administration of its own examinations, and be responsible, as otherwise provided by law, for carrying out the laws relative to its profession or occupation to the extent that such laws provide for rule making, certification, licensing, regulations, testing, inspection, enforcement, and adjudication by the agency. Each such agency shall be subject to budget review of the undersecretary and shall be required to comply with all accounting, reporting, audit, and review requirements which are applicable to budget units. The undersecretary of the department to which each such agency is transferred shall, under the supervision and control of the secretary, review procurement and contract management for the agency. In addition, the license fees and any other fees charged by such agencies shall be subject to review by the secretary, and the secretary may make recommendations to the legislature for changes in such fees as he deems necessary. The secretary of the department to which each such agency is transferred shall review the number of employees which the agency may employ; however, the executive head of the agency shall employ, appoint, remove, assign, and promote such personnel, in accordance with applicable civil service laws, rules, and regulations and subject to other applicable laws.

* * *

AMENDMENT NO. 3

On page 1, line 11, change "Section 1." to "Section 2."

AMENDMENT NO. 4

On page 4, at the beginning of line 22, insert "A."

AMENDMENT NO. 5

On page 4, line 23, after "(1)" insert "(a)"

AMENDMENT NO. 6

On page 4, between lines 24 and 25, insert:

"(b) Provide for the contents of, prepare a licensure teaching manual for use in, and sufficient instructors for, the personal training studies provided for in R.S. 37:3605. Such an instructor shall have the following minimum qualifications:

- (i) He shall have documented expertise in personal training.
- (ii) He shall have practiced personal training for at least five years prior to July 1, 1997.
- (iii) He shall contribute to the licensure personal training manuals which the board prepares for such studies."

AMENDMENT NO. 7

On page 8, line 5, after "training" delete the period "." and insert:

"and shall present evidence that the establishment, its instructors, and other personnel are covered by professional liability insurance in an amount as shall be provided for in regulations of the board."

AMENDMENT NO. 8

On page 9, line 1, at the end of the line, insert:

"the following qualifications:

- (1) He shall have"

AMENDMENT NO. 9

On page 9, between lines 2 and 3, insert:

"(2) He shall present evidence that he has professional liability insurance in an amount as shall be provided for in regulations of

the board."

AMENDMENT NO. 10

On page 10, line 4, after "requirements" insert:

"and the annual renewal of his cardiopulmonary resuscitation (CPR) certification"

AMENDMENT NO. 11

On page 15, line 9, change "Section 2." to Section 3."

AMENDMENT NO. 12

On page 15, line 16, change "Section 3." to "Section 4."

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

SENATE BILL NO. 828—

BY SENATORS HAINKEL, DARDENNE AND EWING

AN ACT

To amend and reenact R.S. 39:291, relative to the Louisiana Data Base Commission; to provide for membership; to provide for qualification of members; to provide for term of membership; 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, ordered engrossed and passed to a third reading.

SENATE BILL NO. 849—

BY SENATOR SHORT

AN ACT

To amend and reenact R.S. 37:1467, relative to real estate agency disclosure; to delete the requirement that a licensed real estate agent is the agent or subagent of the seller unless there is a disclosure agreement to the contrary; 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. 849 by Senator Short

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 37:" insert "1455(A)(21) and"

AMENDMENT NO. 2

On page 1, line 5, after "contrary;" insert "to provide for agency disclosure informational pamphlets and other disclosure forms;"

AMENDMENT NO. 3

On page 1, line 7, change "R.S. 37:1467 is" to "R.S. 37:1455(A)(21) and 1467 are"

AMENDMENT NO. 4

On page 1, between lines 8 and 9, insert:

"§1455. Causes for censure, suspension, or revocation of license, registration, or certification

A. The commission may censure a licensee, registrant, or certificate holder or conditionally or unconditionally suspend or revoke any license, registration, or certificate issued under this Chapter, or impose continuing education requirements on licensees, registrants, or certificate holders, if, in the opinion of the commission, a licensee, registrant, or certificate holder is performing or attempting to perform or has performed or has attempted to perform any of the following acts:

* * *

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(21) Failure of a licensee to provide the parties to a real estate transaction with an agency disclosure **informational pamphlet and, where applicable, a dual agency disclosure** form.

AMENDMENT NO. 5

On page 1, at the beginning of line 15, insert "A."

AMENDMENT NO. 6

On page 1, delete line 16, and insert " with agency disclosure ~~form~~ **informational pamphlet and, where applicable, a dual agency disclosure form as mandated under R.S. 3895.**"

AMENDMENT NO. 7

On page 2, at the beginning of line 1, insert "B." and after "prescribe such" insert "agency disclosure pamphlets and"

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. 896—

BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 24:31.5, relative to legislative assistants; to provide relative to the compensation of legislative assistants; 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. 896 by Senator Jordan

AMENDMENT NO. 1

On page 1, line 12, delete "two thousand five hundred dollars per" and insert the following:

"the applicable monthly salary as follows:

STEP	MONTHLY SALARY
Minimum	\$ 1,800
First	\$ 1,895
Second	\$ 1,993
Third	\$ 2,098
Fourth	\$ 2,208
Fifth	\$ 2,323
Sixth	\$ 2,446
Seventh	\$ 2,574
Eighth	\$ 2,708
Ninth	\$ 2,850
Maximum	\$ 3,000."

AMENDMENT NO. 2

On page 1, line 13, delete "month."

AMENDMENT NO. 3

On page 2, lines 3 and 8, change "five" to "eight"

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

SENATE BILL NO. 918—

BY SENATOR LANDRY

AN ACT

To enact R.S. 32:1254(N)(3)(f), relative to motor vehicles; to provide relative to sale and delivery of vehicles sold on condition of financing; to require certain terms for such delivery; 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. 918 by Senator Landry

AMENDMENT NO. 1

On page 2, delete line 10 and 11, and insert: "(3) That"

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. 962—

BY SENATOR CAIN

AN ACT

To enact R.S. 51:911.24.1 and 911.24.2, relative to manufactured homes; to provide for unlawful acts; to provide for relationships; 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. 962 by Senator Cain

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 51:911.24.1 and 911.24.2" to "R.S. 51:911.24.1"

AMENDMENT NO. 2

On page 1, line 6, change "R.S. 51:911.24.1 and 911.24.2 are" to "R.S. 51:911.24.1 is"

AMENDMENT NO. 3

On page 1, delete line 3 and insert the following: "provide for relationships; to provide for repurchase of manufactured homes under certain circumstances; to provide relative to warranty work; to provide for indemnification under certain circumstances; to require certain notice; and to provide for"

AMENDMENT NO. 4

On page 1, delete lines 8 through 16, and delete pages 2 through 5 in their entirety.

AMENDMENT NO. 5

On page 6, line 1 change "911.24.2" to "911.24.1"

AMENDMENT NO. 6

On page 6, line 1, change "New manufactured" to "Manufactured"

AMENDMENT NO. 7

On page 6, at the end of line 1 insert "warranty work;"

AMENDMENT NO. 8

On page 6, line 3, change "911.24.2" to "911.24.1"

AMENDMENT NO. 9

On page 6, line 9 change "immediate" to "immediately"

AMENDMENT NO. 10

On page 6, line 18, change "B." to "(3)"

AMENDMENT NO. 11

On page 6, between lines 22 and 23 insert the following:
 "B. Any warranty work performed by a manufactured home dealer pursuant to a manufacturer's warranty shall be reimbursed by the manufacturer within sixty days of invoicing for such services at a labor rate equal to but not in excess of the labor rate in effect at that dealership at the time that the warranty work is performed. The reimbursement amount shall also include reasonable costs for parts and mileage related to the performance of such warranty work."

AMENDMENT NO. 12

On page 7, line 4, change "by" to "of"

AMENDMENT NO. 13

On page 7, line 9 delete "and the commission"

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. 969—

BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
 AN ACT

To enact R.S. 46:233.1, relative to certain public assistance benefits; to provide for a five year period of ineligibility for the receipt of certain public assistance or food stamp benefits for individuals convicted of certain drug related crimes; 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. 969 by Senators Hainkel, et al.

AMENDMENT NO. 1

On page 1, line 3, change "five" to "one"

AMENDMENT NO. 2

On page 1, line 11, delete "An" and insert "Except as prohibited by federal law, an"

AMENDMENT NO. 3

On page 2, line 4, change "five" to "one" and after "conviction" insert "if an individual is not incarcerated, or from the date of release from incarceration if the individual is incarcerated, provided that before eligibility is reinstated, the individual shall submit to a drug test to be administered pursuant to rules and regulations by the department."

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. 1044—

BY SENATOR HOLLIS
 AN ACT

To enact R.S. 42:851(G), relative to the state group benefits; to provide for health and accident insurance; to prohibit payment of certain employer contributions to agencies that withdraw from the state group health and accident insurance plan; and to provide for related matters.

Reported favorably by the Committee on Insurance. On motion of

Senator Tarver, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 1158—

BY SENATOR IRONS
 AN ACT

To amend and reenact R.S. 46:2121, 2121.1, 2122(A), 2123, 2124(A) and (C)(1) and (2), 2126(D), 2127(A) and (B)(1), and 2128(A)(2) through (4) and (B) and to enact R.S. 46:460(7), 460.1(C)(5), and 460.4, and to repeal R.S. 46:2124.1(A)(3), 2131 and 2132, relative to domestic violence; to require the secretary of the Department of Social Services to waive certain public assistance program requirements for domestic violence victims; to provide for purposes; to define terms; 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. 1158 by Senator Irons

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and delete lines 3 through 5 and insert the following:

"amend and reenact the introductory paragraph of R.S. 46:460.1(C) and to enact R.S. 46:460(7), (8), and (9), 460.1(C)(5), and 460.4, relative to domestic"

AMENDMENT NO. 2

On page 1, line 8, after "victims;" delete "to provide for purposes;"

AMENDMENT NO. 3

On page 1, delete lines 11 through 13, and insert the following:

"Section 1. The introductory paragraph of R.S. 46:460.1(C) is hereby amended and reenacted and R.S. 46:460(7), (8), and (9), 460.1(C)(5), and 460.4 are"

AMENDMENT NO. 4

On page 2, between lines 6 and 7, insert the following:

"R.S. 46:460(8) is all proposed new law.

(8) "Domestic violence" means any offense against the person contained in the Louisiana Criminal Code, except negligent injury and defamation, committed by one family and/or household member against another.

R.S. 46:460(9) is all proposed new law.

(9) "Family or household member" means a spouse, former spouse, parent, child, stepparent, stepchild, foster parent, foster child, and any person presently or formerly living in the same residence with the abuser as a spouse, whether married or not married."

AMENDMENT NO. 5

On page 2, line 12, after "hardship" insert "and in cases of domestic violence"

AMENDMENT NO. 6

On page 2, line 18, after "violence" delete "as defined in R.S. 46:2121.1(3)"

AMENDMENT NO. 7

On page 2, at the end of line 27, delete the comma "," and on page 3, line 1, delete "as defined by R.S. 46:2121.1(3),"

AMENDMENT NO. 8

On page 3, delete lines 9 through 11 in their entirety

AMENDMENT NO. 9

On page 3, at the beginning of line 12, delete "any" and insert "B. Any"

AMENDMENT NO. 10

On page 3, line 15, after "including" change "other" to "a" and on line 16, delete "agencies" and insert "agency unless such agency is authorized to obtain such information by another provision of law."

AMENDMENT NO. 11

On page 3, delete lines 18 through 27, on page 4, delete lines 1 through 27, on page 5, delete lines 1 through 27, on page 6, delete lines 1 through 27, on page 7, delete lines 1 through 27, on page 8, delete lines 1 through 27, on page 9, delete lines 1 through 27, and one page 10, delete lines 1 through 6

AMENDMENT NO. 12

On page 10, line 7, change "Section 4." to "Section "2."

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. 1202—

BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 22:2029(1), relative to dental referral plans; to delete dental care providers from the definition of "dental referral plan"; and to provide for related matters.

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

SENATE BILL NO. 1253—

BY SENATOR DARDENNE

AN ACT

To enact R.S. 36:4(R) and Part V-B of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:211 through 214, relative to technology innovations; to establish a technology innovation fund; to create a council; to provide for application and review process; to provide for funding; 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. 1253 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 4, delete "214" and insert "216"

AMENDMENT NO. 2

On page 1, line 10, delete "214" and insert "216"

AMENDMENT NO. 3

On page 1, delete lines 14 through 16 and insert the following:

"§211. Louisiana Technology Innovations Fund

R.S. 39:211 is all proposed new law.

A. There is hereby created in the state treasury a special fund to be designated as the Louisiana Technology Innovations Fund, hereafter referred to in this Part as the "fund".

B. The fund shall consist of monies appropriated by the legislature to the fund; grants, gifts, and donations received by the state for the purposes of this Part; and other revenues as may be provided by law.

C. All monies in the fund shall be invested by the state

treasurer as provided by law. Earnings realized in each fiscal year on the investment of monies in the fund shall be credited to the fund and any unencumbered and unexpended monies shall remain in the fund.

D. In accordance with guidelines established by the Louisiana Technology Innovations Council, the monies in the fund shall be appropriated only for the following:

(1) The procurement of information technology systems and services.

(2) The procurement of telecommunications systems and services.

§212. The Louisiana Technology Innovations Council

R.S. 39:212 is all proposed new law.

A. The Louisiana Technology Innovations Council, hereafter referred to in this Part as the "council", is hereby created within the office of the governor and shall be composed of five individuals as follows:

(1) The president of the Senate, or his designee.
(2) The speaker of the House of Representatives, or his designee.

(3) The commissioner of administration, or his designee.

(4) An undersecretary or deputy secretary of a state department, appointed by the governor.

(5) A member of the Council of Information Services Directors, appointed by the governor.

B. The Louisiana Technology Innovations Council shall establish policies, procedures, and criteria relative to innovative technological systems and services and their applications to government as well as recommend funding for those proposed projects that meet established requirements.

§213. Application and award

R.S. 39:213 is all proposed new law.

A. The commissioner of administration shall establish and maintain an application process for requests for proposed project funding from the fund according to the following:

(1)(a) No later than September 1, 1997, the council shall establish guidelines for application and a standard proposal form and submit the guidelines and form to the office of planning and budget.

(b) No later than September first of each year, the council shall review and revise, if necessary, the guidelines and the standard proposal form and submit any revisions to the office of planning and budget.

(2) No later than September twentieth of each year, the office of planning and budget shall transmit the most recently approved guidelines for application and standard proposal form to each budget unit.

(3)(a) Following the distribution of approved guidelines, the head of a budget unit may submit a request for proposed project funding to the council.

(b) At the same time a request is submitted to the council, the head of the budget unit shall submit a copy of its request to the office of planning and budget and the legislative fiscal office.

(c) Such request shall be made using the standard proposal form and shall comply with the guidelines for application.

B. At a minimum, the request for proposed project funding shall include the following:

(1) Detailed justification for the proposed project.

(2) The projected return on investment for the proposed project.

(3) A long-range plan for the use of the proposed new technology.

(4) A detailed explanation of how, if applicable, the proposed new technology will be integrated with existing technologies being used by the budget unit.

(5) A detailed explanation of interagency or interdepartmental savings or efficiencies which will occur due to the application of the proposed new technology.

C.(1) At a minimum, the council shall meet on a quarterly basis to consider requests for proposed project funding and to monitor project implementation. All meetings shall be subject to

the open meetings law.

(2) The council shall review all requests for proposed project funding and shall determine whether or not the proposed project should be funded. The council may rank its recommendations in priority order. (3)(a) To the extent of appropriation of available monies in the fund, the council shall make awards for proposed projects in the order of established priority.

(b) The commissioner of administration shall adjust an agency's interagency transfers means of financing and associated expenditure categories to accurately reflect the amount of award and send notice of such adjustment to the legislative fiscal office.

(c) The amount of the award shall be designated and reserved from the fund for the duration of the project to ensure implementation.

§214. Agency contracts; request for proposals

R.S. 39:214 is all proposed new law.

A. For a contract to be let pursuant to an award granted under the provisions of this Part, the agency shall give adequate public notice of the request for proposals by advertising in the official journal of the state at least thirty days before the last day that proposals will be accepted. In addition, the agency shall mail written notice to persons, firms, or corporations who are known to be in a position to furnish the required services at least thirty days before the last day that proposals will be accepted.

B. The request for proposals shall clearly state the innovative technological outcome desired from the procurement of the systems and services and shall indicate the relative importance of price and other evaluation factors, the criteria to be used in evaluating the proposals, and the time frames within which the work must be completed.

C. Written or oral discussions shall be conducted with all responsible offerers who submit proposals determined in writing to be reasonably susceptible of being selected for award. Discussions shall not disclose any information derived from proposals submitted by competing offers. Discussions need not be conducted:

(1) If prices are fixed by law or regulation, except that consideration shall be given to competitive terms and conditions.

(2) If time of delivery or performance will not permit discussions.

(3) If it can be clearly demonstrated and documented from the existence of adequate competition or accurate prior cost experience with the particular service that acceptance of an initial offer without discussion would result in fair and reasonable prices and the request for proposals notifies all offers of the possibility that award may be made on the basis of the initial offers.

D.(1) Award shall be made to the responsible offerer whose proposal is determined in writing by the council to be the most advantageous to the state, taking into consideration the recommendations by the head of the agency as to his review of price and the evaluation factors set forth in the request for proposals.

(2) A request for proposals or other solicitation may be cancelled or all proposals may be rejected only if it is determined, based on reasons provided in writing, that such action is taken in the best interest of the state.

E. Each contract entered into pursuant to this Part shall contain as a minimum: description of the work to be performed and/or objectives to be met; amount and time of payments to be made; description of reports or other deliverables to be received, when applicable; date of reports or other deliverables to be received, when applicable; responsibility for payment of taxes, when applicable; circumstances under which the contract can be terminated either with or without cause; remedies for default; and a statement giving the legislative auditor the authority to audit records of the individual(s) or firms(s).

F.(1) Contracts which have a total maximum amount of compensation of less than one hundred thousand dollars may be entered into without the necessity of issuing a request for proposals. Service requirements shall not be artificially divided so

as to exempt contracts from the request for proposal process.

(2) The head of the using agency or the agency procurement officer shall negotiate with the highest qualified persons for all contracts for less than one hundred thousand dollars, at compensation which the head of the using agency determines in writing to be fair and reasonable to the state. In making this determination, the head of the using agency shall take into account, in the following order of importance, the professional or technical competence of offerers, the technical merits of offers, and the compensation for which the services are to be rendered, including fee.

G.(1) Upon entering into a contract, the using agency shall have full responsibility for the diligent administration and monitoring of the contract. The council may require the using agency to report at any time on the status of any such outstanding contracts to which the using agency is a party. After completion of performance under a contract, the using agency shall evaluate contract performance and the utility of the final product. This evaluation shall be delivered to the council within one hundred twenty days after completion of performance.

(2)(a) No contract shall be valid, nor shall the state be bound by the contract, until it has first been executed by the head of the using agency, or his designee, which is a party to the contract and the contractor, and has been approved in writing by the council.

(b) In cases where the head of the using agency wants to delegate authority to one or more of his subordinates to sign contracts on behalf of the agency, this delegation shall be made in accordance with regulations of the council and shall be subject to the approval of the council.

§215. Staff assistance; reports

R.S. 39:215 is all proposed new law.

A. The staff for the council shall be supplied by the division of administration.

B. The council shall submit a report to the legislature no later than March thirtieth of each year. The report shall include the following:

(1) A brief description of the request for proposed project funding.

(2) The estimated five-year cost for the proposed project.

(3) An analysis of potential savings and/or efficiencies that are estimated to occur from the proposed project.

(4) An indication as to whether or not the council chose to fund the proposed project and if appropriate, its priority ranking.

(5) An implementation schedule for a funded project and an update as to whether or not the project is meeting its implementation schedule.

(6) A performance review of a completed project with an analysis as to whether or not the project is meeting or has met the stated goals for potential savings and/or efficiencies.

§216. Promulgation of rules

R.S. 39:216 is all proposed new law.

In accordance with the Administrative Procedure Act, the council may promulgate such rules and regulations as may be necessary to carry out its duties and functions as specified in the Part.

Section 2. R.S. 36:4(R) is hereby enacted to read as follows:

§4. Structure of executive branch of state government

* * *

AMENDMENT NO. 4

Delete pages 2 through 5

AMENDMENT NO. 5

On page 6, delete lines 5 through 10 and insert "Section 3. This Act shall become effective June 1, 1997."

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

April 24, 1997

SENATE BILL NO. 1284—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 36:254(F) and 258(G) and R.S. 46:2664(A)(4) and 2665(A), relative to the Capital Area Human Services District; to provide for the functions, powers, and duties of the district; 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, ordered engrossed and passed to a third reading.

SENATE BILL NO. 1344—

BY SENATORS HAINKEL, DARDENNE AND EWING
AN ACT

To amend and reenact R.S. 40:600.3 and 600.4(A)(2) and (C), to enact R.S. 36:109(J), and to repeal R.S. 36:769(J), relative to the Louisiana Housing Finance Agency; to provide for transfers between departments; to provide for membership of the board of commissioners; 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. 1344 by Senator Hainkel, Dardenne and Ewing

AMENDMENT NO. 1

On page 1, line 2, after "and (C)" insert "600.5(G), and 600.14"

AMENDMENT NO. 2

On page 1, at the end of line 5, insert: "to provide for powers, duties, and regulation of such agency;"

AMENDMENT NO. 3

On page 2, line 1, change "R.S. 36:801.1" to "R.S. 36:801"

AMENDMENT NO. 4

On page 2, line 3, after "and (C)" insert ", 600.5(G), and 600.14"

AMENDMENT NO. 5

On page 2, line 18, after "(2)" change "Two" to "Three"

AMENDMENT NO. 6

On page 2, line 19, after "Social Services" delete "and" and insert the following: ", the state treasurer, and the"

AMENDMENT NO. 7

On page 2, line 20, after "Development," delete the remainder of the line and delete line 21, and insert in lieu thereof, the following:

"each of whom may be represented by his designee and serve as ex officio members concurrent with the"

AMENDMENT NO. 8

On page 2, delete lines 24 through 27 in their entirety and insert in lieu thereof, the following:

"C. The state treasurer, the secretary of the Department of Economic Development and the secretary of the Department of Social Services, each of whom may be represented by his designee, shall serve as ex officio commissioners of the agency during their tenure in office.

* * *

§600.5. Officers of the agency; duties; liability

* * *

G. The agency shall be a budget unit of the state. All funds of the agency, whether received from self-generated revenues, or from state appropriations or from any other source, shall be budgeted and expended in accordance with a budget approved by the Joint Legislative Committee on the Budget.

* * *

§600.14. Approval of issuance of bonds by State Bond Commission

Any bonds of the agency shall be approved and sold by the State Bond Commission in such manner, upon such terms, and at such prices, at public or negotiated sale, as is determined by the State Bond Commission, after reviewing the recommendation of the agency, to be in the best interest of the state and the agency. Any and all underwriters, and any other consultants and professionals advising or assisting the agency in connection with any sale of bonds shall be selected by the State Bond Commission after an open and competitive request for proposals process."

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. 1360—

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 46:2352(7)(c)(i), relative to the Louisiana Commission for the Deaf; to change the composition of the Interpreter Certification Board; 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, ordered engrossed and passed to a third reading.

SENATE BILL NO. 1384—

BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS

AN ACT

To amend and reenact R.S. 23:1101(A) and to enact R.S. 23:1032(A)(1)(c) relative to workers' compensation; to provide that the Department of Social Services shall not be liable for any injury allegedly arising from the negligent placement of any person in a work experience or community service activity; to provide that persons placed in a work experience or community service activity by the Department of Social Services shall be included within the definition of employee; 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. 1384 by Senators Hainkel, et al.

AMENDMENT NO. 1

On page 1, line 5, between "the" and "placement" change "negligent" to "reasonable"

AMENDMENT NO. 2

On page 2, line 26, between "the" and "placement" change "negligent" to "reasonable"

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. 1419—

BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To amend and reenact R.S. 46:231 and 46:443, to enact R.S. 46:231.1 through 231.13 and 233.1 and to repeal R.S. 46:237 through 240, R.S. 46:290, R.S. 46:447.3, R.S. 46:451 through 459, and 46:460 through 460.3, relative to public assistance; to provide for definitions; to provide for a program of cash assistance; to provide for a program of education, employment, training, and related services; to provide for eligibility conditions; to provide for school attendance requirements; to provide for immunization requirements; to provide for a twenty-four month limit; to provide for a program of parenting skills education; to provide for a program of support services; to provide for a program of transitional services; to provide for the provision of worker's compensation and liability insurance for recipients placed in community work experience or community service activities; to provide for the establishment of a Louisiana Welfare Reform Coordinating Committee; to provide for the correction of overpayments or under payments in certain programs of the department; to provide for the establishment of income and resource guides; 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. 1419 by Senators Hainkel, et al.

AMENDMENT NO. 1

On page 2, line 5, between "46:231" and "hereby" delete "is" and insert "and 443 are"

AMENDMENT NO. 2

On page 3, line 6, after "program" insert a period "." and delete the remainder of the line and delete line 7 in its entirety

AMENDMENT NO. 3

On page 3, line 13, after "program" insert a period "." and delete the remainder of the line and delete line 14 in its entirety

AMENDMENT NO. 4

On page 4, line 3, after "program" delete the remainder of the line

AMENDMENT NO. 5

On page 4, line 8, after "program" delete the remainder of the line and at the beginning of line 9, delete "Section" and insert the following:

"funded with federal TANF funds"

AMENDMENT NO. 6

On page 7, line 10, delete "which receives state funds or monies"

AMENDMENT NO. 7

On page 12, line 8, between "work" and "or" insert "experience"

AMENDMENT NO. 8

On page 16, delete line 9, and insert the following:

"* * *

AMENDMENT NO. 9

On page 16, line 15, delete "The" and insert "Unless a waiver is provided for by the United States Department of Agriculture, the"

AMENDMENT NO. 10

On page 16, line 16, after "overpayment" delete the remainder of the line and delete lines 17 and 18 and insert the following:

", including collection, or underpayment of assistance under the state public assistance program, and, in the case of:"

AMENDMENT NO. 11

On page 16, line 20, after "assistance" insert a comma "," and delete "or services"

AMENDMENT NO. 12

On page 16, line 22, delete "or services"

AMENDMENT NO. 13

On page 16, at the end of line 23, delete "or child" and on line 24, delete "support"

AMENDMENT NO. 14

On page 16, line 26, change "shall" to "may"

AMENDMENT NO. 15

On page 16, after line 27, insert the following:

"C. The department shall promptly take all necessary steps to correct any overpayment, including collection, or underpayment of child support to individuals to whom the department is providing services pursuant to

R.S. 46:236.1 et seq., and, in the case of:

(1) An overpayment to an individual who is currently receiving services, including any individual whose overpayment occurred during a prior period of services, recovery shall be made by repayment by the individual or by reducing the amount of any future child support payable to the family of which he is a member.

(2) An overpayment to any individual who is no longer receiving services, recovery may be made by appropriate action against the income or resources of the individual or the family."

AMENDMENT NO. 16

On page 17, line 1, delete "C" and insert "D. Unless a waiver is provided for by the United States Department of Agriculture, the"

AMENDMENT NO. 17

On page 17, line 2, between "overpayment" and "or" insert ", including collection,"

AMENDMENT NO. 18

On page 17, line 8, after "individual" insert "or provider who is at fault"

AMENDMENT NO. 19

On page 17, line 10, after "which" delete the remainder of the line and insert "the recipient at fault is a member or on behalf of the provider at fault."

AMENDMENT NO. 20

On page 17, line 12, change "shall" to "may"

AMENDMENT NO. 21

On page 17, line 13, after "individual" delete "or" and on line 14, delete "the family," and insert "at fault or his or her family, or if the provider of services is at fault, against the provider of services."

AMENDMENT NO. 22

On page 17, delete line 17, and insert the following:

"The secretary of the Department of Social Services and the secretary of the Department of Health and Hospitals are hereby authorized to adopt"

AMENDMENT NO. 23

On page 18, line 13, change "and" to "with"

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. 1447—
BY SENATOR DARDENNE

AN ACT

To enact R.S. 13:1952(4)(d), relative to courts created by special legislative act; to authorize the metropolitan council for the city of Baton Rouge, parish of East Baton Rouge to assign future annexations to the appropriate election sections for the City Court of Baton Rouge; to provide for the combination or deletion of existing precincts within an election section; 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. 1447 by Senator Dardenne

AMENDMENT NO. 1

On page 1, between lines 11 and 12, insert:

"The following city courts, heretofore created and established by special legislative act, are hereby recognized and continued in existence and, except as otherwise provided in this Section, their territorial jurisdiction shall extend through the city and ward or wards wherein the city in which they are domiciled is located, as extended from time to time:

(4) * * *
* * *"

AMENDMENT NO. 2

On page 1, delete line 12

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.

House Bills and Joint Resolutions
on Second Reading
Reported by Committees

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

HOUSE BILL NO. 1901—
BY REPRESENTATIVE BRUN

AN ACT

To amend and reenact R.S. 36:642(C)(1), 647(B), and 649(C) and (D), to enact R.S. 36:649(B), and to repeal R.S. 36:648(C) and 649(E), (F), and (G), all relative to the Department of Education; to provide relative to the offices within the department; to provide relative to the duties of the deputy superintendent for management and finance; to remove provisions requiring assistant superintendents to employ, appoint, remove, assign, and promote certain personnel; to provide for the purposes and functions of the offices of student and school performance, quality educators, and school and community support; to remove provisions relative to the purposes and functions of certain offices; and to provide for related matters.

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

Reconsideration

On motion of Senator Casanova, pursuant to the previous notice

given, the vote by which the following bill failed to pass on April 23, 1997 was reconsidered.

SENATE BILL NO. 1200—

BY SENATORS CASANOVA, BRANCH, DYESS AND ELLINGTON
AN ACT

To amend and reenact R.S. 14:90(B) and R.S. 18:1300.21(D), to enact Part XIII of Chapter 4 of Title 27 of the Louisiana Revised Statutes of 1950, comprised of R.S. 27:121, and R.S. 27:325, and to repeal R.S. 14:90(C), (D), and (E), Chapter 1, comprised of R.S. 27:1 through 3, Chapter 2, comprised of R.S. 27:11 through 26, and Chapter 3, comprised of R.S. 27:31 through 32, Chapter 4, comprised of R.S. 27:41 through 121, Chapter 5, comprised of R.S. 27:201 through 286, and Chapter 6, comprised of R.S. 27:301 through 325, all of Title 27 of the Louisiana Revised Statutes of 1950, relative to gaming; to provide for the termination of all authority, licensing, and permitting relative to the operation of a land-based casino in New Orleans, gaming aboard a riverboat and the operation of video draw poker devices; to provide for the termination of such activity over time; to provide effective dates; and to provide for related matters.

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

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 COX

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to adopt an amendment to the Constitution of the United States to provide each citizen with a constitutional right to a clean and healthful environment and protection of our other natural resources.

Reported favorably by the Committee on Environmental Quality.

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

ROLL CALL

The roll was called with the following result:

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

Cravins
Total—8

Malone

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

SENATE CONCURRENT RESOLUTION NO. 26—
BY SENATOR COX

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to adopt an amendment to the Constitution of the United States to guarantee the American people a clean and healthful environment.

Reported favorably by the Committee on Environmental Quality.

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

Motion

Senator Bagneris moved to suspend the rules to pass over controversial Senate Bills on Third Reading and Final passage temporarily with the intention of taking them up later in their regular order, henceforth to be known as the Bagneris Rule.

Without objection, so ordered.

**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. 1449 (Substitute for Senate Bill 134 by Senator Cox)—

BY SENATOR COX

AN ACT

To amend and reenact R.S. 13:621.14, relative to district courts; to provide for an additional judgeship in the fourteenth judicial district; to provide for the election and term of office; to provide for qualifications; to provide relative to compensation; and to provide for related matters.

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

SENATE BILL NO. 152—
BY SENATOR JORDAN

AN ACT

To enact R.S. 9:2782.2, relative to checks; to authorize a holder in due course of a check against which a stop payment has been issued to claim damages, attorney fees, and a service charge against the drawer if it is not paid after written notice; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Landry
Bajoie	Ellington	Lentini
Barham	Fields	Robichaux
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hollis	Short

Campbell
Casanova
Cox
Dardenne
Total—30

Johnson
Jones
Jordan
Lambert
Siracusa
Smith
Theunissen
Ullo

NAYS

Dean
Guidry
Total—4

Irons
Malone

ABSENT

Bagneris
Cravins
Total—5

Greene
Hines
Tarver

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

SENATE BILL NO. 267—
BY SENATOR ULLO (By Request)

AN ACT

To amend and reenact R.S. 37:380(5), relative to barbers; to prohibit the use of certain instruments; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dean	Jordan
Bagneris	Dyess	Lambert
Bajoie	Ellington	Lentini
Barham	Fields	Robichaux
Bean	Guidry	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hollis	Siracusa
Casanova	Irons	Smith
Cox	Johnson	Theunissen
Dardenne	Jones	Ullo
Total—33		

NAYS

Landry
Total—1

ABSENT

Cravins
Greene
Total—5

Hines
Malone
Tarver

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

SENATE BILL NO. 449—
BY SENATOR JORDAN

AN ACT

To enact R.S. 18:1472, relative to election offenses; to create the crime of "unauthorized opening of voting machines"; to provide for penalties; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Bajoie	Fields	Lentini
Barham	Guidry	Malone
Bean	Hainkel	Robichaux
Branch	Heitmeier	Romero
Cain	Hollis	Schedler
Campbell	Irons	Short
Cox	Johnson	Siracusa
Dardenne	Jones	Smith
Dean	Jordan	Theunissen
Dyess	Lambert	Ullo
Total—33		

NAYS

Total—0

ABSENT

Bagneris	Cravins	Hines
Casanova	Greene	Tarver
Total—6		

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

SENATE BILL NO. 508—
BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 51:923(B); to increase membership of the Board of Commerce and Industry; and to provide for related matters.

Floor Amendments Sent Up

Senator Romero sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Romero to Engrossed Senate Bill No. 508 by Senator Romero

AMENDMENT NO. 1

On page 1 line 11, change "sixteen" to ", fifteen"

On motion of Senator Romero, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Landry
Bagneris	Ellington	Lentini
Bajoie	Fields	Malone
Barham	Greene	Robichaux
Bean	Guidry	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hollis	Siracusa
Casanova	Irons	Smith

Cox	Johnson	Theunissen
Dardenne	Jones	Ullo
Dean	Lambert	
Total—35		

NAYS

Jordan
Total—1

ABSENT

Cravins
Total—3

Hines
Tarver

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

SENATE BILL NO. 528—
BY SENATOR GUIDRY

AN ACT

To enact R.S. 22:2018(E), (F), and (G) relative to health care organizations; to provide requirements of provider contracts; to prohibit contract provisions which interfere with the health care provider's ethical responsibility to patients, and to provide for related matters.

Floor Amendments Sent Up

Senator Guidry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Guidry to Engrossed Senate Bill No. 528 by Senator Guidry

AMENDMENT NO. 1

On page 1, line 2, change "22:2018(E), (F), and (G)" to "22:215.18"

AMENDMENT NO. 2

On page 1, line 7, change "22:2018(E), (F), and (G) are" to "22:215.18 is"

AMENDMENT NO. 3

On page 1, line 9, change "2018." to "215.18."

AMENDMENT NO. 4

On page 1, delete line 10 and insert in lieu thereof the following:

"A. As used in this Section, the following definitions shall apply:

(1) "Managed care organization" means a licensed insurance company, hospital or medical benefit plan or program, health maintenance organization, integrated health care delivery system, an employer or employee organization, or a managed care contractor which operates a managed care plan. A managed care organization may include but is not limited to a preferred provider organization, health maintenance organization, exclusive provider organization, independent practice association, clinic without walls, management services organization, managed care services organization, physician hospital organization, and hospital physician organization.

(2) "Managed care plan" means a plan operated by a managed care entity which provides for the financing and delivery of health care and treatment services to individuals enrolled in such plan through its own employed health care providers or contracting with selected specific providers that conform to explicit selection, standards, or both. A managed care plan also customarily has a formal organizational structure for continual quality assurance, a certified utilization review program, dispute resolution, and financial incentives for individual enrollees to use the plan's

participating providers and procedures."

AMENDMENT NO. 5

On page 1, line 12, change "A." to "B."

AMENDMENT NO. 6

On page 1, line 12, change "health maintenance" to "managed care"

AMENDMENT NO. 7

On page 2, line 2 change "health maintenance" to "managed care"

AMENDMENT NO. 8

On page 2, line 7, change "F." to "C." and change "health maintenance" to "managed care"

AMENDMENT NO. 9

On page 2, line 10, change "health maintenance" to "managed care"

AMENDMENT NO. 10

On page 2, line 13, after "provider" add a period "." and delete the remainder of the line and insert in lieu thereof the following:

" As used in this Subsection "medical communication" shall mean information regarding the mental or physical health care needs or the treatment of a patient."

AMENDMENT NO. 11

On page 2, delete lines 14 through 16 in their entirety.

AMENDMENT NO. 12

On page 2, line 18, change "G." to "D."

AMENDMENT NO. 13

On page 2, line 20, change "health care service plan" to "managed care plan"

On motion of Senator Guidry, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bagneris	Ellington	Landry
Bajoie	Fields	Lentini
Barham	Greene	Malone
Bean	Guidry	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hollis	Short
Casanova	Irons	Siracusa
Cox	Johnson	Smith
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cravins	Hines	Tarver
Total—3		

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

SENATE BILL NO. 715—

BY SENATOR FIELDS

AN ACT

To enact R.S. 9:3538.1, relative to Louisiana consumer credit law; to provide that consumers shall have the right to cancel a mail and check solicitation sale; provides time period for cancellation; provides for warning language; provides for notice of cancellation; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 715 by Senator Fields

AMENDMENT NO. 1

On page 1, line 16, following "contracted" delete "for"

AMENDMENT NO. 2

On page 2, line 14, following "Subsection" change "(C)" to "C"

On motion of Senator Bagneris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bagneris	Ellington	Landry
Bajoie	Fields	Lentini
Barham	Greene	Malone
Bean	Guidry	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hollis	Short
Casanova	Irons	Siracusa
Cox	Johnson	Smith
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cravins	Hines	Tarver
Total—3		

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

SENATE BILL NO. 722—

BY SENATORS CASANOVA AND CRAVINS

AN ACT

To enact R.S. 22:215.18, relative to insurance coverage; to provide for coverage for off-label drugs in treatment of cancer; and to provide for related matters.

April 24, 1997

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 722 by Senator Casanova

AMENDMENT NO. 1

On page 1, line 11, following "means" and before "scientific" delete "published"

AMENDMENT NO. 2

On page 2, line 1, following "Information;" and before "(b)" insert "or"

On motion of Senator Bagneris, the amendments were adopted.

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. 722 by Senator Casanova

AMENDMENT NO. 1

On page 2, delete lines 23 through 27 and insert the following:

"E. This Section shall not be construed to create, impair, alter, limit, modify, enlarge, abrogate or prohibit reimbursement for drugs used in the treatment of any other disease or condition."

AMENDMENT NO. 2

On page 3, line 1, change "Subsection A" to "Subsection B"

On motion of Senator Casanova, the amendments were adopted.

The bill 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, Bagneris, Bajoie, Barham, Bean, Branch, Cain, Campbell, Cox, Dardenne, Dean, Dyess, Total—35

NAYS

ABSENT

Casanova, Cravins, Total—4

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.

SENATE BILL NO. 856— BY SENATOR BRANCH

AN ACT

To amend and reenact R.S. 15:893, relative to prisons and correctional institutions; to provide for additional facilities; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 856 by Senator Branch

AMENDMENT NO. 1

On page 1, line 9, before "The" insert "A."

On motion of Senator Bagneris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Bagneris, Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Dardenne, Dean, Total—34

NAYS

Guidry, Total—1

ABSENT

Cravins, Fields, Total—4

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

SENATE BILL NO. 1012— BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 12:24(B)(6), 41(B)(9)(d) and (e), 52(B), 61(A), 76(C), 81(A) and (C)(8), 112(A), 131(B)(3) and (C), and to enact R.S. 12:114(C), relative to the Business Corporation Law; to authorize designations of stock; to provide for directors; to provide for merger or consolidation; to provide for rights of shareholders; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1012 by Senator Dardenne

AMENDMENT NO. 1

On page 3, line 10, following "acquired," and before "the" change "to" to "by" and on line 11, following "or" and before "employees" change "to" to "by"

On motion of Senator Bagneris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bagneris	Ellington	Landry
Bajoie	Fields	Lentini
Barham	Greene	Malone
Bean	Guidry	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hollis	Short
Casanova	Irons	Siracusa
Cox	Johnson	Smith
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cravins	Hines	Tarver
Total—3		

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

SENATE BILL NO. 1061—

BY SENATORS HAINKEL, DARDENNE AND EWING
AN ACT

To amend and reenact R.S. 39:140, 141(A), 142, 143, 1751, 1752, 1753, 1754, and 1755, relative to telecommunications; to provide relative to the authority and duties of the office of telecommunications management; to provide relative to telecommunications procurement and procurement contracts; to revise definitions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
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Bagneris	Ellington	Landry
Bajoie	Fields	Lentini
Barham	Greene	Malone
Bean	Guidry	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hollis	Short
Casanova	Irons	Siracusa
Cox	Johnson	Smith
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cravins	Hines	Tarver
Total—3		

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

SENATE BILL NO. 1129—

BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 8:1(7) and (26), 72(A), 76, 78, 452, 456, 463(1), 501, 505, and 506, to enact R.S. 8:1(41), 456.1, 502.1, 502.2, 505.1, and 505.2, relative to cemeteries; to provide for late charges; to provide for trustees; to provide for property; to provide for suppliers; to provide for expenses; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1129 by Senator Hainkel

AMENDMENT NO. 1

On page 2, line 14, following "vaults" and before "or" insert a comma ", "

AMENDMENT NO. 2

On page 6, line 20, before "books" change "care, said" to "care. Such"

AMENDMENT NO. 3

On page 9, line 5, following "cemetery" and before "business" change "authorities" to "authority's"

AMENDMENT NO. 4

On page 10, line 1, before "Whenever" delete "A."

AMENDMENT NO. 5

On page 11, line 14, before "The" change "(4)" to "B."

AMENDMENT NO. 6

On page 11, line 22, before "In" change "B." to "C."

On motion of Senator Bagneris, the amendments were adopted.

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

April 24, 1997

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Bagneris	Fields	Malone
Bajoie	Greene	Robichaux
Barham	Guidry	Romero
Bean	Hainkel	Schedler
Branch	Heitmeier	Short
Cain	Hollis	Siracusa
Campbell	Irons	Smith
Cox	Johnson	Theunissen
Dardenne	Jones	Ullo
Dean	Jordan	
Dyess	Landry	
Total—34		

NAYS

Total—0

ABSENT

Casanova	Hines	Tarver
Cravins	Lambert	
Total—5		

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

SENATE BILL NO. 1309—
BY SENATORS BEAN, BAGNERIS, GUIDRY AND LENTINI
AN ACT

To amend and reenact R.S. 22:214.3(B), 215(A)(1)(a)(iv), (C), and (E), the introductory paragraph of R.S. 22:215.6(A), 215.6(E)(2) and (3), to enact Part VI-C of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:250.1 through 250.16, and to repeal R.S. 22:214.1, 215.12, 215.16, and 228.3, relative to health insurance; to provide for certain exclusions for preexisting conditions; to provide for prohibitions on the use of health status in enrollment or setting rates; to provide for the availability and renewal of health coverage information; to provide for the disclosure of health coverage information; to provide for the length of post-delivery hospitalization for a mother and newborn child; to provide for prohibitions on limiting aggregate lifetime and annual benefits payable for mental health services covered under a group health plan other than small employer plans; to provide for enforcement; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Dean	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cravins	Hines	Tarver
Total—3		

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

SENATE BILL NO. 1370—
BY SENATOR BAGNERIS
AN ACT

To enact R.S. 10:4A-209(e); to prohibit banks from charging fees on certain payment orders; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Bagneris	Fields	Lentini
Bajoie	Greene	Malone
Barham	Guidry	Robichaux
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hollis	Short
Campbell	Irons	Siracusa
Cox	Johnson	Smith
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Dyess	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Casanova	Hines
Cravins	Tarver
Total—4	

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

Messages from the House

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

Message from the House

DISAGREEMENT TO HOUSE BILL

April 24, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate

Amendment(s) to House Bill No. 491 by Representative Forster, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives McMains, Forster, and DeWitt.

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

**Appointment of Conference Committee
on House Bill No. 491**

The President of the Senate appointed on the Conference Committee on House Bill No. 491 the following members of the Senate: Senators Ellington, Barham, and Landry.

**Senate Bills and Joint Resolutions on
Third Reading
and Final Passage, Resumed**

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

SENATE BILL NO. 1394—
BY SENATOR JONES

AN ACT

To enact Chapter 4-A of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1021 through 1024, relative to economic development; to provide for a compact; to provide for the delta region; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bagneris	Fields	Landry
Bajoie	Greene	Lentini
Barham	Guidry	Malone
Bean	Hainkel	Robichaux
Branch	Heitmeyer	Romero
Campbell	Hollis	Schedler
Cox	Irons	Short
Dardenne	Johnson	Siracusa
Dean	Jones	Smith
Dyess	Jordan	Theunissen
Ellington	Lambert	Ulló
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Casanova	Hines
Cain	Cravins	Tarver
Total—6		

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

SENATE BILL NO. 1416—
BY SENATORS BEAN AND LENTINI
AN ACT

To amend and reenact R.S. 22:230.2, 231(E), 232(5) through (18), 233, introductory paragraph, 236(2), (7) and (8), 237(A)(2), (B), (C), and (D), 239(A)(1), 240(A), (D), (E), (F)(2), (3), (G), and (I), and to enact R.S. 22:231(F), 232(19) through (28), 233(B), (C), and (D), 237(F), 239.1, 239.2, and 239.3, to repeal 234(G), (H), (I), and (J), relative to health insurance; to provide for continuing access to health insurance for certain individuals; to provide for compliance requirements imposed by federal law in such programs; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1416 by Senator Bean

AMENDMENT NO. 1

On page 1, line 3, following "(C)," delete "and" and on line 4, following "(D)," insert "and (E)," and on line 12, following "(C)," change "and (D)" to "(D), and (E)."

AMENDMENT NO. 2

On page 11, line 14, before "The" insert "(d)"

AMENDMENT NO. 3

On page 13, line 8, following "of" and before (1), change "Subsection A" to "Paragraph (A)"

AMENDMENT NO. 4

On page 14, line 6, change "guarantee" to Guarantee" and on line 8, following "(b) change "give" to "Give"

On motion of Senator Bagneris, the amendments were adopted.

Floor Amendments Sent Up

Senator Bean sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bean to Engrossed Senate Bill No. 1416 by Senator Bean

AMENDMENT NO. 1

On page 2, lines 3 and 4 delete ", and identified in Subsection (1) of this Section,"

AMENDMENT NO. 2

On page 16, line 2, change "Section 2" to "R.S. 22:236"

On motion of Senator Bean, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Bagneris	Fields	Lentini
Bajoie	Greene	Malone

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Barham	Guidry	Robichaux
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hollis	Short
Campbell	Irons	Siracusa
Casanova	Johnson	Smith
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Dyess	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Cox	Hines
Cravins	Tarver
Total—4	

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

SENATE BILL NO. 1425—
BY SENATOR DARDENNE

AN ACT

To amend and reenact Children's Code Arts. 618, 1565(2), 1566, 1567(A)(1), 1568, 1570, and Code of Civil Procedure Art. 891, R.S. 9:362(4), R.S. 13:4243(B), R.S. 14:79(A) and R.S. 46:2121.1(1), 2123(2) and (3), 2124(A), 2124.1(A)(3), 2132(4), 2133(B), 2134, 2135(B), 2136, 2137(A), and 2138; to enact Children's Code Arts. 617(G), 627(C), 1569(G) and 1570.1, Code of Civil Procedure Art. 3607.1, and Code of Criminal Procedure Arts. 327.1, 871.1, R.S. 9:376, R.S. 13:4243(D) and R.S. 46:2135(G), 2136.1, and 2136.2, relative to domestic violence; to create a statewide registry of civil and criminal abuse prevention orders and provide for its administration; to provide relative to temporary restraining orders and protective orders; to expand the scope of protection for those covered; to provide that clerks of court transmit orders to the Louisiana Protective Order Registry; to provide restrictions on filing of reciprocal protective orders; to provide that violent abusers pay costs of domestic abuse cases; to provide that the address and parish of a residence of domestic abuse a petitioner may remain confidential to the court; to provide that protective orders issued as bail restrictions and as part of a sentence be forwarded to the Louisiana Protective Order Registry; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1425 by Senator Dardenne

AMENDMENT NO. 1

On page 13, line 13, following "R.S." and before the comma "," change "372" to "9:372"

AMENDMENT NO. 2

On page 15, line 12, following "R.S." and before the comma "," change "46:2121(1)" to "46:2121.1(1)"

On motion of Senator Bagneris, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 1425 by Senator Dardenne.

AMENDMENT NO. 1

On page 14, between lines 7 and 8 insert:

"R.S. 13:4243(D) is all proposed new law.

D. Where a petitioner seeks to enforce a foreign protective order as defined by R.S. 46:2136 or Ch.C. Art. 1570, the clerk of court shall transmit a copy of the order to the Louisiana Protective Order Registry, R.S. 46:2136.2(A) by facsimile transmission or by mail on the date the order is issued, or by direct electronic input where available."

AMENDMENT NO. 2

On page 15, delete lines 6 through 11

On motion of Senator Dardenne, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Bagneris	Fields	Lentini
Bajoie	Greene	Malone
Barham	Guidry	Robichaux
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hollis	Short
Campbell	Irons	Siracusa
Casanova	Johnson	Smith
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Dyess	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Cox	Hines
Cravins	Tarver
Total—4	

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

SENATE BILL NO. 1433—
BY SENATOR JONES

AN ACT

To enact Part X of Chapter 7 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:2488.91 through R.S. 13:2488.99, relative to city courts; to create a city court of Tallulah; to provide for the jurisdiction of said court, its personnel, and the collection and disbursement of funds; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1433 by Senator Jones

AMENDMENT NO. 1

On page 5, line 3, following "Art." and before "et" change "1581" to "5181"

On motion of Senator Bagneris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Ellington	Landry
Bagneris	Fields	Lentini
Bajoie	Greene	Malone
Barham	Guidry	Robichaux
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hollis	Short
Campbell	Irons	Siracusa
Cox	Johnson	Smith
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Dyess	Lambert	
Total—35		
NAYS		
Total—0		
ABSENT		
Casanova	Hines	
Cravins	Tarver	
Total—4		

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

SENATE BILL NO. 1440—
BY SENATOR JONES

AN ACT

To enact R.S. 32:410(D), relative to drivers' licenses; to prohibit use of photographs taken for licenses in police line-ups; to provide for exceptions to prohibition; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

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

Dean	Jordan	Ullo
Total—36		
NAYS		
Total—0		
ABSENT		
Cravins	Hines	Tarver
Total—3		

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

SENATE BILL NO. 14—
BY SENATORS BEAN AND SCHEDLER
AN ACT

To amend and reenact R.S. 32:301, relative to motor vehicles; to require lighted headlamps under certain atmospheric conditions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Dyess	Jordan
Bajoie	Ellington	Lambert
Barham	Fields	Landry
Bean	Greene	Lentini
Branch	Guidry	Malone
Cain	Hainkel	Robichaux
Campbell	Heitmeier	Romero
Casanova	Hollis	Schedler
Cox	Irons	Short
Dardenne	Johnson	Smith
Dean	Jones	Ullo
Total—33		
NAYS		
Total—0		
ABSENT		
Bagneris	Hines	Tarver
Cravins	Siracusa	Theunissen
Total—6		

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

SENATE BILL NO. 147—
BY SENATOR BEAN
AN ACT

To enact R.S. 56:306(B)(6), relative to fish industry licenses; to exempt persons or businesses selling fish prepared for consumption on or off the business premises from the requirement to purchase a wholesale/retail dealer's license; and to provide for related matters.

Floor Amendments Sent Up

Senator Bean sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bean to Engrossed Senate Bill No. 147 by Senator Bean

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AMENDMENT NO. 1

On page 1, line 2, between "To" and "enact" insert "amend and reenact R.S. 56:306.1(A) and to"

AMENDMENT NO. 2

On page 1, line 2, between "(6)" and the comma "," insert "and 306.3(D)"

AMENDMENT NO. 3

On page 1, line 7, between "Section 1." and "R.S." insert "R.S. 56:306.1(A) is hereby amended and reenacted and"

AMENDMENT NO. 4

On page 1, line 7, between "(6)" and "hereby" delete "is" and insert "and 306.3(D) are"

AMENDMENT NO. 5

On page 2, after line 1, insert the following:

"§306.1. License fee; place of purchase

A. The cost of the wholesale/retail dealer's license is one hundred five dollars for residents and four hundred five dollars for nonresidents; ~~except that restaurants and retail grocers that sell fresh fish shall pay thirty dollars.~~ Restaurants and retail grocers may sell native reptiles and amphibians for human consumption under the provisions of this Section.

* * *

§306.3. Restrictions on buying and selling and transportation/retail dealers

* * *

R.S. 56:306.3(D) is all proposed new law.

D. Restaurants and retail grocers who only purchase fish, whether fresh, frozen, processed or unprocessed, from a licensed wholesale/retail seafood dealer and only sell such fish fully prepared by cooking for immediate consumption by the consumer, need not be licensed in compliance with the provisions of this Subpart. Any restaurant or retail grocer who purchases or sells fish in any manner other than as described in this Section must be appropriately licensed as required by this Subpart. All restaurants and retail grocers shall maintain records as required by this Subpart."

On motion of Senator Bean, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dean Jones
Bagneris Dyess Lambert
Bajoie Ellington Lentini
Barham Fields Robichaux
Bean Guidry Romero
Cain Heitmeier Schedler
Campbell Hollis Siracusa
Cox Irons Smith
Dardenne Johnson Theunissen
Total—27

NAYS

Branch Hainkel Malone
Casanova Jordan Short
Greene Landry Ullo
Total—9

ABSENT

Cravins Hines Tarver
Total—3

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

SENATE BILL NO. 254—

BY SENATOR LANDRY

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Lentini
Bajoie Fields Malone
Barham Guidry Romero
Bean Hainkel Schedler
Branch Heitmeier Short
Cain Hollis Siracusa
Campbell Irons Smith
Cox Johnson Theunissen
Dardenne Jones Ullo
Dean Jordan
Dyess Landry
Total—31

NAYS

Total—0

ABSENT

Bagneris Greene Robichaux
Casanova Hines Tarver
Cravins Lambert
Total—8

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

Personal Privilege

Senator Robichaux 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. 254. He had intended to vote yea on the bill. He asked that the Official Journal so state.

SENATE BILL NO. 368—

BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 32:409.1(A)(2)(d)(vi), relative to driver's license; to provide relative to application; to authorize issuance to certain persons without social security numbers; and to provide for

related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Bajoie	Fields	Lentini
Barham	Greene	Malone
Bean	Guidry	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hollis	Short
Casanova	Irons	Siracusa
Cox	Johnson	Smith
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Dyess	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Bagneris	Hines
Cravins	Tarver
Total—4	

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

SENATE BILL NO. 401—
BY SENATOR ROBICHAUX

AN ACT

To enact R.S. 56:305.7, relative to commercial gear licenses; to require that all saltwater commercial fishing vessels be tagged in such a manner so as to be able to identify the boat's fishing activity; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Bagneris	Fields	Malone
Bajoie	Guidry	Robichaux
Barham	Hainkel	Romero
Bean	Heitmeier	Schedler
Branch	Hollis	Short
Cain	Irons	Siracusa
Casanova	Johnson	Smith
Cox	Jones	Theunissen
Dardenne	Jordan	Ullo
Dean	Lambert	
Dyess	Landry	
Total—34		

NAYS

Total—0

ABSENT

Campbell	Greene	Tarver
Cravins	Hines	
Total—5		

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

SENATE BILL NO. 524—
BY SENATOR ROBICHAUX

AN ACT

To enact R.S. 56:57.4, relative to commercial fishing; to provide relative to enforcement of certain federal laws, rules or regulations; to provide relative to adoption of certain rules and regulations; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bagneris	Ellington	Landry
Bajoie	Fields	Malone
Barham	Greene	Robichaux
Bean	Guidry	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hollis	Siracusa
Casanova	Irons	Smith
Cox	Johnson	Theunissen
Dardenne	Jones	Ullo
Dean	Jordan	
Total—35		

NAYS

Total—0

ABSENT

Cravins	Lentini
Hines	Tarver
Total—4	

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

SENATE BILL NO. 754—
BY SENATOR ROMERO

AN ACT

To amend and reenact Section 7(c) of the charter of the city of New Iberia, as originally enacted by Act 187 of the 1910 Regular Session, as subsequently amended as provided by law, and as amended by Act No. 340 of the 1988 Regular Session of the Legislature of Louisiana, relative to the elected officials of said city; to provide for the qualifications of the mayor; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

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	YEAS	
Mr. President	Dyess	Landry
Bagneris	Ellington	Lentini
Bajoie	Fields	Malone
Barham	Greene	Robichaux
Bean	Guidry	Romero
Branch	Heitmeier	Schedler
Cain	Hollis	Short
Campbell	Irons	Siracusa
Casanova	Johnson	Smith
Cox	Jones	Theunissen
Dardenne	Jordan	Ullo
Dean	Lambert	
Total—35		

	NAYS	
Total—0		

	ABSENT	
Cravins	Hines	
Hainkel	Tarver	
Total—4		

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

SENATE BILL NO. 792—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 32:387(H)(2)(c), relative to motor vehicles; to increase maximum permit weights; to provide relative to authorized tandem axle weights; to provide relative to requirements for structural evaluation; and to provide for related matters.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 792 by Senator Landry

AMENDMENT NO. 1

On page 3, after line 10, add the following:

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

On motion of Senator Landry, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Dyess	Lambert
Bagneris	Ellington	Landry
Bajoie	Fields	Lentini

Barham	Greene	Malone
Bean	Guidry	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hollis	Short
Casanova	Irons	Siracusa
Cox	Johnson	Smith
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Total—36		
	NAYS	
Total—0		
	ABSENT	
Cravins	Hines	Tarver
Total—3		

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

SENATE BILL NO. 861—
BY SENATORS COX AND CASANOVA
AN ACT

To enact Subpart A-1 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:120.5 through 120.13 and to repeal R.S. 33:103(C)(1)(e), 4877.2, Act 196 of the 1960 Regular Session of the Legislature, Act 29 of the 1983 Regular Session of the Legislature, Act 91 of the 1984 Regular Session of the Legislature, Act 409 of the 1985 Regular Session of the Legislature, and Act 33 of the 1995 Regular Session of the Legislature, relative to Calcasieu Parish; to authorize the Calcasieu Parish Police Jury to combine the Calcasieu Parish Planning Commission and the Calcasieu Parish Board of Adjustment into one board; to provide for the commission's duties, functions, membership, and qualifications; to provide for quorum requirements and compensation for members of the commission; to repeal the compensation paid to members of the parish planning commission and the parish board of adjustment; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Dyess	Landry
Bagneris	Ellington	Lentini
Bajoie	Fields	Malone
Barham	Greene	Robichaux
Bean	Guidry	Romero
Branch	Heitmeier	Schedler
Cain	Hollis	Short
Campbell	Irons	Siracusa
Casanova	Johnson	Smith
Cox	Jones	Theunissen
Dardenne	Jordan	Ullo
Dean	Lambert	
Total—35		
	NAYS	
Total—0		
	ABSENT	
Cravins	Hines	
Hainkel	Tarver	

Total—4

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

SENATE BILL NO. 885—
BY SENATOR ROMERO

AN ACT

To amend and reenact Section 7(b)(2) of the charter of the city of New Iberia, as originally enacted by Act 187 of the 1910 Regular Session and as subsequently amended as provided by law, relative to the elected officials of said city; to provide for the qualifications of the trustees; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Landry
Bagneris	Ellington	Lentini
Bajoie	Fields	Malone
Barham	Greene	Robichaux
Bean	Guidry	Romero
Branch	Heitmeier	Schedler
Cain	Hollis	Short
Campbell	Irons	Siracusa
Casanova	Johnson	Smith
Cox	Jones	Theunissen
Dardenne	Jordan	Ullo
Dean	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Cravins	Hines
Hainkel	Tarver
Total—4	

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

SENATE BILL NO. 1042—
BY SENATOR DEAN

AN ACT

To amend and reenact R.S. 17:84, relative to assistant superintendents, supervisors, and other employees; to provide for the number of central office administrators which a school system may employ; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1042 by Senator Dean

AMENDMENT NO. 1

On page 1, line 13, following "stenographers," and before "bookkeepers" insert "and"

AMENDMENT NO. 2

On page 2, line 5, following "October" and before "in" change "1" to "first"

AMENDMENT NO. 3

On page 2, line 16, following "such" and before "period" insert "a"

On motion of Senator Bagneris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Malone
Barham	Ellington	Robichaux
Bean	Fields	Romero
Branch	Greene	Schedler
Campbell	Hainkel	Short
Casanova	Heitmeier	Siracusa
Cox	Hollis	Smith
Dardenne	Johnson	Theunissen
Dean	Jones	Ullo
Total—27		

NAYS

Bagneris	Irons	Landry
Cain	Jordan	
Guidry	Lambert	
Total—7		

ABSENT

Bajoie	Hines	Tarver
Cravins	Lentini	
Total—5		

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

SENATE BILL NO. 1105—
BY SENATOR ROBICHAUX

AN ACT

To amend R.S. 56:303.7, relative to a wholesale/retail dealer's receipt form; to require that the price per pound and the count per pound of shrimp sold be placed on the receipt form; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Landry
Bagneris	Ellington	Lentini
Bajoie	Fields	Malone
Barham	Guidry	Robichaux
Bean	Heitmeier	Romero
Branch	Hollis	Schedler
Cain	Irons	Short
Campbell	Johnson	Siracusa
Cox	Jones	Smith
Dardenne	Jordan	Theunissen

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Dean	Lambert	Ullo
Total—33		
	NAYS	
Total—0		
	ABSENT	
Casanova	Greene	Hines
Cravins	Hainkel	Tarver
Total—6		

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

SENATE BILL NO. 1134—
BY SENATOR CAMPBELL

AN ACT

To enact R.S. 31:212.33 relative to the mineral code; to provide for payment of royalties; to provide for penalties; to provide for effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1134 by Senator Campbell

AMENDMENT NO. 1

On page 2, line 11, following "required in" and before ", the" change "Subsection B of this Section" to "Paragraph B of this Article"

On motion of Senator Bagneris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

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

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

SENATE BILL NO. 1223—
BY SENATOR EWING

AN ACT

To amend and reenact R.S. 33:9102(B) and to enact R.S. 33:9131.2, relative to communications districts; to provide for the Ouachita Parish Communications District to engage in other communication enhancements which will improve the effectiveness of safety services; to allow the Ouachita Parish Communications District to levy emergency telephone service charges on cellular or other nonfixed locations of wireless telephone service users; to provide for the billing of emergency telephone service charges; to provide that good faith compliance by the service supplier shall be a complete defense to legal action resulting from the supplier's list of uncollected payments; to provide for payment, remittance, record keeping, and the administrative fee for such charges between the service supplier and the district governing authority; and to provide for related matters.

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

SENATE BILL NO. 1367—
BY SENATORS BAGNERIS AND JOHNSON

AN ACT

To amend and reenact Section 8.1(B)(introductory paragraph), (C), and (D) of Act No. 170 of the 1968 Regular Session, as enacted by Act No. 155 of the 1984 Regular Session and amended by Act No. 135 of the 1994 Third Extraordinary Session and Act No. 375 of the 1995 Regular Session, relative to the New Orleans Redevelopment Authority; to provide relative to the identification of property which is blighted and subject to acquisition by the authority; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Dyess	Lentini
Bagneris	Ellington	Malone
Bajoie	Fields	Robichaux
Barham	Greene	Romero
Bean	Guidry	Schedler
Branch	Heitmeier	Short
Cain	Hollis	Siracusa
Campbell	Johnson	Smith
Casanova	Jones	Theunissen
Cox	Jordan	Ullo
Dardenne	Lambert	
Dean	Landry	
Total—34		
	NAYS	
Hainkel		
Total—1		
	ABSENT	
Cravins	Irons	
Hines	Tarver	
Total—4		

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

SENATE BILL NO. 1399—
BY SENATOR CAMPBELL

AN ACT

To enact R.S. 8:114, relative to publicly owned cemeteries; and to provide that certain funds be used only for expenses of the cemeteries; to require a local referendum for contrary use of such funds; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1399 by Senator Campbell

AMENDMENT NO. 1

On page 1, line 12, before "for" change "only be used by a municipality" to "be used by a municipality only"

On motion of Senator Bagneris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Jordan
Bagneris	Ellington	Lambert
Bajoie	Fields	Landry
Barham	Greene	Lentini
Bean	Guidry	Malone
Branch	Hainkel	Robichaux
Cain	Heitmeier	Romero
Campbell	Hollis	Short
Casanova	Irons	Smith
Cox	Johnson	Theunissen
Dardenne	Jones	Ullo
Total—33		

NAYS

Total—0

ABSENT

Cravins	Hines	Siracusa
Dean	Schedler	Tarver
Total—6		

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

SENATE BILL NO. 1457 (Substitute for SB No. 349 by Senator Greene)—

BY SENATOR GREENE

AN ACT

To enact Part B of Chapter 13-B of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:999.21 through 999.25, and to designate R.S. 49:991 through 999 as Part A of Chapter 13-B of Title 49 of the Louisiana Revised Statutes of 1950, relative to the suspension and ultimate revocation of certain licenses and permits; to authorize suspension and revocation of state licenses or permits under certain circumstances; and to provide for related matters.

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

of the bill.

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	Short
Cain	Heitmeier	Siracusa
Campbell	Hollis	Smith
Casanova	Irons	Theunissen
Cox	Johnson	Ullo
Dardenne	Jones	
Dean	Lambert	
Total—34		

NAYS

Total—0

ABSENT

Cravins	Jordan	Tarver
Hines	Schedler	
Total—5		

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

Personal Privilege

Senator Jordan 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. 1457. He had intended to vote yea on the bill. He asked that the Official Journal so state.

SENATE BILL NO. 201—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:1455, relative to the Assessors' Retirement Fund; to provide for restoration of service credit upon repayment of withdrawn accumulated contributions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

source of revenue for the fund; to provide for the avails of the tax collected in the town of Grand Isle to be utilized solely for tourism development purposes; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fields Lentini
Bagneris Greene Malone
Bajoie Guidry Robichaux
Barham Hainkel Romero
Bean Heitmeier Schedler
Branch Hollis Short
Cain Irons Siracusa
Campbell Johnson Smith
Cox Jones Theunissen
Dardenne Jordan Ullo
Dean Lambert
Ellington Landry
Total—34

NAYS

Total—0

ABSENT

Casanova Dyess Tarver
Cravins Hines
Total—5

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

SENATE BILL NO. 424—

BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:1938(L), relative to the Parochial Employees' Retirement System; to provide for repayment of funds withdrawn from the applicable Deferred Retirement Option Plan Fund upon reemployment within certain time periods; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Lentini
Bagneris Fields Malone
Bajoie Greene Robichaux
Barham Guidry Romero
Bean Hainkel Schedler
Branch Heitmeier Short
Cain Hollis Siracusa
Casanova Johnson Smith
Cox Jones Theunissen
Dardenne Jordan Ullo
Dean Lambert
Dyess Landry
Total—34

NAYS

Total—0

ABSENT

Campbell Hines Tarver
Cravins Irons
Total—5

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

SENATE BILL NO. 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; to provide for qualifications; to provide for fees; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fields Lentini
Bagneris Greene Malone
Bajoie Guidry Robichaux
Barham Heitmeier Romero
Bean Hollis Schedler
Cain Irons Short
Casanova Johnson Siracusa
Cox Jones Smith
Dardenne Jordan Theunissen
Dyess Lambert Ullo
Ellington Landry
Total—32

NAYS

Branch Dean Hainkel
Total—3

ABSENT

Campbell Hines Tarver
Cravins
Total—4

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

SENATE BILL NO. 779—

BY SENATOR SIRACUSA

AN ACT

To amend and reenact R.S. 11:1938(A), relative to the Parochial Employees' Retirement System; to remove the one-year waiting period prior to entering the Deferred Retirement Option Plan; and to provide for related matters.

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

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ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Bagneris	Fields	Lentini
Bajoie	Greene	Malone
Barham	Guidry	Robichaux
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hollis	Short
Campbell	Irons	Siracusa
Casanova	Johnson	Smith
Cox	Jones	Theunissen
Dardenne	Jordan	Ullo
Dyess	Lambert	
Total—35		

NAYS

Dean
Total—1

ABSENT

Cravins	Hines	Tarver
Total—3		

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

SENATE BILL NO. 864—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:1921(A)(3)(b) and to repeal R.S. 11:1925(G) and 1940, relative to the Parochial Employees' Retirement System; to repeal provisions authorizing the purchase of service by members of school boards, certain elected parish officials, and certain persons employed by a community action agency; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bagneris	Ellington	Landry
Bajoie	Fields	Lentini
Barham	Greene	Malone
Bean	Guidry	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hollis	Short
Casanova	Irons	Siracusa
Cox	Johnson	Smith
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cravins	Hines	Tarver
Total—3		

The Chair declared the 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.

SENATE BILL NO. 944—
BY SENATOR EWING

AN ACT

To amend and reenact R.S. 33:4574.1-A(6)(c) and R.S. 47:302.7(B), relative to usage of tax proceeds; to authorize the use of occupancy taxes and funds of the Monroe-West Monroe Convention and Visitors Bureau for economic development and other purposes; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bagneris	Ellington	Landry
Bajoie	Fields	Lentini
Barham	Greene	Malone
Bean	Guidry	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hollis	Short
Casanova	Irons	Siracusa
Cox	Johnson	Smith
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cravins	Hines	Tarver
Total—3		

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

SENATE BILL NO. 1019—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:1141(A) and (B), relative to the Louisiana School Employees' Retirement System; to provide with respect to retirement benefits; to provide with respect to an effective date for retirement; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1019 by Senator Heitmeier

AMENDMENT NO. 1

On page 2, line 16, following "**retirement**" and before "**program**" insert "**option**"

On motion of Senator Bagneris, the amendments were adopted.

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

of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Bagneris	Fields	Malone
Bajoie	Greene	Robichaux
Barham	Guidry	Romero
Bean	Hainkel	Schedler
Branch	Heitmeier	Short
Cain	Hollis	Siracusa
Casanova	Johnson	Smith
Cox	Jones	Theunissen
Dardenne	Jordan	Ullo
Dean	Lambert	
Dyess	Landry	
Total—34		

NAYS

Total—0

ABSENT

Campbell	Hines	Tarver
Cravins	Irons	
Total—5		

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

SENATE BILL NO. 1142—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:1410(A)(2) and (3) and to enact R.S. 11:233(A)(4) and (D), 1402(8), 1404, 1444, 1457, and 1484, relative to the Assessors' Retirement Fund, to provide for qualified plan status under Internal Revenue Code Section 415; to provide for earnable compensation applicable to certain qualified plans; to provide for annual compensation limits; to define "actuarial equivalent"; to provide relative to amendment of provisions governing the fund; to delete age restrictions on membership; to provide for limitation on payment of benefits; to provide for computation of retirement benefits; to prohibit the reversion of funds; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1142 by Senator Heitmeier

AMENDMENT NO. 1

On page 8, between lines 17 and 18, insert "U.S.C. §4022."

AMENDMENT NO. 2

On page 8, at the beginning of line 18, delete "U.S.C. §4022 (6)(a)." and insert "(6)(a)"

AMENDMENT NO. 3

On page 10, line 15, after "joint" delete "life"

On motion of Senator Bagneris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bagneris	Ellington	Landry
Bajoie	Fields	Lentini
Barham	Greene	Malone
Bean	Guidry	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hollis	Short
Casanova	Irons	Siracusa
Cox	Johnson	Smith
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cravins	Hines	Tarver
Total—3		

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

SENATE BILL NO. 1169—

BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To enact R.S. 46:236.10, relative to child support enforcement services; to establish an employer reporting program for new hires; to provide for penalties; to provide for a state directory of new hires; to authorize receipt of such information; to provide for reporting to the national directory of new hires; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1169 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 14, following "of" and before "who" change "obligers" to "obligors"

AMENDMENT NO. 2

On page 2, line 2, before "is" change "obligers" to "obligors"

On motion of Senator Bagneris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

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YEAS

Mr. President	Dyess	Lambert
Bagneris	Ellington	Landry
Bajoie	Fields	Lentini
Barham	Greene	Malone
Bean	Guidry	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hollis	Short
Casanova	Irons	Siracusa
Cox	Johnson	Smith
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cravins	Hines	Tarver
Total—3		

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

SENATE BILL NO. 1410—
BY SENATOR DARDENNE

AN ACT

To authorize and empower the Baton Rouge Community College to impose certain fees; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bagneris	Ellington	Landry
Bajoie	Fields	Lentini
Barham	Greene	Robichaux
Bean	Guidry	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hollis	Siracusa
Casanova	Irons	Smith
Cox	Johnson	Theunissen
Dardenne	Jones	Ullo
Dean	Jordan	
Total—35		

NAYS

Total—0

ABSENT

Cravins	Malone
Hines	Tarver
Total—4	

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

SENATE BILL NO. 242—
BY SENATOR LENTINI

AN ACT

To enact Code of Civil Procedure Art. 5183(A)(3), relative to affidavits of poverty; to authorize the clerk of court's office to make recommendations to the court as to indigent status; to provide other factors for the courts consideration; 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 to Engrossed Senate Bill No. 242 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 3, change "authorize" to "require" and on line 4, after "status" insert "if required by local court rule"

AMENDMENT NO. 2

On page 1, delete line 16, and insert "A recommendation"

AMENDMENT NO. 3

On page 2, line 3, change the period "." to ", if required by local rule of the court."

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	Dyess	Landry
Bagneris	Fields	Lentini
Bajoie	Greene	Malone
Barham	Guidry	Robichaux
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hollis	Short
Campbell	Irons	Siracusa
Casanova	Johnson	Smith
Cox	Jones	Ullo
Dardenne	Jordan	
Dean	Lambert	
Total—34		

NAYS

Total—0

ABSENT

Cravins	Hines	Theunissen
Ellington	Tarver	
Total—5		

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. 536—
 BY SENATORS DARDENNE, HAINKEL AND EWING
 AN ACT

To amend and reenact R.S. 27:11(B)(3)(c) and (e), relative to the Louisiana Gaming Control Board; to change educational requirements of some board members; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Bajoie	Fields	Lentini
Barham	Greene	Malone
Bean	Guidry	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hollis	Short
Casanova	Irons	Siracusa
Cox	Johnson	Smith
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Dyess	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Bagneris	Hines
Cravins	Tarver
Total—4	

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

SENATE BILL NO. 683—
 BY SENATOR LANDRY (On Recommendation of the Louisiana State Law Institute)

AN ACT

To amend and reenact Code of Criminal Procedure Articles 591 and 775 and to repeal Article 595, relative to criminal trial proceedings; to provide relative to the granting of a mistrial and the definition of double jeopardy; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 683 by Senator Landry

AMENDMENT NO. 1
 On page 2, between lines 1 and 2, insert three asterisks "****"

On motion of Senator Bagneris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Landry
Bagneris	Ellington	Lentini
Bajoie	Fields	Robichaux
Barham	Greene	Romero
Bean	Guidry	Schedler
Branch	Hainkel	Short
Cain	Heitmeier	Siracusa
Campbell	Hollis	Smith
Casanova	Irons	Theunissen
Cox	Johnson	Ullo
Dardenne	Jones	
Dean	Lambert	
Total—34		

NAYS

Jordan	Malone
Total—2	

ABSENT

Cravins	Hines	Tarver
Total—3		

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

SENATE BILL NO. 684—
 BY SENATOR LANDRY (On Recommendation of the Louisiana State Law Institute)

AN ACT

To amend and reenact Code of Criminal Procedure Articles 679 and 684, relative to the recusal of judges; to provide for procedures for recusal of appellate judges; to provide for appointment of judges sitting in place of recused judges or justices; to provide for review of recusal ruling; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Landry
Bagneris	Ellington	Lentini
Bajoie	Fields	Malone
Barham	Greene	Robichaux
Bean	Guidry	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hollis	Siracusa
Casanova	Irons	Smith
Cox	Johnson	Theunissen
Dardenne	Jordan	Ullo
Dean	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Cravins	Jones
Hines	Tarver

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Total—4

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

SENATE BILL NO. 686—

BY SENATOR LANDRY (On Recommendation of the Louisiana State Law Institute)

AN ACT

To enact Code of Criminal Procedure Art. 517, relative to joint representation of co-defendants; to require the court to advise co-defendants of their right to separate trials; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dyess Lentini
Bagneris Ellington Malone
Bajoie Fields Robichaux
Barham Greene Romero
Bean Guidry Schedler
Branch Heitmeier Short
Cain Hollis Siracusa
Campbell Irons Smith
Casanova Johnson Theunissen
Cox Jones Ullo
Dardenne Lambert
Dean Landry
Total—34

NAYS

Jordan
Total—1

ABSENT

Cravins Hines
Hainkel Tarver
Total—4

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

SENATE BILL NO. 751—

BY SENATORS GUIDRY AND DEAN

AN ACT

To enact Chapter 4 of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2800.70 through 2800.83, and Civil Code Art. 2315.8, relative to liability for certain damages; to provide for the "Drug Dealer Liability Act"; to provide for definitions; to provide for civil liability; to provide for recovery of damages; to provide for limited recovery of damages; to provide for third party suits; to provide for the targeting of an illegal drug market; to provide for joinder of parties; to provide for comparative fault; to provide for contribution among and recovery from multiple defendants; to provide for a standard of proof; to provide for prejudgment attachment and execution of judgments; to provide for prescription; to provide for a stay of action; to provide for exemplary damages; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 751 by Senator Guidry

AMENDMENT NO. 1

On page 1, line 2 and page 1, line 15 following "4 of" and before "Title 9" insert "Code Title V of Code Book III of"

On motion of Senator Bagneris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dyess Lambert
Bagneris Ellington Landry
Bajoie Fields Lentini
Barham Greene Malone
Bean Guidry Robichaux
Branch Hainkel Romero
Cain Heitmeier Schedler
Campbell Hollis Short
Casanova Irons Siracusa
Cox Johnson Smith
Dardenne Jones Theunissen
Dean Jordan Ullo
Total—36

NAYS

Total—0

ABSENT

Cravins Hines Tarver
Total—3

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

SENATE BILL NO. 753—

BY SENATOR SIRACUSA

AN ACT

To amend and reenact R.S. 33:4861.26(E) and (F), relative to the Charitable Raffles, Bingo and Keno Licensing Law; to provide for a second progressive bingo game; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie Guidry Lentini
Bean Hainkel Malone
Branch Heitmeier Robichaux
Cain Hollis Romero
Campbell Irons Schedler
Cox Johnson Theunissen
Dardenne Jones Ullo
Ellington Lambert
Fields Landry

Total—25

NAYS		
Mr. President	Dean	Jordan
Barham	Dyess	Short
Casanova	Greene	Smith
Total—9		
ABSENT		
Bagneris	Hines	Tarver
Cravins	Siracusa	
Total—5		

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

SENATE BILL NO. 812—
BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To amend and reenact R.S. 15:587(A)(1)(a) and R.S. 46:236.1(D)(1)(a), relative to use of criminal history records and certain motor vehicle and law enforcement systems in connection with support enforcement; to provide with respect to access to such records and systems and use thereof by the Department of Social Services; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Dyess	Landry
Bagneris	Ellington	Lentini
Bajoie	Fields	Malone
Barham	Greene	Robichaux
Bean	Guidry	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hollis	Siracusa
Casanova	Irons	Smith
Cox	Johnson	Theunissen
Dardenne	Jordan	Ullo
Dean	Lambert	
Total—35		
NAYS		
Total—0		
ABSENT		
Cravins	Jones	
Hines	Tarver	
Total—4		

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

SENATE BILL NO. 866—
BY SENATOR CAIN
AN ACT

To enact R.S. 9:2800.11, relative to liability of dealers of liquefied petroleum gas; to provide for limitations of liability of dealers of such gas; to provide for limitations of liability on such dealers for damages relative to unauthorized alterations of liquefied petroleum gas works; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 866 by Senator Cain

AMENDMENT NO. 1

On page 1, line 11, before "Dealers" insert "A." and on page 2, line 3, before "This" insert "B."

On motion of Senator Bagneris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

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

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

SENATE BILL NO. 867—
BY SENATOR CAIN
AN ACT

To amend and reenact R.S. 33:1236(31) and R.S. 30:2057(B), relative to governmental regulation; to allow property owners in certain parishes to burn yard waste under certain conditions; to exclude such burn activities from the provisions of the Louisiana Air Control Law; and to provide for related matters.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Engrossed Senate Bill No. 867 by Senator Cain

AMENDMENT NO. 1

On page 2, line 10, delete "sixty-five" and insert "ninety"

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AMENDMENT NO. 2

On page 3, line 11, delete "sixty-five" and insert "ninety"

On motion of Senator Cain, the amendments were adopted.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert to Engrossed Senate Bill No. 867 by Senator Cain

AMENDMENT NO. 1

On page 3, after line 15, insert "(6) To the parishes of St. James, St. John the Baptist, and St. Charles."

On motion of Senator Landry, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dyess Lambert
Bajoie Ellington Lentini
Barham Fields Malone
Bean Greene Robichaux
Branch Guidry Romero
Cain Hainkel Schedler
Casanova Heitmeier Short
Cox Hollis Siracusa
Dardenne Johnson Smith
Dean Jones Theunissen
Total—30

NAYS

Bagneris Jordan Ullo
Irons Landry
Total—5

ABSENT

Campbell Hines
Cravins Tarver
Total—4

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

SENATE BILL NO. 883— BY SENATOR LANDRY

AN ACT

To amend and reenact Children's Code Art. 424(B)(1) and R.S. 15:587.1(A) and (D), relative to the access of information and court-appointed special advocates; to provide for the fingerprinting of court-appointed special advocates; to provide for a fee waiver for criminal history checks for juvenile court judges; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dyess Lambert
Bagneris Ellington Landry
Bajoie Fields Lentini
Barham Greene Malone
Bean Guidry Robichaux
Branch Hainkel Romero
Cain Heitmeier Schedler
Campbell Hollis Short
Casanova Irons Siracusa
Cox Johnson Smith
Dardenne Jones Theunissen
Dean Jordan Ullo
Total—36

NAYS

Total—0

ABSENT

Cravins Hines Tarver
Total—3

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

SENATE BILL NO. 884— BY SENATOR LANDRY

AN ACT

To amend and reenact Civil Code Article 2321, relative to civil liability for damage caused by an animal; to provide for elements of proof; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dean Lambert
Bagneris Dyess Landry
Bajoie Fields Malone
Barham Greene Robichaux
Bean Guidry Romero
Branch Hainkel Schedler
Cain Heitmeier Short
Campbell Hollis Siracusa
Casanova Irons Smith
Cox Johnson Theunissen
Dardenne Jones
Total—32

NAYS

Ellington Lentini
Jordan Ullo
Total—4

ABSENT

Cravins Hines Tarver
Total—3

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

was passed and laid the motion on the table.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Malone
Barham	Greene	Robichaux
Bean	Guidry	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hollis	Siracusa
Casanova	Johnson	Smith
Cox	Jordan	Theunissen
Dardenne	Lambert	Ullo
Dean	Landry	
Dyess	Lentini	
Total—31		

NAYS

Total—0

ABSENT

Bagneris	Fields	Jones
Bajoie	Hines	Tarver
Cravins	Irons	
Total—8		

The Chair declared the 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.

SENATE BILL NO. 1243—
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact Code of Criminal Procedure Art. 893(D)(1), relative to suspension and deferral of sentence and probation in felony cases; to provide that courts shall not defer a sentence for an attempt of a crime of violence; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Bajoie	Greene	Malone
Barham	Guidry	Robichaux
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hollis	Short
Campbell	Irons	Siracusa
Casanova	Johnson	Smith
Cox	Jones	Theunissen
Dardenne	Jordan	Ullo
Dean	Lambert	
Ellington	Landry	
Total—34		

NAYS

Bagneris
Total—1

ABSENT

Cravins	Hines
Dyess	Tarver
Total—4	

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

SENATE BILL NO. 1244—
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact Code of Criminal Procedure Art. 893(A), relative to suspension and deferral of sentence and probation in felony cases; to provide that attempted crimes of violence be considered in deferral of sentence and probation in felony cases; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Bagneris
Total—1

ABSENT

Cravins	Jordan	Tarver
Guidry	Robichaux	
Hines	Short	
Total—7		

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

SENATE BILL NO. 1273—
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact Code of Criminal Procedure Art. 890.1, relative to sentencing; to provide with respect to sentences imposed on crimes of violence; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

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YEAS

Mr. President	Dean	Lambert
Bagneris	Dyess	Landry
Bajoie	Ellington	Lentini
Barham	Fields	Malone
Bean	Greene	Romero
Branch	Guidry	Schedler
Cain	Hainkel	Smith
Campbell	Heitmeier	Siracusa
Casanova	Hollis	Theunissen
Cox	Irons	Ullo
Dardenne	Johnson	
Total—32		

NAYS

Total—0

ABSENT

Cravins	Jordan	Tarver
Hines	Robichaux	
Jones	Short	
Total—7		

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

SENATE BILL NO. 1442—
BY SENATOR SIRACUSA

AN ACT

To enact R.S. 33:4861.28, relative to charitable gaming; to exempt certain fund raising activities conducted by a candidate for public office from certain state gaming laws; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Jones
Bagneris	Guidry	Lambert
Bajoie	Hainkel	Malone
Bean	Heitmeier	Romero
Cox	Hollis	Theunissen
Dardenne	Irons	Ullo
Ellington	Johnson	
Total—20		

NAYS

Barham	Dyess	Robichaux
Branch	Greene	Schedler
Cain	Jordan	Short
Campbell	Landry	Smith
Dean	Lentini	
Total—14		

ABSENT

Casanova	Hines	Tarver
Cravins	Siracusa	
Total—5		

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

House Bills and Joint Resolutions on
Third Reading
and Final Passage

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

HOUSE BILL NO. 684—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 56:303.2 and 305.2(A) and (B) and to enact R.S. 56:305.2(D), relative to fishing; to provide relative to licensing requirements of commercial fishing for menhaden and other herring-like fish; to provide that the commercial gear license and vessel license for such fishing may be issued to any person, association, partnership, corporation, or other entity recognized by law; to provide definitions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bagneris	Ellington	Landry
Bajoie	Fields	Lentini
Barham	Greene	Malone
Bean	Guidry	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hollis	Short
Casanova	Irons	Siracusa
Cox	Johnson	Smith
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Cravins	Hines	Tarver
Total—3		

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

Rules Suspended

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

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. 84—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To express the condolences of the Louisiana Legislature upon the death of Dorothy La Faye Howell.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Bagneris	Fields	Lentini
Bajoie	Greene	Malone
Barham	Guidry	Robichaux
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hollis	Short
Casanova	Irons	Siracusa
Cox	Johnson	Smith
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Dyess	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Campbell	Hines
Cravins	Tarver
Total—4	

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

**ADOPTION OF
CONFERENCE COMMITTEE REPORT**

April 24, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has adopted the Report of the Conference Committee on the disagreement to House Bill No. 491:

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

**CONFERENCE COMMITTEE REPORT
House Bill No. 491 By Representative Forster, et al.**

April 24, 1997

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 491 by Representative Forster, et al., recommend the following concerning the reengrossed bill:

1. That Senate Committee Amendments proposed by the Senate Committee on Labor and Industrial Relations and adopted by the Senate on April 17, 1997, be adopted.
2. That Senate Floor Amendments proposed by Senator Ellington and adopted by the Senate on April 22, 1997, be adopted.
3. That Senate Floor Amendments proposed by Senator Landry and adopted by the Senate on April 22, 1997, be rejected.
4. That Senate Floor Amendments proposed by Senators Landry and Cravins and adopted by the Senate on April 22, 1997, be rejected.
5. That the following amendment to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 32, line 4, after "employed" and before "in such agency" insert "in unclassified positions"

Respectfully submitted,

Representatives:
Garey Forster
Charles W. DeWitt, Jr.
F. Charles McMains, Jr.

Senators:
Noble E. Ellington
Robert J. Barham
Ron Landry

Rules Suspended

Senator Ellington asked for and obtained a suspension of the rules for the purpose of considering the Conference Committee Report. On motion of Senator Ellington, a vote was taken on the adoption of the report.

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	Hollis	Siracusa
Casanova	Irons	Smith
Cox	Johnson	Theunissen
Dardenne	Jones	Ullo
Dean	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Cravins	Jordan
Hines	Tarver
Total—4	

The Chair declared the Conference Committee Report was

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adopted. Senator Ellington moved to reconsider the vote by which the report was adopted and laid the motion on the table.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON NATURAL RESOURCES

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

April 24, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 270— BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 56:497(A)(2), relative to the saltwater shrimp season; to provide for an experimental two year brown shrimp season in Zone 2; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 535—

BY SENATORS HAINKEL, DARDENNE, EWING AND ROMERO AN ACT

To amend and reenact R.S. 56:103(E) and 301.1(B) and to enact R.S. 56:8(60.1), relative to definitions; to provide for a definition of license number and effective license number; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 553—

BY SENATORS HAINKEL, DARDENNE, EWING AND ROMERO AN ACT

To amend and reenact R.S. 30:2480(C)(1), (4)(a), and (5), and 2484(1), (5), (7), and (10), relative to the office of the oil spill coordinator; to provide for extension of deadlines with respect to natural resource damage assessment; to provide with respect to appropriations from the fund; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 635—

BY SENATORS HAINKEL, DARDENNE, EWING AND ROMERO AN ACT

To enact R.S. 30:136.3, relative to the Department of Natural Resources; to provide relative to the office of mineral resources; to create the Audit and Collection Fund in the state treasury; to provide relative to the monies in such fund; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 703—

BY SENATOR MALONE AN ACT

To require the commissioner of conservation to hold monthly public hearings in Shreveport; to provide relative to funding; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 711— BY SENATOR ROBICHAUX

AN ACT

To amend and reenact R.S. 56:6(25)(a), 317(A), 326.1, and 326.3, relative to fisheries; to exclude the incidental by-catch in the commercial taking of shrimp from the imposition of certain limitations or restrictions as to seasons, daily take and possession limits; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 1107— BY SENATOR ROBICHAUX

AN ACT

To amend and reenact R.S. 56:305.6 and to enact R.S. 56:305.7, relative to blue crab trap licenses; to provide for a limitation on the issuance of blue crab trap licenses; to provide a lottery system for the application of new blue crab trap licenses; to provide for a Blue Crab Gear License Limitation Review Panel; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1108— BY SENATOR ROBICHAUX

AN ACT

To amend and reenact R.S. 56:499(B)(2), relative to shrimping; to provide for net mesh size for the taking of certain saltwater shrimp; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1152— BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 56:700.12 (Introductory Paragraph) and (A)(3), relative to oyster leases; to provide for settlement of certain claims; to provide for arbitration; and to provide for related matters.

Reported favorably.

Respectfully submitted, CRAIG F. ROMERO Chairman

REPORT OF COMMITTEE ON LOCAL AND MUNICIPAL AFFAIRS

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

April 24, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 1058— 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 favorably.

SENATE BILL NO. 1196—
BY SENATOR BAGNERIS

AN ACT

To amend and reenact R.S. 13:2576(H)(2)(g), relative to the sale of property by a municipality pursuant to an order of seizure and possession; to require a municipality with a population in excess of four hundred fifty thousand that sells property pursuant to an order of seizure and possession to follow the procedures governing judicial sales of immovable property; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1289—
BY SENATORS HAINKEL, DARDENNE AND EWING

AN ACT

To enact R.S. 40:600.25, relative to the Louisiana Housing Finance Agency; to provide for certain fees; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1393—
BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 33:4548.1, 4548.2, 4548.3(A), (B), (C), (F), and (H), 4548.4(A), 4548.5(A) (5), (8), and (14), 4548.6(A) and (J), 4548.13, and 4548.14, and to enact R.S. 33:4548.4(F), 4548.5(A)(16), (17), (18), and (19), and 4548.6(K) and (L), relative to the Louisiana Local Government Authorized Project and Community Development Authority, to authorize the financing of infrastructure and economic development projects by political subdivisions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1462—
BY SENATOR JOHNSON

AN ACT

To enact Chapter 18-A of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2425 through 2428, relative to public health and safety; to create a special fund in the state treasury; to provide with respect to supplemental pay for certain police officers; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 100—
BY REPRESENTATIVES FONTENOT AND POWELL

AN ACT

To enact R.S. 33:2721.10, relative to Livingston Parish; to authorize the governing authority of Livingston Parish to levy and collect an additional sales and use tax with voter approval; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DIANA E. BAJOIE
Chairwoman

REPORT OF COMMITTEE ON

LABOR AND INDUSTRIAL RELATIONS

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

April 24, 1997

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. 131—
BY SENATOR COX

AN ACT

To amend and reenact R.S. 23:1201.3(A), relative to the payment of worker's compensation benefits; to provide that judicial interest on a hearing officer's award shall run from the date the worker's compensation payment was due; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 400—
BY SENATOR COX

AN ACT

To amend and reenact R.S. 23:1225(C)(1)(c), relative to worker's compensation; to provide with respect to disability benefits; to remove the offset for Social Security disability benefits; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1127—
BY SENATOR ELLINGTON AND REPRESENTATIVE FORSTER

AN ACT

To amend and reenact R.S. 23:1310.3(C) and (E), relative to workers' compensation; to provide with respect to claim resolution; to provide for the initiation of claims; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1290—
BY SENATORS DARDENNE, HAINKEL, EWING AND ELLINGTON

AN ACT

To amend and reenact R.S. 23:1127 and Code of Civil Procedure Art. 1465.1(A), relative to workers' compensation; to provide with respect to the release of medical records and information on the injured worker; to provide for the verbal release of medical information; to provide immunity for disclosure of such medical information; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

REPORT OF COMMITTEE ON

EDUCATION

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

April 24, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 341—
BY SENATOR GREENE

AN ACT

To amend and reenact Chapter 42 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3971 through 3973, 3981 through 3983, 3985, 3991 and 3992, 3995 through 3999, and 4001, and R.S. 39:75(C)(1)(b) and to enact R.S. 36:651(D)(8), relative to the Charter School Law; to provide relative to the purpose and definitions applicable to charter schools

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and their establishment; to create and provide relative to the Louisiana School Chartering Authority; to provide relative to eligibility to propose a charter; to provide relative to the approvals necessary to enter into a charter and other elements of the school chartering process; to provide relative to the contents, renewal, and revocation of a charter; to provide relative to the requirements, authorities, and limitations of a charter school; to provide relative to the funding of a charter school; to provide relative to the applicability of laws and rules to such schools; to provide relative to charter school employees; to provide relative to the Louisiana Charter School Loan Fund; to authorize every city and parish school board to grant charters; to eliminate the pilot nature of the authority to operate charter schools; to revise the limitations on the number of charters which may be granted; to provide relative to executive organization; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 510—
BY SENATOR COX

AN ACT

To amend and reenact R.S. 17:7.4(A) and (E)(1), relative to tuition exemption for certain paraprofessionals; to include clerical and other office personnel among those eligible to participate in the tuition exemption program; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 881—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 17:3977(B)(3), and to enact R.S. 17:3977(E), relative to the charter schools demonstration program; to require compliance by charter schools with the public bid law; to provide that charter schools be subject to certain audits; and to provide for related matters.

Reported favorably.

Respectfully submitted,
THOMAS A. GREENE
Chairman

REPORT OF COMMITTEE ON

TRANSPORTATION, HIGHWAYS, AND
PUBLIC WORKS

Senator Landry, Chairman on behalf of the Committee on Transportation, Highways, and Public Works, submitted the following report:

April 24, 1997

To the President and Members of the Senate:

I am directed by your Committee on Transportation, Highways, and Public Works to submit the following report:

SENATE CONCURRENT RESOLUTION NO. 67—
BY SENATOR LANDRY

A CONCURRENT RESOLUTION

To direct the office of aviation in the Department of Transportation and Development to develop rules and regulations for the selection of projects to be included in the airport priority program.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 72—
BY SENATOR IRONS

A CONCURRENT RESOLUTION

To direct the Department of Transportation and Development to directly involve the members of the Joint Committee on Prioritization of Highway Projects in the final selection of projects included in the highway priority program.

Reported favorably.

SENATE BILL NO. 33—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 48:945 and to enact R.S. 47:820.5(D), relative to tolls on bridges; to provide relative to assessing tolls on bridges; to classify certain motorcycles as two axle vehicles; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 53—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 32:385(A)(2), relative to motor vehicles; to exempt vehicles transporting logging equipment from weight restrictions under certain conditions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 234—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 32:3 and to enact R.S. 32:2(D), Part VI-A of Chapter 1 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:390.1 through 390.4, and R.S. 36:409(O), 45:163(E), and 47:802.4, relative to motor carriers; to provide relative to issuance of permits and licenses; to create the Louisiana Truck Center; to place such center within the Department of Public Safety and Corrections; to determine required services of such center; to authorize participation of certain state agencies; to establish a coordinating authority; to determine responsibilities of such authority; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 353—
BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 34:1221(A) and 1222, relative to the Greater Baton Rouge Port Commission; to provide for decrease in membership of board of commissioners; to provide relative to terms of office; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 354—
BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 16:409(B) and to enact R.S. 38:305.1, relative to levee districts; to provide relative to the Atchafalaya Basin Levee District; to authorize the board of such district to employ an attorney; to remove limitations on such employment; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 391—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 47:820.4, 820.5(A), the introductory paragraph of 820.5(B) and 820.5(B)(1) and (2) and to repeal R.S. 47:820(B)(4), relative to bridges; to extend the tolls on certain bridges; to remove limitations on amount of toll proceeds

appropriated to the bridge authority; to provide for use of toll proceeds; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 675—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 38:2212(A)(1)(a), relative to public contracts; to increase bid limit for purchases of materials or supplies; to increase limit at which quotations for purchases must be requested; to require advertisement for such quotations; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 846—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 47:463.8(A)(1) and (B), relative to motor vehicles; to provide relative to antique license plates; to provide relative to plates for antique vehicles; to authorize the issuance of such plates to trucks; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 927—
BY SENATOR BRANCH

AN ACT

To enact R.S. 47:463.46, relative to license plates; to create a prestige plate to promote Louisiana public education; to provide for a fee; to create a special fund and to provide for the use of revenue from the plate; to purchase text books; to provide relative to the design of the plate; to authorize promulgation of rules; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1121—
BY SENATOR DYESS

AN ACT

To amend and reenact R.S. 45:162(5)(f) and 172(A)(4)(c), relative to motor carriers; to provide for removal of exemptions; to provide for effective dates; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1285—
BY SENATOR DARZENNE

AN ACT

To amend and reenact R.S. 47:463.3(A), 463.6(B)(3), 463.8(B), 463.9(B), 463.10, 463.12(B), 463.14(B), 463.15(C), 463.16(D), 463.23(B), 463.24(B), 463.28(C), 463.30(B), 463.32(E), 463.33(B), 463.37(B), and 463.42(B), relative to motor vehicles; to provide relative to certain prestige license plates; to repeal annual fee for such plates; to require one time fee for such plates; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1441—
BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 56:10(B)(7) and to enact R.S. 47:463.46, relative to motor vehicles; to establish the Louisiana Wild Turkey Federation license plate; to provide for a fee; to provide for the use of the revenues from the license plate; to provide relative to the Louisiana Wild Turkey Stamp Fund; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1464—
BY SENATOR LAMBERT

AN ACT

To enact Part IV of Chapter 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:1949 and 1950, relative to historic roads; to designate Old Perkins Road as an historic road; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1465—
BY SENATOR CAIN AND REPRESENTATIVES JOHN, SMITH AND ILES

AN ACT

To designate that portion of Louisiana Highway 171 within the town of Rosepine in Vernon Parish as the Johnny B. Hall Memorial Highway.

Reported favorably.

Respectfully submitted,
RON LANDRY
Chairman

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

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

SENATE BILL NO. 33—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 48:945 and to enact R.S. 47:820.5(D), relative to tolls on bridges; to provide relative to assessing tolls on bridges; to classify certain motorcycles as two axle vehicles; 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. 53—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 32:385(A)(2), relative to motor vehicles; to exempt vehicles transporting logging equipment from weight restrictions under certain conditions; 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. 53 by Senator Smith

AMENDMENT NO. 1

On page 1, line 2, after "To" change "amend and reenact" to "enact", after "32:" change "385(A)(2)" to "387.8", and at the end of the line, change "exempt" to "provide for issuance of special permits for"

AMENDMENT NO. 2

On page 1, line 4, after the semicolon ";" add "to provide for weight limits under the special permit;"

AMENDMENT NO. 3

On page 1, line 6, after "32:" change "385(A)(2)" to "387.8" and after

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"hereby" change "amended and reenacted" to "enacted"

AMENDMENT NO. 4

On page 1, delete lines 8 through 16 in their entirety and add in lieu thereof:

"§387.8. Special permit; vehicles transporting timber cutting or logging equipment

"A. Notwithstanding any other provision of law to the contrary, whenever a vehicle is being operated to transport two, but not more than two, pieces of timber cutting or logging equipment from one job site to another, the secretary shall issue an annual special overweight permit to the person who operates the vehicle. The permit shall be issued in accordance with the following provisions:

(1) The permit shall be issued at the truck permit office of the Department of Transportation and Development.

(2) The fee for the permit shall be one hundred dollars per permit per year.

(3) The permit shall authorize the operation of the truck, trailer and load thereon at a gross vehicle weight not to exceed one hundred and five thousand pounds.

B. The special permit shall not authorize the operation of the vehicle on the Interstate system of the state."

AMENDMENT NO. 5

On page 2, delete lines 1 through 6 in their entirety.

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. 131—
BY SENATOR COX

AN ACT

To amend and reenact R.S. 23:1201.3(A), relative to the payment of worker's compensation benefits; to provide that judicial interest on a hearing officer's award shall run from the date the worker's compensation payment was due; 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. 131 by Senator Cox

AMENDMENT NO. 1

On page 2, at the end of line 5, add "The interest rate shall be fixed at the rate in effect on the date the claim for benefits was filed with the office of workers compensation."

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

SENATE BILL NO. 234—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 32:3 and to enact R.S. 32:2(D), Part VI-A of Chapter 1 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:390.1 through 390.4, and R.S. 36:409(O), 45:163(E), and 47:802.4, relative to motor carriers; to provide relative to issuance of permits and licenses; to create the Louisiana Truck Center; to place such center within the

Department of Public Safety and Corrections; to determine required services of such center; to authorize participation of certain state agencies; to establish a coordinating authority; to determine responsibilities of such authority; 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. 234 by Senator Landry

AMENDMENT NO. 1

On page 3, at the end of line 10, delete the comma ","

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. 270—
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 56:497(A)(2), relative to the saltwater shrimp season; to provide for an experimental two year brown shrimp season in Zone 2; 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. 270 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 6, change "45" to "56"

AMENDMENT NO. 2

On page 1, line 12, after "shall" delete the remainder of the line and insert in lieu thereof "open no later than the third Monday in May"

AMENDMENT NO. 3

On page 1, line 13, delete "May 15"

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. 341—
BY SENATOR GREENE

AN ACT

To amend and reenact Chapter 42 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3971 through 3973, 3981 through 3983, 3985, 3991 and 3992, 3995 through 3999, and 4001, and R.S. 39:75(C)(1)(b) and to enact R.S. 36:651(D)(8), relative to the Charter School Law; to provide relative to the purpose and definitions applicable to charter schools and their establishment; to create and provide relative to the Louisiana School Chartering Authority; to provide relative to eligibility to propose a charter; to provide relative to the approvals necessary to enter into a charter and other elements of the school chartering process; to provide relative to the contents, renewal, and revocation of a charter; to provide relative to the requirements, authorities, and limitations of a charter school; to provide relative to the funding of a charter school; to provide relative to the applicability of laws and rules to such schools; to provide relative to charter school employees; to provide relative to the Louisiana Charter School Loan Fund; to authorize every city and parish

school board to grant charters; to eliminate the pilot nature of the authority to operate charter schools; to revise the limitations on the number of charters which may be granted; to provide relative to executive organization; 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. 341 by Senator Greene

AMENDMENT NO. 1

On page 19, line 19, change "(4)" to "(3)"

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

SENATE BILL NO. 353—
BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 34:1221(A) and 1222, relative to the Greater Baton Rouge Port Commission; to provide for decrease in membership of board of commissioners; to provide relative to terms of office; 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. 353 by Senator Greene

AMENDMENT NO. 1

On page 1, line 15, after "governor." delete "However, effective" and insert "(2) Notwithstanding the provisions of Paragraph (A)(1), beginning"

AMENDMENT NO. 2

On page 2, line 3, change "(1)" to "(a)"

AMENDMENT NO. 3

On page 2, line 7, change "(a)" to "(i)"

AMENDMENT NO. 4

On page 2, line 10, change "(b)" to "(ii)"

AMENDMENT NO. 5

On page 2, line 13, change "(2)" to "(b)"

AMENDMENT NO. 6

On page 2, line 17, change "(a)" to "(i)"

AMENDMENT NO. 7

On page 2, line 20, change "(b)" to "(ii)"

AMENDMENT NO. 8

On page 2, line 23, change "(c)" to "(iii)"

AMENDMENT NO. 9

On page 2, line 26, change "(3)" to "(c)"

AMENDMENT NO. 10

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

AMENDMENT NO. 11

On page 3, line 9, change "(5)" to "(e)"

AMENDMENT NO. 12

On page 3, line 19, change "(a)" to "(i)"

AMENDMENT NO. 13

On page 3, line 23, change "(b)" to "(ii)"

AMENDMENT NO. 14

On page 3, line 27, change "(2)" to "(3)"

AMENDMENT NO. 15

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

AMENDMENT NO. 16

On page 5, between lines 4 and 5, insert:

* * *

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. 354—
BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 16:409(B) and to enact R.S. 38:305.1, relative to levee districts; to provide relative to the Atchafalaya Basin Levee District; to authorize the board of such district to employ an attorney; to remove limitations on such employment; 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. 354 by Senator Greene

AMENDMENT NO. 1

On page 1, line 2, after "16:409" delete "(B)"

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. 391—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 47:820.4, 820.5(A), the introductory paragraph of 820.5(B) and 820.5(B)(1) and (2) and to repeal R.S. 47:820(B)(4), relative to bridges; to extend the tolls on certain bridges; to remove limitations on amount of toll proceeds appropriated to the bridge authority; to provide for use of toll proceeds; 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. 391 by Senator Landry

AMENDMENT NO. 1

On page 1, line 3, after "820" add ".5"

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.

April 24, 1997

SENATE BILL NO. 400—
BY SENATOR COX

AN ACT

To amend and reenact R.S. 23:1225(C)(1)(c), relative to worker's compensation; to provide with respect to disability benefits; to remove the offset for Social Security disability benefits; and to provide for related matters.

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

SENATE BILL NO. 510—
BY SENATOR COX

AN ACT

To amend and reenact R.S. 17:7.4(A) and (E)(1), relative to tuition exemption for certain paraprofessionals; to include clerical and other office personnel among those eligible to participate in the tuition exemption program; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title, ordered engrossed, and recommitted to the Committee on Finance.

SENATE BILL NO. 535—
BY SENATORS HAINKEL, DARDENNE, EWING AND ROMERO

AN ACT

To amend and reenact R.S. 56:103(E) and 301.1(B) and to enact R.S. 56:8(60.1), relative to definitions; to provide for a definition of license number and effective license number; 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. 535 by Senator Hainkel

AMENDMENT NO. 1

On page 2, line 1, between "which" and "currently" insert "**, together with a form of physical identification,**"

AMENDMENT NO. 2

On page 2, line 15, between "**number**" and "in" insert "**, together with a form of physical identification,**"

AMENDMENT NO. 3

On page 2, line 15, delete "exhibit them on" and insert in lieu thereof "**produce same upon**"

AMENDMENT NO. 4

On page 2, line 24, between "**number**" and "and" insert "**, together with a form of physical identification,**"

AMENDMENT NO. 5

On page 2, line 24, delete "show such license" and insert in lieu thereof "**produce same**"

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. 553—
BY SENATORS HAINKEL, DARDENNE, EWING AND ROMERO

AN ACT

To amend and reenact R.S. 30:2480(C)(1), (4)(a), and (5), and 2484(1), (5), (7), and (10), relative to the office of the oil spill coordinator; to provide for extension of deadlines with respect to natural resource damage assessment; to provide with respect to appropriations from the fund; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. The bill was read by title, ordered engrossed, and recommitted to the Committee on Finance.

SENATE BILL NO. 635—
BY SENATORS HAINKEL, DARDENNE, EWING AND ROMERO

AN ACT

To enact R.S. 30:136.3, relative to the Department of Natural Resources; to provide relative to the office of mineral resources; to create the Audit and Collection Fund in the state treasury; to provide relative to the monies in such fund; and to provide for related matters.

Reported favorably by the Committee on Natural Resources. The bill was read by title, ordered engrossed, and recommitted to the Committee on Finance.

SENATE BILL NO. 675—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 38:2212(A)(1)(a), relative to public contracts; to increase bid limit for purchases of materials or supplies; to increase limit at which quotations for purchases must be requested; to require advertisement for such quotations; 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. 703—
BY SENATOR MALONE

AN ACT

To require the commissioner of conservation to hold monthly public hearings in Shreveport; to provide relative to funding; 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. 711—
BY SENATOR ROBICHAUX

AN ACT

To amend and reenact R.S. 56:6(25)(a), 317(A), 326.1, and 326.3, relative to fisheries; to exclude the incidental by-catch in the commercial taking of shrimp from the imposition of certain limitations or restrictions as to seasons, daily take and possession limits; and to provide for related matters.

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

Regular Session, 1997
SENATE BILL NO. (Substitute for SB 711 by Senator Robichaux)
BY SENATOR ROBICHAUX

FISH/FISHING. Permits certain incidental by-catch in the commercial taking of shrimp from limits imposed as to daily take and possession limits.(Governor's signature)

AN ACT

To amend and reenact R.S. 56:491 and to enact R.S. 56:492, relative to trawling; to exclude the incidental by-catch of flounder in the commercial taking of shrimp from the imposition of limitations as to daily take and possession limits; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 56:491 is hereby amended and reenacted and R.S. 56:492 is hereby enacted to read as follows:
§491. Definitions

For the purposes of this Chapter, the following words and phrases shall have the meaning ascribed to them in this Section, unless the context clearly shows a different meaning:

(1) As used in this Title "salt water shrimp" includes all species of shrimp of commercial or economic value found in the coastal waters of the State and in the Gulf of Mexico contiguous to the Louisiana coast, including the white shrimp or "common salt water shrimp" (*Penaeus setiferus*), also called the "lake shrimp"; the brown shrimp (*Penaeus aztecus*); the pink shrimp (*Penaeus duorarum*); the "sea bob" (*Xiphopeneus kroyeri*), also called "six barbes"; the common river shrimp (*Macrobrachium ohione*); the Delta river shrimp (*Macrobrachium acanthurus*), and any other shrimp or shrimplike species which may be taken from coastal waters or sold through commercial channels.

(2) "Take", in its different tenses, includes the act of pursuing, netting, capturing, trapping, wounding, or killing by any means or device whatsoever; and includes any attempt to seine, trawl for, or catch salt water shrimp.

(3) "Possess" in its different tenses, includes the act of having in possession or control, keeping, detaining, restraining, or holding as owner, or as agent, bailee, or custodian of another; and whenever possession, sale, or purchase of shrimp is prohibited, reference is made equally to such shrimp coming from without the state as to that taken within the state.

(4) "Transport" in its different tenses, includes the act of shipping, attempting to ship, receiving or delivering for shipment, transporting, conveying, carrying, or exporting, by air, land, or water, or by any means whatsoever.

(5) "Processing" includes any method of preparing shrimp for the market, including drying, canning, packing, beheading, freezing but not the simple packing of fresh shrimp in ice during transportation.

(6) "Consumer" includes restaurants and other places where shrimp is prepared for consumption or otherwise utilized, and includes persons using shrimp for bait.

(7) The "length of seines, trawls, or other netting" is the full measure of the extended net as in use or in possession on the fishing grounds, when measured along the cork line between the points where the webbing is attached to the rope at either end, and does not include the additional rope used for pulling the net or attaching it to the arm-poles or trawl boards.

(8) The "size of the mesh" of netting means the full measure of the mesh as found in use or in possession on the fishing grounds, measuring the full "bar" stretched from the near side of one knot to the far side of the other.

R.S. 56:491(9) is all proposed new law.

(9) "Incidental by-catch" means those fish caught or trapped in a trawl, occurring by chance and without intention, as a consequence of the steps normally used to catch shrimp in commercial fishing operations.

§492. Incidental by-catch

R.S. 56:492 is all proposed new law.

The incidental by-catch caught by a licensed commercial fisherman on a licensed commercial fishing vessel using licensed gear shall not constitute a violation of this Chapter or any rule or regulation adopted by the department or the commission. However, no commercial shrimping vessel may retain more than one hundred pounds of southern flounder in its incidental by-catch per vessel per shrimping trip.

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

On motion of Senator Romero, the committee substitute bill was adopted and becomes Senate Bill No. 1467 by Senator Robichaux, substitute for Senate Bill No. 711 by Senator Robichaux.

SENATE BILL NO. 1467 (Substitute for SB 711 by Senator Robichaux)—

BY SENATOR ROBICHAUX
AN ACT

To amend and reenact R.S. 56:491 and to enact R.S. 56:492, relative to trawling; to exclude the incidental by-catch of flounder in the commercial taking of shrimp from the imposition of limitations as to daily take and possession limits; and to provide for related matters.

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

SENATE BILL NO. 846—

BY SENATOR SCHEDLER
AN ACT

To amend and reenact R.S. 47:463.8(A)(1) and (B), relative to motor vehicles; to provide relative to antique license plates; to provide relative to plates for antique vehicles; to authorize the issuance of such plates to trucks; and to provide for related matters.

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

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. 846 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 15, after "older", add " and which are not subject to Motor Carrier Safety Regulations"

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. 881—

BY SENATOR LANDRY
AN ACT

To amend and reenact R.S. 17:3977(B)(3), and to enact R.S. 17:3977(E), relative to the charter schools demonstration program; to require compliance by charter schools with the public bid law; to provide that charter schools be subject to certain audits; and to provide for related matters.

Reported favorably by the Committee on Education. The bill was read by title, ordered engrossed, and recommitted to the Committee on Finance.

SENATE BILL NO. 927—

BY SENATOR BRANCH
AN ACT

To enact R.S. 47:463.46, relative to license plates; to create a prestige plate to promote Louisiana public education; to provide for a fee; to create a special fund and to provide for the use of revenue from the plate; to purchase text books; to provide relative to the design of the plate; to authorize promulgation of rules; 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. 927 by Senator Branch

AMENDMENT NO. 1

On page 1, between lines 8 and 9, add "§463.46. Books for Schools

special plates"

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 Revenue and Fiscal Affairs.

SENATE BILL NO. 1058—
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 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. 1107—
BY SENATOR ROBICHAUX

AN ACT

To amend and reenact R.S. 56:305.6 and to enact R.S. 56:305.7, relative to blue crab trap licenses; to provide for a limitation on the issuance of blue crab trap licenses; to provide a lottery system for the application of new blue crab trap licenses; to provide for a Blue Crab Gear License Limitation Review Panel; 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. 1108—
BY SENATOR ROBICHAUX

AN ACT

To amend and reenact R.S. 56:499(B)(2), relative to shrimping; to provide for net mesh size for the taking of certain saltwater shrimp; 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. 1108 by Senator Robichaux

AMENDMENT NO. 1

On page 2, line 3, between "season" and the period "." insert "except in Zone 2 west of the Atchafalaya River, mesh size shall be no less than three-quarters of an inch square or one and one-half of an inch stretched in inside waters during the fall inshore shrimp season"

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. 1121—
BY SENATOR DYESS

AN ACT

To amend and reenact R.S. 45:162(5)(f) and 172(A)(4)(c), relative to motor carriers; to provide for removal of exemptions; to provide for effective dates; 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. 1121 by Senator Dyess

AMENDMENT NO. 1

On page 1, line 2, after "172(A)(4)(c)" insert "and to enact R.S. 45:162(5)(h)"

AMENDMENT NO. 2

On page 1, line 3, after "exemptions" insert "for certain carriers of household goods; to provide for the granting of certain Public Service Commission Certificates"

AMENDMENT NO. 3

On page 1, line 7, after "reenacted" insert "and R.S. 45:162(5)(h) is hereby enacted, all"

AMENDMENT NO. 4

On page 2, line 10, after municipality, delete the period "." and insert:

"¹ but this exemption shall not apply to motor carriers of passengers operating beyond the limits of the parish of their domicile unless the major portion of such carrier's operations are conducted within the corporate limits of one municipality.

* * *

R.S. 45:162(5)(h) is all proposed new law.

(h) This Paragraph shall not apply to motor carriers which transport household goods and which are mainly located, operated, and employed within the corporate limits of one incorporated municipality, but not operated more than ten miles therefrom."

AMENDMENT NO. 5

On page 2, at the bottom of the page, insert:

"Section 2. Any motor carrier transporting household goods which carrier is mainly located, operated, and employed within the corporate limits of one incorporated municipality, but not operated more than ten miles therefrom, which is operating on July 1, 1997, shall be granted a certificate by the Public Service Commission no later than August 15, 1997; provided that such motor carrier shall meet all requirements of the commission relative to the business of transporting household goods by motor vehicle applicable to other such carriers on that date other than a requirement of need for the service."

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. 1127—

BY SENATOR ELLINGTON AND REPRESENTATIVE FORSTER
AN ACT

To amend and reenact R.S. 23:1310.3(C) and (E), relative to workers' compensation; to provide with respect to claim resolution; to provide for the initiation of claims; 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. 1127 by Senator Ellington and Representative Forster

AMENDMENT NO. 1

On page 2, line 8, delete the words "constitutionality of any statute

within" and on line 9, delete "this Chapter,"

AMENDMENT NO. 2

On page 2, line 11, delete "wherever such" and on line 12, delete "credits"

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

SENATE BILL NO. 1152—
BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 56:700.12 (Introductory Paragraph) and (A)(3), relative to oyster leases; to provide for settlement of certain claims; to provide for arbitration; 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. 1196—
BY SENATOR BAGNERIS

AN ACT

To amend and reenact R.S. 13:2576(H)(2)(g), relative to the sale of property by a municipality pursuant to an order of seizure and possession; to require a municipality with a population in excess of four hundred fifty thousand that sells property pursuant to an order of seizure and possession to follow the procedures governing judicial sales of immovable property; 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. 1196 by Senator Bagneris

AMENDMENT NO. 1

On page 1, line 9, after "13:2576" and before "is" insert "(H)(2)(g)"

AMENDMENT NO. 2

On page 1, line 16, after "(1)" delete the remainder of the line and insert
** * **

AMENDMENT NO. 3

On page 2, delete lines 1 and 2 in their entirety

AMENDMENT NO. 4

On page 2, line 10, change "govern" to "governing"

AMENDMENT NO. 5

On page 2, between lines 26 and 27, insert ** * **

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. 1285—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 47:463.3(A), 463.6(B)(3), 463.8(B), 463.9(B), 463.10, 463.12(B), 463.14(B), 463.15(C), 463.16(D), 463.23(B), 463.24(B), 463.28(C), 463.30(B), 463.32(E), 463.33(B), 463.37(B), and 463.42(B), relative to motor vehicles; to provide relative to certain prestige license plates; to repeal annual fee for such plates; to require one time fee for such plates; 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. 1285 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 3, after "463.16(D)," add "463.22(B),"

AMENDMENT NO. 2

On page 1, line 4, after "463.33(B)," add "463.36(B),"

AMENDMENT NO. 3

On page 1, line 5, after "463.42(B)," add "and to enact R.S. 40:1236.5 and R.S. 47:463.46 and 463.47"

AMENDMENT NO. 4

On page 1, line 7, after the semicolon ";", add "to authorize certain new prestige plates; to provide for fees; to provide for the distribution of funds for certain plates; to require the promulgation of rules relative to certain plates; to provide for the design of certain plates;"

AMENDMENT NO. 5

On page 1, between lines 8 and 9, add the following:

"Section 1. R.S. 40:1236.5 is hereby enacted to read as follows:

§1236.5. Emergency medical technician fund

A. There is hereby established a special fund in the state treasury to be known as the Emergency Medical Technician Fund, hereafter referred to as "fund", which shall consist of monies generated by the fees collected from the purchase of prestige license plates for certified emergency medical technicians as provided in R.S. 47:463.47. In addition, the legislature may make annual appropriations to the fund for the purposes set forth in this Section.

B. All monies collected pursuant to R.S. 47:463.47 shall be deposited in the Bond Security and Redemption Fund as required by Article VII, Section 9(B) of the Constitution of Louisiana and thereafter shall be credited to the fund.

C. The monies in the fund shall be appropriated to the Department of Health and Hospitals solely for purchasing equipment for the testing of applicants for certification as an emergency medical technician and to cover other testing-related costs. All unexpended and unencumbered monies remaining in the fund at the close of each fiscal year shall remain in the fund. Monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund. All interest earned from the investment of monies in the fund shall be deposited and remain to the credit of the fund."

AMENDMENT NO. 6

On page 1, line 9, after "Section" change "1" to "2"

AMENDMENT NO. 7

On page 1, line 10, after "463.16(D)," add "463.22(B),"

AMENDMENT NO. 8

On page 1, line 11, after "463.33(B)," add "463.36(B),"

AMENDMENT NO. 9

On page 1, line 12, after "reenacted" add "and R.S. 47:463.46 and 463.47 are hereby enacted"

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AMENDMENT NO. 10

On page 6, between lines 12 and 13 add the following:

"§463.22. Special Shriner license plates

* * *

B. The fee for the special license plate shall be a one-time fee of twenty-five dollars which shall be in addition to the regular motor vehicle registration license fee.

* * *"

AMENDMENT NO. 11

On page 7, after line 27, add the following:

"§463.36. Special prestige license plates; clergy

* * *

B. The charge for this special license plate shall be a one-time fee of twenty-five dollars for each plate, which shall be in addition to the regular motor vehicle registration license fee charged under the provisions of R.S. 47:463.

* * *"

AMENDMENT NO. 13

On page 8, line 14, after "be", change "a one-time fee of twenty-five dollars for each plate, which" to "the same as"

AMENDMENT NO. 14

On page 8, at the beginning of line 15, delete "charge shall be in addition to"

AMENDMENT NO. 15

On page 8, delete line 16 in its entirety

AMENDMENT NO. 16

On page 8, at the beginning of line 17, delete "renewal fee."

AMENDMENT NO. 17

On page 8, after line 21, add the following:

"§463.46. Families of police officer killed in the line of duty

A. The secretary of the Department of Public Safety and Corrections shall establish a special prestige license plate for passenger cars, pickup trucks, vans, and recreational vehicles which may be issued, upon application, to family members of a police officer killed in the line of duty.

B. The secretary shall determine the design of the special prestige plate provided such design shall include the words "FAMILY OF OFFICER KILLED ON DUTY" and a symbolic image of a police shield.

C. The prestige license plates shall be issued in the same manner as other motor vehicle plates. Each person who applies for the license plate shall provide proof of his relationship to the deceased police officer and shall provide proof that such police officer was killed in the line of duty.

D. The charge for this special plate shall be a one-time charge of twenty-five dollars which shall be in addition to the regular motor vehicle registration license fee.

E. The secretary shall promulgate rules and regulations necessary to implement the provisions of this Section.

§463.47. Special prestige license plates; emergency medical technicians

A. The secretary of the Department of Public Safety and Corrections shall establish a special prestige license plate for motor vehicles, restricted to passenger cars, pickup trucks, vans, and recreational vehicles which may be issued, upon application, to any citizen of Louisiana who is a certified emergency medical technician.

B. Each person who applies for the issuance or renewal of a prestige license plate shall present to the secretary such proof of certification as an emergency medical technician as is acceptable to the secretary.

C. The fee for issuing the special emergency medical technician license plate shall be a fee of twenty-five dollars a year for each plate, which fee shall be in addition to the regular motor vehicle license fee as provided in R.S. 47:463.

D. The department shall collect the fee for the special license plates and forward twenty-four dollars to the state treasurer for deposit into the Emergency Medical Technician Fund created by the provisions of R.S. 40:1236.5. The remaining portion of the fee shall be retained by the department to offset administrative costs.

E. The secretary shall promulgate rules to implement the provisions of this Section, including but not limited to rules governing the issuance, transfer, and disposition of such license plates and governing the design of the plate. Such rules shall be promulgated in accordance with the Administration Procedure Act.

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."

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 Revenue and Fiscal Affairs.

SENATE BILL NO. 1290—
BY SENATORS DARDENNE, HAINKEL, EWING AND ELLINGTON
AN ACT

To amend and reenact R.S. 23:1127 and Code of Civil Procedure Art. 1465.1(A), relative to workers' compensation; to provide with respect to the release of medical records and information on the injured worker; to provide for the verbal release of medical information; to provide immunity for disclosure of such medical information; 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. 1290 by Senator Dardenne

AMENDMENT NO. 1

On page 1, at the end of line 6, between "information;" and "and to" insert:

"to provide relative to the cost of copying such information;"

AMENDMENT NO. 2

On page 2, at the end of line 13, change ", including but" to "which shall be"

AMENDMENT NO. 3

On page 2, at the beginning of line 14, delete "not"

AMENDMENT NO. 4

On page 2, at the end of line 14, delete "or its agent" and on line 15, delete "or representative"

AMENDMENT NO. 5

On page 2, line 16, between "a" and "vocational" insert "licensed"

AMENDMENT NO. 6

On page 2, between lines 19 and 20, insert:

"(2) In any verbal communication or personal conference with any health care provider, the employee or his agent or representative shall be present during such verbal discussions. Any such verbal communication or personal conference shall occur within forty-five days of a written request by either party."

AMENDMENT NO. 7

On page 2, line 20, change "(2)" to "(3)"

AMENDMENT NO. 8

On page 2, line 25, change "(3)" to "(4)"

AMENDMENT NO. 9

On page 3, delete line 4, and insert in lieu thereof:

"any person listed in Subsection B of this"

AMENDMENT NO. 10

On page 3, at the end of line 5, delete "the employer," and delete line 6 and insert in lieu thereof:

"any person listed in Subsection B of this Section shall be held"

AMENDMENT NO. 11

On page 3, line 7, after "them" delete the remainder of the line and insert in lieu thereof:

". Any person who breaches that confidentiality"

AMENDMENT NO. 12

On page 3, between lines 14 and 15, insert the following:

"D. The party requesting release of the information shall pay the cost of copying such information as provided in R.S. 40:1299.96."

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

SENATE BILL NO. 1289—

BY SENATORS HAINKEL, DARDENNE AND EWING
AN ACT

To enact R.S. 40:600.25, relative to the Louisiana Housing Finance Agency; to provide for certain fees; 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. 1289 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 14, change "fee" to "fees" and after "of" and before "insured" insert "the"

AMENDMENT NO. 2

On page 1, line 15, change "premium" to "premiums"

AMENDMENT NO. 3

On page 1, line 16, after "of" and before "insured" insert "the"

AMENDMENT NO. 4

On page 2, line 1, change "CHDO" to "Community Housing Development Organization"

AMENDMENT NO. 5

On page 2, after line 8, insert the following:

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

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

SENATE BILL NO. 1393—

BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 33:4548.1, 4548.2, 4548.3(A), (B), (C), (F), and (H), 4548.4(A), 4548.5(A) (5), (8), and (14), 4548.6(A) and (J), 4548.13, and 4548.14, and to enact R.S. 33:4548.4(F), 4548.5(A)(16), (17), (18), and (19), and 4548.6(K) and (L), relative to the Louisiana Local Government Authorized Project and Community Development Authority, to authorize the financing of infrastructure and economic development projects by political subdivisions; 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. 1393 by Senator Johnson

AMENDMENT NO. 1

On page 1, lines 2 and 11, after "(F)," and before "and", insert "(G)"

AMENDMENT NO. 2

On page 1, line 5, after "4548.6(K)" change "and (L)," to ", (L), and (M),"

AMENDMENT NO. 3

On page 1, line 6, change "Authorized Project" to "Environmental Facilities"

AMENDMENT NO. 4

On page 1, line 14, after "4548.6(K)" change "and (L)" to ", (L), and (M)"

AMENDMENT NO. 5

On page 2, line 6, after "Government", delete the remainder of the line and insert "**and**"

AMENDMENT NO. 6

On page 2, delete line 12 in its entirety and insert in lieu thereof "environmental facilities in the state to maintain a "

AMENDMENT NO. 7

On page 2, line 16, after "**and**" delete the remainder of the line, and on line 17, delete "**project**"

AMENDMENT NO. 8

On page 2, delete line 19 in its entirety and insert in lieu thereof "and to assist in the "

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AMENDMENT NO. 9

On page 2, delete line 23 in its entirety and insert in lieu thereof "**and Community**"

AMENDMENT NO. 10

On page 3, line 14, after "**development**" and before "**facilities.**", insert "**, industrial, and manufacturing**"

AMENDMENT NO. 11

On page 3, at the beginning of line 21, insert "**revenue bonds.**"

AMENDMENT NO. 12

On page 4, between lines 8 and 9, insert "* * *"

AMENDMENT NO. 13

On page 4, delete line 15 in its entirety and insert in lieu thereof the following:

"G. "Political subdivision" means a municipality, town, village, district, parish, **special service district, school board, school district,** or other public body, the state or any agency thereof created under state law ~~having jurisdiction over the environmental facilities.~~"

AMENDMENT NO. 14

On page 4, delete line 24 in its entirety, and insert in lieu thereof "**and Community**"

AMENDMENT NO. 15

On page 5, at the end of line 20, insert "**acquisition, sale or lease of property.**"

AMENDMENT NO. 16

On page 5, line 23, after "state" change the period "." to a comma "," and insert "**and to avail itself of the provisions of Part VII of Chapter 4 of Title 39 of the Louisiana Revised Statutes of 1950.**"

AMENDMENT NO. 17

On page 8, at the end of line 7, insert "No earnings or assets of the authority shall accrue to the benefit of any private persons, and all of its assets shall be owned by its members. However, the limitation of liability provided for in this Subsection shall not apply to any gross negligence or criminal negligence on the part of any director or person executing the bonds."

AMENDMENT NO. 18

On page 8, between lines 15 and 16, insert the following:

"R.S. 33:4548.6(M) is all proposed new law.

M.(1) A political subdivision may borrow funds from the authority if allowed by any other law to incur debt for the purpose of the loan. Such obligation to the authority may be evidenced by a loan or financing agreement. The authority and its participating political subdivisions proceeding under this Chapter shall not be subject to any restrictions on their power to issue debt not contained in this Chapter. Approval of the issuance of bonds of the authority by the state bond commission shall include approval of the incurring of debt by participating political subdivisions.

(2) A political subdivision may create a restricted account or accounts for the segregation of any funds which are to be received prospectively by the political subdivision from the federal government, the state, or any of its agencies or from any other source in connection with the issuance of bonds by the authority. A political subdivision is authorized to pledge such restricted accounts which pledge shall be irrevocable during the term of such bond or obligation, shall be according to such terms and shall have such priority on the revenues of such restricted account as shall be provided by resolution or

ordinance of the political subdivision, any law to the contrary notwithstanding. The state, through the office of the state treasurer, is hereby directed to accept the irrevocable election of a political subdivision to deposit any funds held by the state and due to such political subdivision described above, and thereafter the state treasurer shall be required to make any payments of such funds directly to the restricted account pursuant to instructions from the political subdivision."

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. 1441—

BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 56:10(B)(7) and to enact R.S. 47:463.46, relative to motor vehicles; to establish the Louisiana Wild Turkey Federation license plate; to provide for a fee; to provide for the use of the revenues from the license plate; to provide relative to the Louisiana Wild Turkey Stamp Fund; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. The bill was read by title, ordered engrossed, and recommitted to the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 1462—

BY SENATOR JOHNSON

AN ACT

To enact Chapter 18-A of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2425 through 2428, relative to public health and safety; to create a special fund in the state treasury; to provide with respect to supplemental pay for certain police officers; 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. 1462 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 5, delete "certain" and after "officers" and before the comma "," insert "with the Harbor Police Department of the Port of New Orleans, the Orleans Levee District Police Department and the Crescent City Connection Police"

AMENDMENT NO. 2

On page 2, delete lines 6 through 19 in their entirety, and insert in lieu thereof:

"Every sworn, commissioned law enforcement officer employed on a full-time basis with the Harbor Police Department of the Port of New Orleans, the Orleans Levee District Police Department, and the Crescent City Connection Police who serve in the capacity of police officer, by providing police services to the general public, by effecting arrests, issuing citations, serving warrants, patrolling waterways, bridges, and riverfront areas shall be paid an additional salary in the amount of two hundred eighty-eight dollars per month, provided that funds are available. Such additional funding is for supplementing uniform pay plans from self-generated funds or any funds which such agencies are legally qualified to receive. The salary provided for by this Section shall be in addition and supplemental to any uniform state civil service pay plan."

AMENDMENT NO. 3

On page 3, lines 4 and 5, change "bonafide police agency of the state, or its political subdivision," to "Harbor Police Department of the Port of New Orleans, the Orleans Levee District Police Department, and the Crescent City Connection Police,"

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

SENATE BILL NO. 1464—
BY SENATOR LAMBERT

AN ACT

To enact Part IV of Chapter 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:1949 and 1950, relative to historic roads; to designate Old Perkins Road as an historic road; 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. 1465—
BY SENATOR CAIN AND REPRESENTATIVES JOHN, SMITH AND ILES
AN ACT

To designate that portion of Louisiana Highway 171 within the town of Rosepine in Vernon Parish as the Johnny B. Hall Memorial Highway.

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.

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

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

HOUSE BILL NO. 100—
BY REPRESENTATIVES FONTENOT AND POWELL
AN ACT

To enact R.S. 33:2721.10, relative to Livingston Parish; to authorize the governing authority of Livingston Parish to levy and collect an additional sales and use tax with voter approval; and to provide for related matters.

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

Rules Suspended

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

**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. 1468—
BY SENATOR LANDRY
AN ACT

To enact R.S. 42:5.1, relative to public meetings; to require the St. Charles Parish School Board to allow public comment at school board meetings before taking a vote; and to provide for related matters.

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

SENATE BILL NO. 1469—
BY SENATOR HAINKEL
AN ACT

To enact R.S. 18:1505.2(M), relative to the Campaign Finance Disclosure Act; to prohibit contributions by foreign nationals; to provide for definitions; to provide for penalties; and to provide for related matters.

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

SENATE BILL NO. 1470—
BY SENATOR MALONE
AN ACT

To amend and reenact R.S. 3:4278.2(B), relative to the sale of timber; to require approval of at least sixty-six and two-thirds percent of the co-owners of timber property prior to the sale of timber; and to provide for related matters.

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

HOUSE BILL NO. 1471—
BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact Code of Civil Procedure Article 5183(B), relative to the waiver of costs for indigent parties; to provide a rebuttable presumption of poverty when the applicant is receiving public assistance or his income borders the poverty level; and to provide for matters.

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

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 24, 1997

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. 122—
BY REPRESENTATIVE WILLARD-LEWIS
A CONCURRENT RESOLUTION

To commend Columbia/HCA Healthcare Corporation for its outstanding efforts and services provided for Louisiana residents and for promoting Louisiana Good Government Day by hosting a reception celebrating Louisiana Good Government Day in Baton Rouge honoring Louisiana state legislators.

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HOUSE CONCURRENT RESOLUTION NO. 123—

BY REPRESENTATIVE ALARIO

A CONCURRENT RESOLUTION

To commend Mr. Lester Kabacoff, a long-time resident of New Orleans, for a lifetime of contributions to the development and vitality of the city of New Orleans and the metropolitan area and to congratulate him on receiving the Times-Picayune Loving Cup for 1996.

Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk

HOUSE CONCURRENT RESOLUTION NO. 125—

BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To commend the Supreme Court of Louisiana for establishing and implementing the Judicial Ride-Along Program, and to commend all of the judges for their efforts to improve communication and collaboration between judges and legislators by participating in this program, as well as for their success at increasing the awareness of legislators of the role, responsibilities, and operations of the Louisiana Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 126—

BY REPRESENTATIVE WILKERSON

A CONCURRENT RESOLUTION

To commend the New York Yankees organization and its owner, George Steinbrenner, for the team's recent visit to Grambling State University and for playing the Grambling Tiger baseball team in an exhibition baseball game honoring football coach, Eddie Robinson.

HOUSE CONCURRENT RESOLUTION NO. 132—

BY REPRESENTATIVES POWELL, FONTENOT, KENNARD, MCMAINS, PERKINS, AND TRAVIS

A CONCURRENT RESOLUTION

To commend and congratulate the Albany High School Lady Hornets on their winning the 1997 state championship for Class 3A girls basketball.

HOUSE CONCURRENT RESOLUTION NO. 133—

BY REPRESENTATIVES WELCH, HOLDEN, HUNTER, MURRAY, WESTON, AND WILKERSON

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Carl Stewart, the legendary basketball coach of Southern University, and to record the tribute of the legislature for this remarkable man who has left a significant legacy to the state in the young people he guided and inspired.

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.

Leaves of Absence

The following leaves of absence were asked for and granted:

Hines	1 Day	Cravins	1 Day
Tarver	1 Day		

Adjournment

Senator Bagneris moved that the Senate adjourn until Monday, April 28, 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 28, 1997.

MICHAEL S. BAER, III