

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

**FIFTH 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

Monday, April 7, 1997

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

**ROLL CALL**

The roll was called with the following result:

**PRESENT**

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

**ABSENT**

Robichaux	Tarver
Total—2	

The President of the Senate announced there were 37 Senators present and a quorum.

**Prayer**

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

**Morning Hour**

**Petitions, Memorials and  
Communications**

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

State of Louisiana  
BOB ODOM  
Commissioner of Agriculture & Forestry

April 2, 1997

Honorable Randy Ewing  
President of the Senate  
P.O. Box 94183  
Baton Rouge, LA 70804

Dear Senator Ewing:

I have appointed the persons listed below to the following positions and I am submitting them for confirmation:

Shelby Robert, Confidential Assistant  
Terrel Delphin, Assistant Commissioner of Animal Health Services

I feel that these people meet all of the qualifications required by law and will serve the State of Louisiana and the Department of Agriculture and Forestry to the best of their ability.

The Senate's consideration to confirm these appointments is respectfully requested. Should you need or desire any other information from me, please advise at anytime.

Thanking you for your usual cooperation and assistance, I am

Sincerely,  
Bob Odom  
Commissioner

State of Louisiana  
BOB ODOM  
Commissioner of Agriculture & Forestry

April 2, 1997

Honorable Randy Ewing  
and Members of the Senate  
P.O. Box 94183  
Baton Rouge, LA 70804

Dear Senator Ewing:

I have made appointments to the following boards and commissions under my direction:

Advisory Commission on Pesticide  
Crawfish Promotion Board  
Dairy Industry Promotion Board  
Horticulture Commission  
LA Boll Weevil Eradication Commission  
LA Catfish Promotion Board  
Livestock Brand Commission  
Livestock Sanitary Board  
Weights and Measures Commission  
Seed Commission

Enclosed are lists of those individuals who have been appointed. I am respectfully submitting them for confirmation.

I feel that these people meet all of the qualifications required by law and will serve the State of Louisiana, the Department of Agriculture and Forestry and the entities they represent to the best of their ability.

The Senate's favorable confirmation of these appointments is earnestly requested. Should you need or desire any other information from me, please contact me at any time.

Thanking you for your cooperation and assistance, I am

Sincerely,  
Bob Odom  
Commissioner of Agriculture  
and Forestry

April 7, 1997

**Advisory Commission on Pesticides  
Appointed by Commissioner  
3:3211(B) - 11 members**

Zoren O'Brien  
P.O. Drawer 607  
Iowa, LA 70647

Norman Kinsella  
17104 Penn Blvd.  
Prairieville, LA 70769

Doug Duty  
24 Jana Drive  
Monroe, LA 71203

Grady Coburn  
P.O. Box 302  
Cheneyville, LA 71325

Max Edwards  
P.O. Box 7241  
Shreveport, LA 71137

Matthew Yates  
2928 Lt.Gen. Ben Davis Jr., Ave  
Baton Rouge, LA 70807

Robert Lemann  
34278 Hwy. 944S  
Donaldsonville, LA 70346

Billy Guthrie  
P.O. Box 38  
Newellton, LA 71357

Virgil Bourque  
13225 Petite Drive  
Maurepas, LA 70449

Carey Pope, PhD  
Northeast LA University  
Monroe, LA 71209

Gary Ross, PhD  
6095 Stratford Ave.  
Baton Rouge, LA 70808

**Crawfish Promotion Board  
Appointed by Commissioner  
3:556.3 - 13 members**

Greg Benhard  
P.O. Box 68  
Palmetto, LA 71358

Harold Benoit  
2182 W. Whitney St.  
Morse, LA 70559

Eric Bourgeois  
Box 429E  
Barataria, LA 70036

Les Guerin  
6100 Bluebonnet  
Baton Rouge, LA 70809

Duffy Landry  
130 Mike St.  
Pierre Part, LA 70339

Norma Jean Miller  
P.O. Box 64  
Eunice, LA 70535

Jody Meche  
P.O. Box 694  
Henderson Station  
Breaux Bridge, LA 70517

Leroy Richard  
Rt. 3, Box 110  
Church Point, LA 70525

Darrell Rivere  
1177 Hwy. 70, South  
Belle River, LA 70341

Rudy Sparks  
P.O. Box 428  
Patterson, LA 70392

Dale Stampley  
33115 Hwy. 75  
Plaquemine, LA 70764

Jimmy Zito  
3482 Drusilla Lane  
Baton Rouge, LA 70809

**Dairy Industry Promotion Board  
Appointed by Commissioner  
3:557.4 -8 members**

Bryan Mitchell  
2105 Camp Zion Rd.  
Doyline, LA 71023

Lanny Conerly  
18436 J.T. Conerly Rd.  
Kentwood, LA 70444

Roy Ingrassia  
P.O. Box 518  
Loranger, LA 70446

Carl Kyzar  
18372 Robert Rd.  
Hammond, LA 70401

Daniel Lyons  
1438 Jessie Richard Rd.

Eugene Robertson  
Rt. 1, Box P22

Church Point, LA 70525

Pine Grove, LA 70453

James Rogers  
28224 Hwy. 62  
Angie, LA 70426

Philip Towns  
Rt. 2, Box 21  
Gibbsland, LA 71028

**Horticulture Commission  
Appointed by Commissioner  
3:3801 - 13 members**

Van Cox  
1827 Ormandy Dr.  
Baton Rouge, LA 70808

Steve Bellanger  
47273 Palm Dr.  
Tickfaw, LA 70466

Walter Imahara  
8680 Perkins Rd.  
Baton Rouge, LA 70810

Dennis McCloskey  
P.O. Box 400  
Folsom, LA 70437

Tom Boudreaux  
P.O. Box 531  
Abita Springs, LA 70420

Randy Harris  
113 Janmar St.  
Denham Springs, LA 70726

Mark Bergeron  
P.O. Box 372  
Donaldsonville, LA 70346

Harold Tani  
2801 Tchoupitoulas St.  
New Orleans, LA 70115

Roger Mayes  
8680 Perkins Rd.  
Baton Rouge, LA 70810

Stephen Hoover  
525 Esplanade  
LaPlace, LA 70068

Bob Odom  
P.O. Box 631  
Baton Rouge, LA 70821

Matthew Keppinger  
P.O. Box 3596  
Baton Rouge, LA 70821

Dr. Jack Bagent  
P.O. Box 25100  
Baton Rouge, LA 70894

**LA Boll Weevil Eradication Comm.  
Appointed by Commissioner  
3:1601-8 members**

Bill Richardson  
P.O. Box 25203  
Baton Rouge, LA 70894

Jack Dailey  
Box 48  
Extension, LA 71239

Boyd Holley  
704 Holley Hurst St.  
Bastrop, LA 71220

George Lacour  
P.O. Box 280  
Morganza, LA 70759

Danny Logan  
P.O. Box 24  
Baton Rouge, LA 70821

Bob Odom  
P. O. Box 631  
Baton Rouge, LA 70821

Cary "Mugs" Cheek  
P.O. Box 530  
Gilbert, LA 71336

**LA Catfish Promotion Board  
Appointed by Commissioner  
3:558.1 - 7 members**

Bill Cheek  
137 Winegart Lane  
Lecompte, LA 71346

Tom Foshee  
527 Foshee Ranch Rd.  
Natchitoches, LA 71457

Rusty Guade'  
6090 Resweber Hwy.  
St. Martinville, LA 70582

Bobby Guidry  
1093 Henderson Hwy.  
Breaux Bridge, LA 70517

Sam Harring

Wesley Newman

715 Pete Haring Rd.  
Wisner, LA 71378

Rt. 3, Box 161  
Jonesville, LA 71348

Charlie Stephens  
362 Charlie Stephens Rd.  
Gilbert, LA 71336

**Livestock Brand Commission  
Appointed by Commissioner  
3:732 - 10 members**

Bolivar Bishop  
P. O. Box 370  
DeRidder, LA 70634

Joy Hodges  
3904 Pecan Drive  
Alexandria, LA 71301

Gloria Jones  
2170 Hwy. 484  
Natchez, LA 71456

Calvin LeBouef  
13610 South LA Hwy. 335  
Abbeville, LA 70510

Walter May  
P.O. Box 459  
Jonesboro, LA 71251

David Richard  
P. O. Box 40  
Lake Charles, LA 70602

R.L. Walters  
P.O. Box 456  
Coushatta, LA 71019

Bob Odom  
P.O. Box 631  
Baton Rouge, LA 70821

**Livestock Sanitary Board  
Appointed by Commissioner  
3:2091 - 14 members**

Dr. Pat Bernard  
121 Gloria Switch  
Lafayette, LA 70507

Charles Broussard  
23604 S. LA Hwy. 82  
Kaplan, LA 70548

Ray Cheramie  
Rt. 1, 150 Josephine St.  
Lockport, LA 70374

Billy Doland  
3671 Grand Chenier Hwy.  
Grand Chenier, LA 70643

Michael Dominique  
103 D. Hess  
Carencro, LA 70520

Wayne Jones  
2803 Lovers Lane  
Ruston, LA 71270

Dr. Robert McManus  
P.O. Box 338  
Iota, LA 70543

H.C. "Buddy" Miller  
HC 62, Box 139  
Waterproof, LA 71375

Ronnie Owens  
5121 Hwy. 485  
Robeline, LA 71469

Eugene Robertson  
Rt. 1, Box P-22  
Pine Grove, LA 70453

Herman Rogillio  
P.O. Box 129  
Greenwell Springs, LA 70739

Rayburn Smith  
103 Smith Thomas Rd.  
Natchitoches, LA 71457

Dr. Dick Walther  
1205 St. Charles  
Houma, LA 70360

**LA Seed Commission  
Appointed by Ex-officio  
3:1432 - 5 members**

Bob Odom  
P.O. Box 631  
Baton Rouge, LA 70821

Ronnie Anderson  
P.O. Box 79  
Ethel, LA 70730

Dr. Larry Rogers  
P.O. Box 25055  
Baton Rouge, LA 70894-5055

Dr. Jack Bagent  
P.O. Box 25100  
Baton Rouge, LA 70894-5100

Jean Hebert  
P.O. Box 321  
Crowley, LA 70527

**Weights and Measures Commission  
Appointed by Commissioner  
3:4603 - 9 members**

Roy Amadee  
P.O. Box 51059  
New Orleans, LA 70115

William "Whip" Brown  
P.O. Box 74091  
Baton Rouge, LA 70804

Dave Cattar  
P.O. Box 7400  
Monroe, LA 71211

G.T. Michelli  
130 Brook Hollow  
Harahan, LA 70123

Joseph "Al" Moreau  
105 Belle Helene  
Thibodaux, LA 70301

John O'Neill  
P.O. Box 748  
Boyce, LA 71409

J.C. Sharp  
4400F Amb. Caffery  
Lafayette, LA 70508

Morrie Weinstein  
15548 Hwy. 190  
Opelousas, LA 70570

**Messages from the Governor**

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

State of Louisiana  
Office of the Governor  
Baton Rouge, La. 70804-9004

April 7, 1997

To the Honorable President and Members of the Senate:

Please be advised that the following individuals have been commissioned as Notaries Publics for the parishes indicated through April 7, 1997. In compliances with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, I do hereby present them for your review.

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

**Avoyelles**

Cynthia Plauche Dauzat  
P.O. Box 331  
Marksville, La 71351

Martha Denise Pearson  
2852 Hwy. 114  
Hessmer, La 71341

Kenneth C. Pettus  
284 Carol St.  
Moreauville, La 71355

**Caddo**

Thomas A. Bordelon  
900 Pierremont #206  
Shreveport, La 71106

**Calcasieu**

Wendy Daigle  
1417 Gadwall St.  
Lake Charles, La 70601

**East Baton Rouge**

Ginger Alumbaugh  
1233 Bullrush Dr.  
Baton Rouge, La 70810

Dwight F. Coursey  
6346 Belle Grove Ave.  
Baton Rouge, La 70820

Darren G. Duet  
18043 Bryan's Crossing Ave.  
Baton Rouge, La 70817

Ross Johnson  
265 S. Foster Dr.  
Baton Rouge, La 70806

Terry R. Mayeau  
17801 Highland Rd.  
Baton Rouge, La 70810

Jerry L. Stovall, Jr.  
P.O. Box 3197  
Baton Rouge, La 70821

April 7, 1997

Ja'chele Strickland  
6156 Kleinpeter Dr.  
Baton Rouge, La 70811

Paul Tinsley  
7676 Madewood Ave.  
Baton Rouge, La 70817

Rita M. Tolliver  
9967 Sunny Cline Dr.  
Baton Rouge, La 70814

Michelle D. Veal  
4041 Essen Ln.  
Baton Rouge, La 70809

Michelle H. Willis  
11080 Paddock Ave.  
Baton Rouge, La 70816

**Iberia**  
Betty Jane Frelow  
145 Parker St.  
New Iberia, La 70560

**Iberville**  
Caula Butler  
P.O. Box 391  
Plaquemine, La 70764

**Jefferson**  
Jarvis E. Jackson  
200 Fifth St.  
Gretna, La 70053

**Jefferson Davis**  
Paula Guillory  
P.O. Box 1249  
Jennings, La 70546

**Lafayette**  
Tracey M. Carnahan  
189 Whittington Dr.  
Lafayette, La 70503

Michael Hoffpaur  
106 Calco Blvd.  
Lafayette, La 70503

Sandra G. Walker  
106 Calco Blvd.  
Lafayette, La 70503

**Lafourche**  
Connie F. Danos  
P.O. Box 728  
Larose, La 70373

Guthrie M. Matherne  
313 N. Main St.  
Lockport, La 70374

**Lasalle**  
Tamara K. Stringer  
P.O. Box 817  
Jena, La 71342

**Orleans**  
David L. Bell  
10001 Lake Forest Blvd.  
New Orleans, La 70127

Jean L. Farmer-Calhoun  
421 828 Royal St., Ste. 225  
New Orleans, La 70116

Anthony David Iripino  
825 Baronne St.  
New Orleans, La 70113

Tuyen Thanh Le  
4660 Alcee Fortier Blvd.  
New Orleans, La 70129

R. King Milling, Jr.  
909 Poydras St., Ste 2300  
New Orleans, La 70112

**Ouachita**  
Thomas G. Price  
2006 Tower Dr.  
Monroe, La 71201

**Rapides**  
Diana B. Bonnette  
6103 Ball Loop Rd. #3  
Pineville, La 71360

Ronald E. Briley  
1920 W. Macarthur Dr.  
Alexandria, La 71301

Autumn L. Jolly  
2001 Macarthur Dr.  
Alexandria, La 71301

Brenda J. Landry  
55 Ragan Dr.  
Alexandria, La 71303

Kathy Mcmillan  
1125 N. Ave  
Glenmora, La 71433

Christopher A. Parish  
6233 St. Ann  
Pineville, La 71360

Charlette Marie Paulk  
711 Washington St.  
Alexandria, La 71301

Johnny A. Qualls  
900 Murray St.  
Alexandria, La 71390

Charles T. Rawson  
1920 N. Macarthur Dr.  
Alexandria, La 71303

Carrie C. Roy  
P.O. Box 31  
Alexandria, La 71309

**St. Martin**  
Corando Rolando Cantu  
101 Berard St.  
Breaux Bridge, La 70517

Aline B. Dardar  
101 Berard St.  
Breaux Bridge, La 70517

**St. Tammany**  
John W. Hartzog  
2600 N. Causeway Blvd.  
Mandeville, La 70448

Barbara J. Sharp  
19466 K Sharp Lane  
Covington, La 70435

**Washington**  
James W. Burdette, II  
320 B Austin St.  
Bogalusa, La 70427

**West Feliciana**  
Trish Foster  
Legal Programs  
Angola, La 70712

Stanley Hughes  
Investigator's Office  
Angola, La 70712

Robert L. Jones  
Investigator's Office  
Angola, La 70712

Lloyd Mossey  
Investigator's Office  
Angola, La 70712

Woodrow W. Wilson, Jr.  
Classification, La. State Penit.  
Tunica, La 70712

**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. 63—**  
BY SENATOR LAMBERT

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dardenne	Jordan
Bagneris	Dean	Lambert
Bajoie	Dyess	Landry
Barham	Ellington	Lentini
Bean	Fields	Malone
Branch	Greene	Romero
Cain	Guidry	Schedler
Campbell	Hines	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith

Cravins	Johnson	Theunissen
Total—33	NAYS	
Total—0	ABSENT	
Hainkel	Jones	Tarver
Heitmeier	Robichaux	Ullo
Total—6		

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**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

April 3, 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. 46—**  
BY SENATOR CAIN  
A CONCURRENT RESOLUTION  
To recognize and commend the Hicks High School Lady Pirates for their outstanding season and for their performance in the Sweet Sixteen State Championship.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 45—**  
BY SENATOR CAIN  
A CONCURRENT RESOLUTION  
To recognize and commend the Anacoco High School Lady Indians for their outstanding season and for their performance in the Sweet Sixteen State Championship.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 44—**  
BY SENATOR CAIN  
A CONCURRENT RESOLUTION  
To recognize and commend the Merryville High School Lady Panthers for their outstanding season and for their performance in the Sweet Sixteen State Championship.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 37—**  
BY SENATOR GUIDRY  
A CONCURRENT RESOLUTION  
To recognize and commend the players, coaches and managerial personnel of Southern University Laboratory School on capturing an impressive fifth consecutive Class 1-A state basketball championship.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 36—**  
BY SENATOR GUIDRY  
A CONCURRENT RESOLUTION  
To commend and congratulate the 1997 Louisiana State University Lady Tigers for winning their fifth consecutive National Collegiate Athletic Association Indoor Track and Field Championship and to record the outstanding accomplishments of this record-setting team.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 43—**  
BY SENATOR CAIN  
A CONCURRENT RESOLUTION  
To recognize and commend the Anacoco High School Lady Indians, the Hicks High School Lady Pirates, the South Beauregard High School Lady K's, and the Merryville High School Lady Panthers for their outstanding seasons and for their performances in the Sweet Sixteen State Championships.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 24—**  
BY SENATOR COX  
A CONCURRENT RESOLUTION  
To commend former Louisiana Supreme Court Justice and United States Fifth Circuit Court of Appeals Judge Albert Tate, Jr. for his many scholarly contributions to the development of the law in Louisiana and for his many achievements on the bench.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 23—**  
BY SENATOR HAINKEL  
A CONCURRENT RESOLUTION  
To express the condolences of the Legislature of Louisiana upon the death of Mississippi State Representative William Jerome Huskey and to commend his life and public service.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 22—**  
BY SENATORS HAINKEL, LANDRY AND ROBICHAUX AND REPRESENTATIVES TRICHE AND DOWNER  
A CONCURRENT RESOLUTION  
To express the condolences of the Legislature of Louisiana upon the death of Betsy Cheramie Ayo.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 10—**  
BY SENATORS THEUNISSEN, CAIN, CASANOVA, COX AND HINES AND REPRESENTATIVES FLAVIN, GUILLORY, HILL, ISLES, JOHNS, MORRISH, AND STELLY  
A CONCURRENT RESOLUTION  
To express the condolences of the Legislature of Louisiana upon the death of D.C. "Chick" Green.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 9—**  
BY SENATOR HAINKEL  
A CONCURRENT RESOLUTION  
To commend Representative John T. Bragg for his extraordinary service to the people of Tennessee and to the legislative bodies of our nation.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 6—**

BY SENATOR HEITMEIER

**A CONCURRENT RESOLUTION**

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

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 56—**

BY SENATORS BAJOE AND IRONS

**A CONCURRENT RESOLUTION**

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

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 47—**

BY SENATOR CAIN

**A CONCURRENT RESOLUTION**

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

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 13—**

BY SENATOR THEUNISSEN

**A CONCURRENT RESOLUTION**

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

Reported without amendments.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**Message from the House**

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

April 3, 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. 38—**

BY REPRESENTATIVES JOHN SMITH, KENNARD, AND ILES

**AN ACT**

To amend and reenact R.S. 32:402(C)(1), relative to drivers' licenses; to provide that civilian employees of the U.S. military who are required to operate emergency vehicles need only a Class "E" driver's license; and to provide for related matters.

**HOUSE BILL NO. 141—**

BY REPRESENTATIVES FONTENOT, KENNARD, AND DIEZ

**AN ACT**

To designate Louisiana Highway 42 from the Springfield, Louisiana, corporate limits in Livingston Parish to its intersection with Louisiana Highway 22 as the "A. J. Davis Highway, Captain USAF"; and to provide for related matters.

**HOUSE BILL NO. 218—**

BY REPRESENTATIVES CURTIS AND WIGGINS

**AN ACT**

To designate the bridge on U.S. Highway 167 over the Red River between Alexandria and Pineville as the Purple Heart Memorial Bridge.

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. 38—**

BY REPRESENTATIVES JOHN SMITH, KENNARD, AND ILES

**AN ACT**

To amend and reenact R.S. 32:402(C)(1), relative to drivers' licenses; to provide that civilian employees of the U.S. military who are required to operate emergency vehicles need only a Class "E" driver's license; 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.

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**Messages from the House**

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

**Message from the House**

**ASKING CONCURRENCE IN  
HOUSE CONCURRENT RESOLUTIONS**

April 3, 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 Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 81—**  
 BY REPRESENTATIVES JETSON, A. ALEXANDER, BAYLOR, COPELIN, CURTIS, FARVE, GLOVER, GREEN, GUILLORY, HOLDEN, HUDSON, HUNTER, MITCHELL, MORRELL, MURRAY, PIERRE, PRATT, QUEZAIRE, WELCH, WESTON, WILKERSON, AND WILLARD-LEWIS AND SENATORS BAGNERIS, BAJOIE, CRAVINS, FIELDS, GUIDRY, IRONS, JOHNSON, JONES, AND TARVER

**A CONCURRENT RESOLUTION**

To remember Ennis William Cosby and to reflect upon his brief but meaningful lifetime of contributions and to offer condolences to his friends and to his family members and to those persons whose lives he has indelibly touched.

**HOUSE CONCURRENT RESOLUTION NO. 82—**  
 BY REPRESENTATIVE MURRAY

**A CONCURRENT RESOLUTION**

To express the condolences of the Legislature of Louisiana upon the death of Mr. Alfred P. Giarrusso, and to pay tribute to his many contributions to this state and its citizens.

**HOUSE CONCURRENT RESOLUTION NO. 83—**  
 BY REPRESENTATIVES DANIEL, KENNARD, CRANE, HOLDEN, JENKINS, JETSON, MCMAINS, PERKINS, JOHN SMITH, TRAVIS, WELCH, AND WESTON

**A CONCURRENT RESOLUTION**

To commend and congratulate Coach Dale D. Brown for twenty-five years of service with and inspiration to the Louisiana State University basketball program, to pay tribute to his many contributions to Louisiana State University, his community, and this state, and to wish him continued success in all of his future endeavors.

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

**House Concurrent Resolutions**

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

**HOUSE CONCURRENT RESOLUTION NO. 81—**  
 BY REPRESENTATIVES JETSON, A. ALEXANDER, BAYLOR, COPELIN, CURTIS, FARVE, GLOVER, GREEN, GUILLORY, HOLDEN, HUDSON, HUNTER, MITCHELL, MORRELL, MURRAY, PIERRE, PRATT, QUEZAIRE, WELCH, WESTON, WILKERSON, AND WILLARD-LEWIS AND SENATORS BAGNERIS, BAJOIE, CRAVINS, FIELDS, GUIDRY, IRONS, JOHNSON, JONES, AND TARVER

**A CONCURRENT RESOLUTION**

To remember Ennis William Cosby and to reflect upon his brief but meaningful lifetime of contributions and to offer condolences to his friends and to his family members and to those persons whose lives he has indelibly touched.

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

**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	Guidry	Schedler
Cain	Hines	Short
Campbell	Irons	Siracusa
Cox	Johnson	Smith
Cravins	Jordan	Theunissen
Dean	Lambert	

Total—29

**NAYS**

Total—0

**ABSENT**

Bagneris	Heitmeier	Tarver
Casanova	Hollis	Ullo
Dardenne	Jones	
Hainkel	Robichaux	
Total—10		

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

**HOUSE CONCURRENT RESOLUTION NO. 82—**  
 BY REPRESENTATIVE MURRAY

**A CONCURRENT RESOLUTION**

To express the condolences of the Legislature of Louisiana upon the death of Mr. Alfred P. Giarrusso, and to pay tribute to his many contributions to this state and its citizens.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Casanova	Jones	Ullo
Hainkel	Robichaux	
Heitmeier	Tarver	
Total—7		

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

**HOUSE CONCURRENT RESOLUTION NO. 83—**  
 BY REPRESENTATIVES DANIEL, KENNARD, CRANE, HOLDEN, JENKINS, JETSON, MCMAINS, PERKINS, JOHN SMITH, TRAVIS, WELCH, AND WESTON

**A CONCURRENT RESOLUTION**

To commend and congratulate Coach Dale D. Brown for twenty-five years of service with and inspiration to the Louisiana State University basketball program, to pay tribute to his many contributions to Louisiana State University, his community, and this state, and to wish him continued success in all of his future endeavors.

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

April 7, 1997

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	Romero
Branch	Guidry	Schedler
Cain	Hines	Short
Campbell	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Theunissen
Dardenne	Jordan	
Total—32		

NAYS

Total—0

ABSENT

Casanova	Jones	Ullo
Hainkel	Robichaux	
Heitmeier	Tarver	
Total—7		

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

NATURAL RESOURCES

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

April 3, 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. 22— AN ACT BY SENATOR CAMPBELL

To amend and reenact R.S. 47:463.45(C) and R.S. 56:10(B)(6), relative to the black bear prestige license plates; to provide for a notice on hunting and fishing licenses as to the availability of the black bear prestige license plate; to require that five percent of the net proceeds from the additional fee imposed to acquire the black bear prestige license plate be used for the promotion of the plate; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 51— AN ACT BY SENATOR HINES

To designate the outdoor conservation arboretum and education classroom at Chicot State Park in Ville Platte, Louisiana, as the Dupré Outdoor Conservation Arboretum and Education Classroom; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 461— AN ACT BY SENATOR HINES

To amend and reenact R.S. 56:1681(A)(2)(b) and (f) and to enact R.S. 56:1681(A)(2)(j), relative to the State Parks and Recreation Commission; to provide relative to the membership of the State Parks and Recreation Commission; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 509— AN ACT BY SENATOR ROMERO

To amend and reenact R.S. 56:722 and 727, and to repeal Sections 2, 3, 4, 5, 6, 8, 9, 10 and 11 of Act 261 of the 1940 Regular Session of the Legislature, Act 226 of the 1946 Regular Session of the Legislature, Act 462 of the 1960 Regular Session of the Legislature, Section 11 of Act 455 of the 1966 Regular Session of the Legislature, and Act 129 of the 1995 Regular Session of the Legislature, relative to parish game and fish commissions; to provide for composition of parish commissions; to provide for rules and regulations proposed by parish commissions; to provide for promulgation of rules and regulations; to provide for penalties; to abolish the Spanish Lake Game and Fish Commission as a state agency; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 574— AN ACT BY SENATORS HAINKEL, DARDENNE, EWING AND ROMERO

To amend and reenact R.S. 56:10(B)(1)(d) and to enact R.S. 47:463.46, relative to motor vehicles; to establish the Ducks Unlimited 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 Duck Stamp Fund; and to provide for related matters.

Reported favorably.

Respectfully submitted, CRAIG F. ROMERO 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 3, 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 BILL NO. 62— AN ACT BY SENATOR CAIN AND REPRESENTATIVE ILES

To enact R.S. 56:1948.5(57), relative to highways; to designate a section of U.S. Highway 190 as a Louisiana Byway; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 66—**  
BY SENATOR LANDRY

AN ACT

To repeal R.S. 32:295.1(I), relative to traffic violations; to provide relative to moving violations; to repeal provision for decrease in fine under certain conditions; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 150—**  
BY SENATOR JORDAN

AN ACT

To enact R.S. 32:410(A)(3)(a)(ix), relative to motor vehicles; to require parish code of residence on driver's license; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 517—**  
BY SENATOR CAIN AND REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 48:220, relative to roads and highways; to authorize placement of fences up to right of way in Wards 1 and 5 in Beauregard Parish; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 632—**  
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 32:296, relative to driving on highway shoulders; to permit driving on the shoulder of a roadway in an emergency; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 676—**  
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 38:2212(E)(1)(a) and (2), relative to public contract; to limit use of maintenance employees of a public body to maintenance of public utilities; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 677—**  
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 38:2241(A)(2), relative to public contracts; to provide relative to public works; to increase amount at which a bond is required; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 678—**  
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 38:2212(B), relative to public contracts; to repeal provisions relative to contract limits for the division of administration; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 679—**  
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 38:2212(A)(3)(a)(i) and (ii) and to enact R.S. 2211(A)(12), relative to public contracts; to define design professional; to provide for authorization to prepare certain contract cost estimates; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 687—**  
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 32:387(C)(3)(f)(ii), relative to motor vehicles; to provide relative to vehicles transporting recyclable waste paper products; to require width limits; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 691—**  
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 38:2212(A)(1)(c) and to enact R.S. 39:1594(c)(2)(d), relative to public contracts; to provide relative to bids for state contracts; to require signature of authorization on all bids; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
RON LANDRY  
Chairman

**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 3, 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. 983—**  
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 23:1842(1), 1843(A), 1862(B), and 2023(A) and R.S. 36:309(G)(3), relative to job training; to change the name of the Louisiana Employment and Training Council to the Governor's State Job Training Coordinating Council; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 987—**  
BY SENATOR ELLINGTON

AN ACT

To direct the Louisiana State Law Institute to change certain references in the law in matters of workers' compensation; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 989—**  
BY SENATOR ELLINGTON

AN ACT

To enact R.S. 23:12, relative to the Department of Labor; to provide with respect to the administration of records by the department; to provide for electronically digitizing of records; to deem the use of copies of such electronically digitized produced records as an original record; and to provide for related matters.

Reported favorably.

April 7, 1997

**SENATE BILL NO. 997—**  
BY SENATOR ELLINGTON

AN ACT

To repeal R.S. 23:1536(I) and 1601(1)(b) and (2)(b), relative to unemployment compensation; to repeal provisions relative to negative reserve charges and reduction of benefits upon requalification; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1001—**  
BY SENATOR ELLINGTON

AN ACT

To enact R.S. 23:1660(E) and (F), relative to unemployment compensation; to provide with respect to records and reports; to provide relative to the release and access of unemployment records; to provide for the reimbursement of costs for releases of any unemployment compensation records to governmental entities; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 1002—**  
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 23:1622 and 1693(A), and to enact R.S. 23:1693(I), relative to unemployment compensation benefits; to provide for withholding and collection of payable unemployment compensation benefits for over issuance of food stamp allotments; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 1047—**  
BY SENATOR ELLINGTON AND REPRESENTATIVE FORSTER

AN ACT

To amend and reenact R.S. 23:1397(A) and (C), 1404(B), 1405, and 1411(C), relative to the Louisiana Workers' Compensation Corporation; to transfer to the board of directors the authority to approve capitalization debt; to require the corporation to seek United States Department of Labor approval to write USL&H coverage without the full faith and credit guarantee; to provide for the disposition of assets upon dissolution of the corporation; to correlate the restrictions on the permitted types of corporate investments to the Louisiana Insurance Code; to remove the authority of the legislative auditor to audit the corporation after the full faith and credit guarantee has expired; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 1126—**  
BY SENATOR ELLINGTON AND REPRESENTATIVE FORSTER

AN ACT

To amend and reenact R.S. 23:1035(A), relative to workers' compensation; to provide with respect to covered employees; to provide for a limited liability company to elect out of coverage of workers' compensation laws; and to provide for related matters.

Reported favorably.

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 3, 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. 157—**  
BY SENATOR JORDAN

A JOINT RESOLUTION

Proposing to add Article VIII, Section 16 of the Constitution of Louisiana, relative to community colleges; to mandate the legislature to establish and fund a community college system by a specified time; to provide relative to the nature of the mandated system; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

**SENATE BILL NO. 334—**  
BY SENATOR GREENE

A JOINT RESOLUTION

Proposing to amend Sections 3(A), 5, 6, 7, 8(B), and 12 of Article VIII of the Constitution of Louisiana and to add Article VIII, Section 16 thereof, relative to public education; to provide relative to the jurisdiction of the State Board of Elementary and Secondary Education; to create a Board of Governors to govern, manage, and have budgetary responsibility for all public institutions of post-secondary education; to provide relative to the membership, terms, and qualifications of the members of such board; to provide for their powers and duties; to provide for the creation of a master plan and the defining of institutional role, scope, and mission; to provide for the creation of certain councils and the duties thereof; to provide for the selection of the chief executive officers of the board and each institution; to provide relative to the powers and duties of such officers; to provide relative to the creation or conversion of institutions; to provide relative to appropriations for higher education; to eliminate the Board of Regents and all boards vested with management responsibilities for higher education systems; to provide for the transfer of certain rights, powers, and property and the assumption of obligations; to provide for transition and initial appointments; to specify an effective date; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

**SENATE BILL NO. 337—**  
BY SENATOR GREENE

AN ACT

To enact R.S. 17:1814, relative to the cost of the provision of remedial course work at public colleges and universities; to provide for the recovery of such cost; to provide relative to charging an additional fee to students required to take such courses; to provide for billing city and parish school systems and certain private and independent schools for such costs under certain circumstances; to provide for a determination of the costs of remedial courses; to authorize city and parish school systems to charge such payments back to certain schools within its jurisdiction; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
THOMAS A. GREENE, 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 3, 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. 27—**  
BY SENATOR HAINKEL

AN ACT

To redesignate Columbus Drive in Tangipahoa Parish as University Avenue; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 772—**  
BY SENATOR HEITMEIER

AN ACT

To enact R.S. 32:142(C), relative to traffic safety; to authorize police officers to remove unattended vehicles from the Crescent City Connection; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 782—**  
BY SENATOR FIELDS

AN ACT

To enact R.S. 40:1501(D)(3), relative to fire protection districts; to allow the governing authority of District 6 Fire Protection District of East Baton Rouge Parish to call an election for the purpose of levying a millage, subject to voter approval; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1302—**  
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 33:9102(B), and to enact Part V of Chapter 31 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9131.5, relative to certain communications districts; to provide relative to enhancement of emergency telecommunications services; to provide relative to service charges collected by districts including provisions relative to use of the proceeds from such charges, the telecommunications service users liable for such charges, the rate of such charges, and the collection and enforcement of such charges; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 1320—**  
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 33:2719(B) and to enact R.S. 33:2719(E), relative to sales taxes; to provide for notification when auditing for compliance with local sales and use tax ordinances; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1412—**  
BY SENATOR EWING

AN ACT

To amend and reenact R.S. 33:4754(A)(1) and (2), (B)(1) and (2), and (E)(1) and (2), relative to building regulations; to make certain clarifications relative to local governing authorities' authority to take action regarding the removal and securing of dangerous structures; to authorize certain parishes to charge an interest on costs incurred for services relative to the dangerous structures; to authorize certain parishes to request the removal and demolition of condemned buildings, structures, or public nuisances by the

national guard; to remove any liability from certain parishes relative to such structures when all procedural protections and substantive restraints have been followed; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
DIANA E. BAJOE  
Chairwoman

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

Senator Bajoie 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. 22—**  
BY SENATOR CAMPBELL

AN ACT

To amend and reenact R.S. 47:463.45(C) and R.S. 56:10(B)(6), relative to the black bear prestige license plates; to provide for a notice on hunting and fishing licenses as to the availability of the black bear prestige license plate; to require that five percent of the net proceeds from the additional fee imposed to acquire the black bear prestige license plate be used for the promotion of the plate; 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 and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 27—**  
BY SENATOR HAINKEL

AN ACT

To redesignate Columbus Drive in Tangipahoa Parish as University Avenue; and to provide for related matters.

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

**SENATE BILL NO. 51—**  
BY SENATOR HINES

AN ACT

To designate the outdoor conservation arboretum and education classroom at Chicot State Park in Ville Platte, Louisiana, as the Dupré Outdoor Conservation Arboretum and Education Classroom; 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 and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 62—**  
BY SENATOR CAIN AND REPRESENTATIVE ILES

AN ACT

To enact R.S. 56:1948.5(57), relative to highways; to designate a section of U.S. Highway 190 as a Louisiana Byway; 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. 62 by Senator Jordan

April 7, 1997

AMENDMENT NO. 1

On page 1, line 12, change "through" to "to" and after "city" insert "limits" and after "DeRidder" delete the remainder of the line and delete line 13 and insert a period ".".

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. 66—**  
BY SENATOR LANDRY

AN ACT

To repeal R.S. 32:295.1(I), relative to traffic violations; to provide relative to moving violations; to repeal provision for decrease in fine under certain conditions; 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 and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 150—**  
BY SENATOR JORDAN

AN ACT

To enact R.S. 32:410(A)(3)(a)(ix), relative to motor vehicles; to require parish code of residence on driver's license; 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. 150 by Senator Jordan

AMENDMENT NO. 1

On page 2, after line 1, insert:

"Section 2. This Act shall become effective on January 1, 1998."

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. 157—**  
BY SENATOR JORDAN

A JOINT RESOLUTION

Proposing to add Article VIII, Section 16 of the Constitution of Louisiana, relative to community colleges; to mandate the legislature to establish and fund a community college system by a specified time; to provide relative to the nature of the mandated system; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 157 by Senator Jordan

AMENDMENT NO. 1

On page 2, line 10, after "offering" insert "no degree programs exceeding"

AMENDMENT NO. 2

On page 2, line 14, after "Regents" insert ", or its successor,"

AMENDMENT NO. 3

On page 2, line 19, after "Regents" insert ", or its successor"

AMENDMENT NO. 4

On page 3, line 10, after "Regents" insert ", or its successor,"

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. 334—**

BY SENATORS GREENE, BRANCH, CASANOVA, DEAN, HOLLIS, JORDAN, SCHEDLER AND SHORT AND REPRESENTATIVES BOWLER, BRUNEAU, DONELON, FORSTER, JENKINS, LANCASTER, MARTINY, PERKINS, SCALISE, STELLY, VITTER, WALSWORTH AND WINSTON

A JOINT RESOLUTION

Proposing to amend Sections 3(A), 5, 6, 7, 8(B), and 12 of Article VIII of the Constitution of Louisiana and to add Article VIII, Section 16 thereof, relative to public education; to provide relative to the jurisdiction of the State Board of Elementary and Secondary Education; to create a Board of Governors to govern, manage, and have budgetary responsibility for all public institutions of post-secondary education; to provide relative to the membership, terms, and qualifications of the members of such board; to provide for their powers and duties; to provide for the creation of a master plan and the defining of institutional role, scope, and mission; to provide for the creation of certain councils and the duties thereof; to provide for the selection of the chief executive officers of the board and each institution; to provide relative to the powers and duties of such officers; to provide relative to the creation or conversion of institutions; to provide relative to appropriations for higher education; to eliminate the Board of Regents and all boards vested with management responsibilities for higher education systems; to provide for the transfer of certain rights, powers, and property and the assumption of obligations; to provide for transition and initial appointments; to specify an effective date; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments by the Committee on Education.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 334 by Senator Greene

AMENDMENT NO. 1

On page 4, line 13, delete "generally"

AMENDMENT NO. 2

On page 6, line 7, after "The" insert " state of Louisiana and the"

AMENDMENT NO. 3

On page 10, between lines 19 and 20, insert the following:

"(v) The Southern University Law Center."

AMENDMENT NO. 4

On page 10, line 20, change "(v)" to "(vi)"

AMENDMENT NO. 5

On page 12, line 23, change "(C)" to "(D)"

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

**SENATE BILL NO. 337—**

BY SENATORS GREENE, CASANOVA, HOLLIS, SCHEDLER, SHORT AND DEAN AND REPRESENTATIVES BOWLER, BRUNEAU, DONELON, FORSTER, LANCASTER, MARTINY, PERKINS, SCALISE, STELLY, VITTER, WALSWORTH, WIGGINS AND WINSTON

AN ACT

To enact R.S. 17:1814, relative to the cost of the provision of remedial course work at public colleges and universities; to provide for the recovery of such cost; to provide relative to charging an additional

fee to students required to take such courses; to provide for billing city and parish school systems and certain private and independent schools for such costs under certain circumstances; to provide for a determination of the costs of remedial courses; to authorize city and parish school systems to charge such payments back to certain schools within its jurisdiction; 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 Revenue and Fiscal Affairs.

**SENATE BILL NO. 461—**  
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 56:1681(A)(2)(b) and (f) and to enact R.S. 56:1681(A)(2)(j), relative to the State Parks and Recreation Commission; to provide relative to the membership of the State Parks and Recreation Commission; 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 and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 509—**  
BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 56:722 and 727, and to repeal Sections 2, 3, 4, 5, 6, 8, 9, 10 and 11 of Act 261 of the 1940 Regular Session of the Legislature, Act 226 of the 1946 Regular Session of the Legislature, Act 462 of the 1960 Regular Session of the Legislature, Section 11 of Act 455 of the 1966 Regular Session of the Legislature, and Act 129 of the 1995 Regular Session of the Legislature, relative to parish game and fish commissions; to provide for composition of parish commissions; to provide for rules and regulations proposed by parish commissions; to provide for promulgation of rules and regulations; to provide for penalties; to abolish the Spanish Lake Game and Fish Commission as a state agency; 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 and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 517—**  
BY SENATORS CAIN AND LANDRY AND REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 48:220, relative to roads and highways; to authorize placement of fences up to right-of-way in Wards 1 and 5 in Beauregard Parish; 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 and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 574—**  
BY SENATORS HAINKEL, DARDENNE, EWING AND ROMERO

AN ACT

To amend and reenact R.S. 56:10(B)(1)(d) and to enact R.S. 47:463.46, relative to motor vehicles; to establish the Ducks Unlimited 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 Duck Stamp Fund; 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 and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 632—**  
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 32:296, relative to driving on highway shoulders; to permit driving on the shoulder of a roadway in an emergency; 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. 632 by Senator Jordan

AMENDMENT NO. 1

On page 1, at the end of line 13, insert:

"When the emergency ends, the vehicle shall not be operated on the state highway shoulder."

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. 676—**  
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 38:2212(E)(1)(a) and (2), relative to public contract; to limit use of maintenance employees of a public body to maintenance of public utilities; 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 and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 677—**  
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 38:2241(A)(2), relative to public contracts; to provide relative to public works; to increase amount at which a bond is required; 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. 677 by Senator Landry

AMENDMENT NO. 1

On page 1, on line 12, between "of" and "the" add "not less than fifty percent of the contract price for the payment by"

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. 678—**  
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 38:2212(B), relative to public contracts; to repeal provisions relative to contract limits for the division of administration; 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. 678 by Senator Landry

AMENDMENT NO. 1

On page 1, line 15, change "Works" to "works"

AMENDMENT NO. 2

On page 2, line 1, after "buildings" delete the comma "," and at the end of the line add a comma ","

AMENDMENT NO. 3

On page 2, line 2, after "materials" add a comma ","

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. 679—

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 38:2212(A)(3)(a)(i) and (ii) and to enact R.S. 2211(A)(12), relative to public contracts; to define design professional; to provide for authorization to prepare certain contract cost estimates; 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 and ordered engrossed and passed to a third reading.

SENATE BILL NO. 687—

BY SENATORS LANDRY, CAIN AND SMITH

AN ACT

To amend and reenact R.S. 32:387(C)(3)(f)(ii), relative to motor vehicles; to provide relative to vehicles transporting recyclable waste paper products; to require width limits; 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 and ordered engrossed and passed to a third reading.

SENATE BILL NO. 691—

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 38:2212(A)(1)(c) and to enact R.S. 39:1594(C)(2)(d), relative to public contracts; to provide relative to bids for state contracts; to require signature of authorization on all bids; 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. 691 by Senator Landry

AMENDMENT NO. 1

On page 1, line 3, change "1594(c)(2)(d) to "1594(C)(2)(d)"

AMENDMENT NO. 2

On page 1, at the beginning of line 12, change "(C)" to "(c)"

AMENDMENT NO. 3

On page 2, delete line 19 in its entirety

AMENDMENT NO. 4

On page 2, at the beginning of line 20, delete "(c)" and change "(ii)" to "(ii)"

AMENDMENT NO. 5

On page 3, line 5, after "1594" change "(c)" to "(C)"

AMENDMENT NO. 6

On page 3, between lines 11 and 12 add "\* \* \*

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. 772—

BY SENATOR HEITMEIER

AN ACT

To enact R.S. 32:142(C), relative to traffic safety; to authorize police officers to remove unattended vehicles from the Crescent City Connection; 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 and ordered engrossed and passed to a third reading.

SENATE BILL NO. 782—

BY SENATOR FIELDS

AN ACT

To enact R.S. 40:1501(D)(3), relative to fire protection districts; to allow the governing authority of District 6 Fire Protection District of East Baton Rouge Parish to call an election for the purpose of levying a millage, subject to voter approval; 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. 782 by Senator Fields

AMENDMENT NO. 1

On page 1, between lines 5 and 6 insert:

"Notice of intent to introduce this Act has been published."

AMENDMENT NO. 2

On page 2, after line 11, insert the following "\* \* \*

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. 983—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 23:1842(1), 1843(A), 1862(B), and 2023(A) and R.S. 36:309(G)(3), relative to job training; to change the name of the Louisiana Employment and Training Council to the Governor's State Job Training Coordinating Council; 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 and ordered engrossed and passed to a third reading.

SENATE BILL NO. 987—

BY SENATOR ELLINGTON

AN ACT

To direct the Louisiana State Law Institute to change certain references in the law in matters of workers' compensation; 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 and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 989—**  
BY SENATOR ELLINGTON

AN ACT

To enact R.S. 23:12, relative to the Department of Labor; to provide with respect to the administration of records by the department; to provide for electronically digitizing of records; to deem the use of copies of such electronically digitized produced records as an original record; 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 and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 997—**  
BY SENATOR ELLINGTON

AN ACT

To repeal R.S. 23:1601(1)(b) and (2)(b), relative to unemployment compensation; to repeal provisions relative to reduction of benefits upon requalification; to provide for an effective date; 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. 997 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 2, delete "1536(I) and"

AMENDMENT NO. 2

On page 1, line 3, delete "negative" and on line 4, delete "reserve charges and"

AMENDMENT NO. 3

On page 1, line 7, delete "1536(I) and"

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. 1001—**  
BY SENATOR ELLINGTON

AN ACT

To enact R.S. 23:1660(E) and (F), relative to unemployment compensation; to provide with respect to records and reports; to provide relative to the release and access of unemployment records; to provide for the reimbursement of costs for releases of any unemployment compensation records to governmental entities; 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 and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 1002—**  
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 23:1622 and 1693(A), and to enact R.S. 23:1693(I), relative to unemployment compensation benefits; to provide for withholding and collection of payable unemployment compensation benefits for over issuance of food stamp allotments; 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 and

ordered engrossed and passed to a third reading.

**SENATE BILL NO. 1047—**  
BY SENATOR ELLINGTON AND REPRESENTATIVE FORSTER  
AN ACT

To amend and reenact R.S. 23:1397(A) and (C), 1404(B), 1405, and 1411(C), relative to the Louisiana Workers' Compensation Corporation; to transfer to the board of directors the authority to approve capitalization debt; to require the corporation to seek United States Department of Labor approval to write USL&H coverage without the full faith and credit guarantee; to provide for the disposition of assets upon dissolution of the corporation; to correlate the restrictions on the permitted types of corporate investments to the Louisiana Insurance Code; to remove the authority of the legislative auditor to audit the corporation after the full faith and credit guarantee has expired; 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 and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 1126—**  
BY SENATOR ELLINGTON AND REPRESENTATIVE FORSTER  
AN ACT

To amend and reenact R.S. 23:1035(A), relative to workers' compensation; to provide with respect to covered employees; to provide for a limited liability company to elect out of coverage of workers' compensation laws; 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 and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 1302—**  
BY SENATOR THEUNISSEN  
AN ACT

To amend and reenact R.S. 33:9102(B), and to enact Part V of Chapter 31 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9131.5, relative to certain communications districts; to provide relative to enhancement of emergency telecommunications services; to provide relative to service charges collected by districts including provisions relative to use of the proceeds from such charges, the telecommunications service users liable for such charges, the rate of such charges, and the collection and enforcement of such charges; and to provide for related matters.

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

**SENATE BILL NO. 1320—**  
BY SENATOR THEUNISSEN  
AN ACT

To amend and reenact R.S. 33:2719(B) and to enact R.S. 33:2719(E) and (F), relative to sales taxes; to provide for notification when auditing for compliance with local sales and use tax ordinances; 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. 1320 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 2, after "(E)" and before the comma "," insert "and (F)"

AMENDMENT NO. 2

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On page 1, line 8, after "(E)" and before "is" insert "and (F)" and change "is" to "are"

AMENDMENT NO. 3

On page 1, at the end of line 9, change "tax" to "taxes"

AMENDMENT NO. 4

On page 2, line 2, after the word "expenses." strike through the remainder of the line

AMENDMENT NO. 5

On page 2, strike through line 3 in its entirety

AMENDMENT NO. 6

On page 2, after line 18, insert the following:

"R.S. 33:2719(F) is all proposed new law.

F. If the cost of a sales tax compliance audit is to be borne by the taxpayer, pursuant to R.S. 47:1605 and similar local ordinances, the cost to the taxpayer shall not exceed thirty percent of the amount of the additional taxes determined to be due as the result of the audit."

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. 1412— BY SENATOR EWING

AN ACT

To amend and reenact R.S. 33:4754(A)(1) and (2), (B)(1) and (2), and (E)(1) and (2), relative to building regulations; to make certain clarifications relative to local governing authorities' authority to take action regarding the removal and securing of dangerous structures; to authorize certain parishes to charge an interest on costs incurred for services relative to the dangerous structures; to authorize certain parishes to request the removal and demolition of condemned buildings, structures, or public nuisances by the national guard; to remove any liability from certain parishes relative to such structures when all procedural protections and substantive restraints have been followed; 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 and ordered engrossed and passed to a third reading.

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made a Special Order of the Day, was taken up and acted upon as follows:

SENATE BILL NO. 330—

BY SENATORS DARDENNE, EWING, HAINKEL, BARHAM, BRANCH, COX, CRAVINS, DYESS, ELLINGTON, GUIDRY, HEITMEIER, HINES, HOLLIS, LAMBERT, LANDRY SHORT, SMITH AND THEUNISSEN

A JOINT RESOLUTION

Proposing to add Article I, Section 25 of the Constitution of Louisiana, to provide for rights of victims of crimes; to provide for submission of the proposed amendment to the electors; to specify an election for submission of the proposition to electors and provide a ballot proposition; 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

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

Total—37

NAYS

Total—0

ABSENT

Table with 2 columns: Robichaux, Tarver; Total—2

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

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. 48—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 18:1491.4(D) and 1495.2(D), relative to the Louisiana Election Code; to provide that money market accounts provided through a broker-dealer may be designated as a campaign depository; 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

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

Total—37

NAYS

Total—0

ABSENT

Robichaux Tarver  
Total—2

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

**SENATE BILL NO. 250—**  
BY SENATOR CAIN

AN ACT

To enact R.S. 22:9(A)(1)(bb), relative to the Louisiana Health Care Commission; to increase the membership of the commission; to provide for an additional nominee by the Louisiana Nursing Home Association; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

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

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

**SENATE BILL NO. 369—**  
BY SENATOR DARDENNE

AN ACT

To enact R.S. 42:1113(D)(2)(g), relative to the code of governmental ethics; to provide for the renewals and extension of employment contracts with educational institutions; and to provide for related matters.

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

**SENATE BILL NO. 465—**  
BY SENATOR BAGNERIS

AN ACT

To amend and reenact R.S. 43:111(A)(7) and to enact R.S. 43:111(A)(8), relative to advertising by the state and its agencies; to authorize the office of state parks in the Department of Culture,

Recreation and Tourism to advertise its programs when funds have been appropriated for that purpose; 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	Lambert
Bagneris	Ellington	Landry
Bajoie	Fields	Lentini
Barham	Greene	Malone
Bean	Guidry	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Theunissen
Cravins	Johnson	Ullo
Dardenne	Jones	
Dean	Jordan	
Total—37		
NAYS		
Total—0		
ABSENT		
Robichaux	Tarver	
Total—2		

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. 466—**  
BY SENATOR BAGNERIS

AN ACT

To amend and reenact R.S. 43:31(B) and to enact R.S. 43:31(A)(5), relative to printing of state government entities; to authorize the Department of Culture, Recreation and Tourism to print new promotional materials that enhance the development and implementation of its programs when funds have been appropriated for that purpose; to exempt those new promotional materials from the required cost to produce statement; 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	Jordan
Bagneris	Fields	Lambert
Bajoie	Greene	Landry
Barham	Guidry	Lentini
Bean	Heitmeier	Malone
Branch	Hines	Romero
Cox	Hollis	Schedler
Cravins	Irons	Siracusa
Dardenne	Johnson	Smith
Dyess	Jones	Theunissen
Total—30		

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**NAYS**

Cain	Dean	Ullo
Campbell	Hainkel	
Casanova	Short	
Total—7		

**ABSENT**

Robichaux	Tarver
Total—2	

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. 470—**

BY SENATORS COX, DARDENNE, JONES, BAGNERIS, BARHAM, ELLINGTON, GREENE AND JORDAN

**AN ACT**

To enact R.S. 49:149.24, to provide with respect to state buildings; to provide for the name of the Third Circuit Court of Appeals Building in Lake Charles.

**Floor Amendments Sent Up**

Senator Cox sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Cox to Engrossed Senate Bill No. 470 by Senator Cox

AMENDMENT NO. 1

On page 1, line 7, after "Justice" change "Al" to "Albert".

AMENDMENT NO. 2

On page 1, line 12, after "Justice" change "Al" to "Albert".

On motion of Senator Cox, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Robichaux	Tarver
Total—2	

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

**SENATE BILL NO. 503—**

BY SENATOR HINES AND REPRESENTATIVE DEWITT

**AN ACT**

To amend and reenact the introductory paragraph of R.S. 45:836 and to enact R.S. 45:836(14), relative to the composition of the Coordinating Council on Telemedicine and Distance Education; to provide for an additional member to be appointed by the Louisiana Board of Pharmacy; and to provide for related matters.

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

**SENATE BILL NO. 521—**

BY SENATOR BEAN

**AN ACT**

To amend and reenact R.S. 40:1300.83(2), (3), and (4), 1300.84(A), the introductory paragraph of R.S. 1300.84(B) and (B)(4), 1300.85, 1300.86, 1300.87, 1300.88, 1300.89(B), (C), and (D), 1300.90, 1300.91, 1300.92, 1300.93, 1300.94, 1300.95, 1300.96, and 1300.97, relative to the Louisiana Kidney Health Care Law; to remove the Louisiana Kidney Health Care Program from the direction of the Department of Health and Hospitals and to place it under the direction of the Louisiana State University Medical Center at Shreveport; to replace references to the department with references to the medical center; to replace references to the secretary with references to the chancellor; 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	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Theunissen
Cravins	Johnson	Ullo
Dardenne	Jones	
Dean	Jordan	
Total—37		

**NAYS**

Total—0

**ABSENT**

Robichaux	Tarver
Total—2	

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. 523—**

BY SENATORS ROBICHAUX AND LANDRY  
AN ACT

To authorize and empower the town of Grand Isle and the parishes of Terrebonne, Lafourche, Iberia, and St. Mary to use the designation "Louisiana's Cajun Coastline" to promote the area as a regional tourism destination.

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

**SENATE BILL NO. 609—**

BY SENATORS HAINKEL, DARDENNE, EWING AND HINES  
AN ACT

To amend and reenact R.S. 40:32(10) and to enact R.S. 40:32(18), relative to vital statistics; to redefine "vital records"; to define "signature", "sign(ed)" to include written or electronic signatures; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Robichaux	Tarver
Total—2	

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

**SENATE BILL NO. 611—**

BY SENATORS HAINKEL, DARDENNE, EWING AND BEAN  
AN ACT

To amend and reenact R.S. 40:34(B)(1)(a)(iii) and (h) and to enact R.S. 40:34(B)(1)(a)(vii) and (3), relative to vital records forms; to provide for contents of the birth certificate; to provide for an additional exception to the requirement that the surname of the child shall be the surname of the husband of the mother; to provide additional requirements for recording the father's name; to provide for the effect of law relative to contents of birth certificates on certain legal proceedings; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Robichaux	Tarver
Total—2	

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

**SENATE BILL NO. 674—**

BY SENATOR BAGNERIS

AN ACT

To amend and reenact R.S. 36:204(A)(7), relative to the powers and duties of the secretary of culture, recreation and tourism; to permit the secretary to authorize the printing of materials which assist in the promotion of the cultural, natural, historic, and recreational resources and programs of the state; 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	Lambert
Bagneris	Ellington	Landry
Bajoie	Fields	Lentini
Barham	Greene	Malone
Bean	Guidry	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Theunissen
Cravins	Johnson	Ullo
Dardenne	Jones	
Dean	Jordan	
Total—37		

**NAYS**

Total—0

**ABSENT**

Robichaux	Tarver
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April 7, 1997

Total—2

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. 1043—**  
BY SENATOR HOLLIS

AN ACT

To repeal R.S. 51:1261(D), as amended by Section 1 of Act No. 111 of the 1987 Regular Session, relative to delays for submitting statewide marketing plan; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Robichaux	Tarver
Total—2	

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

**SENATE BILL NO. 1163—**  
BY SENATOR HOLLIS

AN ACT

To enact R.S. 49:191(11) and to repeal R.S. 49:191(8)(a), relative to the Department of Culture, Recreation and Tourism; to provide for the re-creation of the department and the statutory entities made a part of the department; to provide for the termination of statutory authority for the existence of the department and the statutory entities made a part of the department; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dean	Jones
Bagneris	Dyess	Jordan
Bajoie	Ellington	Lambert

Barham	Fields	Landry
Bean	Greene	Lentini
Branch	Guidry	Malone
Cain	Hainkel	Romero
Campbell	Heitmeier	Schedler
Casanova	Hines	Siracusa
Cox	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Johnson	Ullo
Total—36		

NAYS

Total—0

ABSENT

Robichaux	Short	Tarver
Total—3		

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

**Senate Bills and Joint Resolutions on  
Third Reading and Final Passage,  
Subject to Call**

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

**Called from the Calendar**

Senator Landry asked that Senate Bill No. 523 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 523—**  
BY SENATORS ROBICHAUX AND LANDRY  
AN ACT

To authorize and empower the town of Grand Isle and the parishes of Terrebonne, Lafourche, Iberia, and St. Mary to use the designation "Louisiana's Cajun Coastline" to promote the area as a regional tourism destination.

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	Jordan
Bajoie	Fields	Lambert
Barham	Greene	Landry
Bean	Guidry	Lentini
Branch	Hainkel	Malone
Cain	Heitmeier	Romero
Campbell	Hines	Schedler
Casanova	Hollis	Short
Cox	Irons	Smith
Dardenne	Johnson	Theunissen
Dean	Jones	Ullo
Total—33		

NAYS

Total—0

ABSENT

Bagneris	Dyess	Siracusa
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Cravins  
Total—6

Robichaux

Tarver

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

**Rules Suspended**

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

**Introduction of Senate Bills and Joint Resolutions**

Senator Bagneris asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

**SENATE BILL NO. 1428—**  
BY SENATOR DEAN

AN ACT

To amend and reenact R.S. 16:574(A)(2) and (C) and to repeal R.S. 16:571 through 574 as amended by Act No. 198 of the 1986 Regular Session, relative to the district attorney's office in the Twenty-Fifth Judicial District; to delete the authority of the district attorney to increase salaries of the assistant district attorneys up to ten percent annually without the approval of the governing authority; to delete certain expenditures from the portion of the annual budget of the district attorney which the governing authority can not reduce without the district attorney's consent; 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.

**SENATE BILL NO. 1429—**  
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 11:1549(A), relative to the Clerks' of Court Retirement and Relief Fund; to provide with respect to cost-of-living adjustments; 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 Retirement.

**SENATE BILL NO. 1430—**  
BY SENATOR HINES

AN ACT

To enact R.S. 17:421.3(B)(4), relative to public elementary and secondary school teachers; to provide salary increases for the 1997-1998, 1998-1999, and 1999-2000 school years; to provide salary increase amounts and for annualization of amounts for ensuing years; to provide definitions; and to provide for related matters.

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

**SENATE BILL NO. 1431—**  
BY SENATOR HINES

AN ACT

To enact R.S. 17:421.4(C), relative to school employees; to provide salary increases for the 1997-1998, 1998-1999, and 1999-2000 school years; to provide for salary increase amounts and for annualization of amounts for ensuing years; to provide definitions; and to provide for related matters.

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

**SENATE BILL NO. 1432—**  
BY SENATOR HINES

AN ACT

To enact R.S. 40:1496.18, relative to fire protection districts; to create the Ward One Fire Protection District No. 2 of Ville Platte; to authorize the Evangeline Parish Police Jury to appoint a five member board of commissioners for the fire district; to provide that all board members be resident property taxpayers of the district; 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.

**SENATE BILL NO. 1433—**  
BY SENATOR JONES

AN ACT

To enact Part XI 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.

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

**SENATE BILL NO. 1434—**  
BY SENATOR JONES

AN ACT

To enact R.S. 33:381(C)(11), relative to chiefs of police; to provide relative to the appointment of chiefs of police in certain municipalities located in certain parishes; 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.

**SENATE BILL NO. 1435—**  
BY SENATORS DYESS AND HEITMEIER

AN ACT

To amend and reenact R.S. 47:1907 and to repeal R.S. 47:1911; relative to assessors; to restructure the compensation schedule for assessors from a combined factor formula to a population based formula; 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.

**Messages from the House**

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

**Message from the House**

**ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS**

April 7, 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 Concurrent Resolutions:

**HOUSE CONCURRENT RESOLUTION NO. 25—**  
BY REPRESENTATIVE STRAIN

A CONCURRENT RESOLUTION

To nominate for inclusion in the natural and scenic rivers system in Louisiana the Abita River located in St. Tammany Parish.

April 7, 1997

**HOUSE CONCURRENT RESOLUTION NO. 33—**

BY REPRESENTATIVE BRUNEAU  
A CONCURRENT RESOLUTION

To urge and request the Wildlife and Fisheries Commission to enter into a reciprocal agreement with Mississippi on saltwater recreational fishing.

**HOUSE CONCURRENT RESOLUTION NO. 35—**

BY REPRESENTATIVE FRITH  
A CONCURRENT RESOLUTION

To memorialize congress to amend federal laws and regulations to authorize the taking of snow and blue geese, which are migratory game birds, with the use or aid of recorded or electrically amplified bird calls or sounds, or imitations of calls or sounds.

**HOUSE CONCURRENT RESOLUTION NO. 68—**

BY REPRESENTATIVES DOWNER, R. ALEXANDER, ANSARDI, BARTON, BRUNEAU, DEVILLE, DIMOS, DUPRE, FLAVIN, FORSTER, JOHNS, MCCAIN, MCDONALD, MCMAINS, MICHOT, PIERRE, SCALISE, JOHN SMITH, STELLY, TRICHE, AND WIGGINS

A CONCURRENT RESOLUTION

To amend and readopt Joint Rule No. 8 of the Joint Rules of the Senate and House of Representatives to provide for the selection of officers of certain joint legislative bodies; to provide that the positions of the officers of certain joint legislative bodies rotate between the House of Representatives and the Senate; to provide relative to joint committees; and to provide for related matters.

**HOUSE CONCURRENT RESOLUTION NO. 70 (DUPLICATE OF SENATE CONCURRENT RESOLUTION NO. )—**

BY REPRESENTATIVE DOWNER AND SENATOR EWING AND COAUTHORED BY REPRESENTATIVES R. ALEXANDER, ANSARDI, BARTON, BRUNEAU, DEVILLE, DIEZ, DIMOS, DUPRE, FLAVIN, FORSTER, JOHNS, LEBLANC, MCCAIN, MCDONALD, MCMAINS, MICHOT, PIERRE, SCALISE, JOHN SMITH, STELLY, TRICHE, AND WIGGINS, AND SENATORS

A CONCURRENT RESOLUTION

To amend and readopt Joint Rule No. 5 of the Joint Rules of the Senate and House of Representatives to provide for the procedure for passage of duplicate bills and to remove superseded provisions regarding introduction of bills after the fifteenth calendar day of a regular session.

**HOUSE CONCURRENT RESOLUTION NO. 71—**

BY REPRESENTATIVES DOWNER, R. ALEXANDER, BARTON, BRUNEAU, COPELIN, DEVILLE, DIMOS, FLAVIN, FONTENOT, FORSTER, HUNTER, JOHNS, LANCASTER, LEBLANC, MCDONALD, MCMAINS, MICHOT, MONTGOMERY, ROUSSELLE, SCALISE, JOHN SMITH, STELLY, TRICHE, VITTER, WALSWORTH, WELCH, WIGGINS, WILLARD-LEWIS, AND WINSTON

A CONCURRENT RESOLUTION

To adopt Joint Rule No. 20 of the Joint Rules of the Senate and House of Representatives, to require each member of the legislature to file annually a report of certain income; to provide for procedures and definitions; and to provide relative to such reports.

**HOUSE CONCURRENT RESOLUTION NO. 86—**

BY REPRESENTATIVE WILLARD-LEWIS  
A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the tragic death of Mr. Curtis M. Branaugh, the well-known State Capitol shoeshine stand operator and good-hearted resident of Baton Rouge.

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

**House Concurrent Resolutions**

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

**HOUSE CONCURRENT RESOLUTION NO. 25—**

BY REPRESENTATIVE STRAIN  
A CONCURRENT RESOLUTION

To nominate for inclusion in the natural and scenic rivers system in Louisiana the Abita River located in St. Tammany Parish.

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

**HOUSE CONCURRENT RESOLUTION NO. 33—**

BY REPRESENTATIVE BRUNEAU  
A CONCURRENT RESOLUTION

To urge and request the Wildlife and Fisheries Commission to enter into a reciprocal agreement with Mississippi on saltwater recreational fishing.

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

**HOUSE CONCURRENT RESOLUTION NO. 35—**

BY REPRESENTATIVE FRITH  
A CONCURRENT RESOLUTION

To memorialize congress to amend federal laws and regulations to authorize the taking of snow and blue geese, which are migratory game birds, with the use or aid of recorded or electrically amplified bird calls or sounds, or imitations of calls or sounds.

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

**HOUSE CONCURRENT RESOLUTION NO. 68—**

BY REPRESENTATIVES DOWNER, R. ALEXANDER, ANSARDI, BARTON, BRUNEAU, DEVILLE, DIMOS, DUPRE, FLAVIN, FORSTER, JOHNS, MCCAIN, MCDONALD, MCMAINS, MICHOT, PIERRE, SCALISE, JOHN SMITH, STELLY, TRICHE, AND WIGGINS

A CONCURRENT RESOLUTION

To amend and readopt Joint Rule No. 8 of the Joint Rules of the Senate and House of Representatives to provide for the selection of officers of certain joint legislative bodies; to provide that the positions of the officers of certain joint legislative bodies rotate between the House of Representatives and the Senate; to provide relative to joint committees; and to provide for related matters.

On motion of Senator Bagneris, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE CONCURRENT RESOLUTION NO. 70 (DUPLICATE OF SENATE CONCURRENT RESOLUTION NO. )—**

BY REPRESENTATIVE DOWNER AND SENATOR EWING AND COAUTHORED BY REPRESENTATIVES R. ALEXANDER, ANSARDI, BARTON, BRUNEAU, DEVILLE, DIEZ, DIMOS, DUPRE, FLAVIN, FORSTER, JOHNS, LEBLANC, MCCAIN, MCDONALD, MCMAINS, MICHOT, PIERRE, SCALISE, JOHN SMITH, STELLY, TRICHE, AND WIGGINS, AND SENATORS

A CONCURRENT RESOLUTION

To amend and readopt Joint Rule No. 5 of the Joint Rules of the Senate and House of Representatives to provide for the procedure for passage of duplicate bills and to remove superseded provisions regarding introduction of bills after the fifteenth calendar day of a regular session.

On motion of Senator Bagneris, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE CONCURRENT RESOLUTION NO. 71—**

BY REPRESENTATIVES DOWNER, R. ALEXANDER, BARTON, BRUNEAU, COPELIN, DEVILLE, DIMOS, FLAVIN, FONTENOT, FORSTER, HUNTER, JOHNS, LANCASTER, LEBLANC, MCDONALD, MCMAINS, MICHOT, MONTGOMERY, ROUSSELLE, SCALISE, JOHN SMITH, STELLY, TRICHE, VITTER, WALSWORTH, WELCH, WIGGINS, WILLARD-LEWIS, AND WINSTON

A CONCURRENT RESOLUTION

To adopt Joint Rule No. 20 of the Joint Rules of the Senate and House of Representatives, to require each member of the legislature to file annually a report of certain income; to provide for procedures and definitions; and to provide relative to such reports.

On motion of Senator Bagneris, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

**HOUSE CONCURRENT RESOLUTION NO. 86—**

BY REPRESENTATIVE WILLARD-LEWIS

**A CONCURRENT RESOLUTION**

To express the condolences of the Legislature of Louisiana upon the tragic death of Mr. Curtis M. Branaugh, the well-known State Capitol shoeshine stand operator and good-hearted resident of Baton Rouge.

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

**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	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Theunissen
Cravins	Johnson	Ullo
Dardenne	Jones	
Dean	Jordan	
Total—37		

**NAYS**

Total—0

**ABSENT**

Robichaux	Tarver
Total—2	

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

**Messages from the House**

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

**Message from the House**

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

April 7, 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. 578—**

BY REPRESENTATIVE WINDHORST  
AN ACT

To enact R.S. 32:57(G), relative to penalties when traffic citations are issued by police employed by the Greater New Orleans Expressway Commission; to provide for an additional cost to be added to the penalty in such cases; to create a Greater New Orleans Expressway Commission Additional Cost Fund; to provide for uses

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

**HOUSE BILL NO. 590—**

BY REPRESENTATIVE LANCASTER AND SENATOR DARDENNE  
AN ACT

To enact R.S. 49:191(10)(g) and to repeal R.S. 49:191(8)(d), relative to the Department of Elections and Registration, including provisions to provide for the re-creation of the Department of Elections and Registration and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

**HOUSE BILL NO. 591—**

BY REPRESENTATIVE LANCASTER AND SENATOR DARDENNE  
AN ACT

To enact R.S. 49:191(10)(g) and to repeal R.S. 49:191(8)(e), relative to the Department of State, including provisions to provide for the re-creation of the Department of State and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

**HOUSE BILL NO. 592—**

BY REPRESENTATIVE LANCASTER AND SENATOR DARDENNE  
AN ACT

To enact R.S. 49:191(10)(g) and to repeal R.S. 49:191(8)(h), relative to the Department of State Civil Service, including provisions to provide for the re-creation of the Department of State Civil Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

**HOUSE BILL NO. 604—**

BY REPRESENTATIVE STRAIN  
AN ACT

To authorize and provide for the transfer of certain state property by the Department of Wildlife and Fisheries in Tangipahoa Parish; to provide descriptions; to provide terms and conditions; and to provide for related matters.

**HOUSE BILL NO. 619—**

BY REPRESENTATIVE DIEZ  
AN ACT

To amend and reenact R.S. 56:649.1, relative to lifetime hunting licenses; to include the wild turkey stamp in the lifetime hunting license; and to provide for related matters.

**HOUSE BILL NO. 53—**

BY REPRESENTATIVE BRUNEAU  
AN ACT

To enact R.S. 56:1833, relative to the Wild Louisiana Stamp Program; to provide for Wild Louisiana Guide Licenses; to provide for fees, terms, and conditions; to provide for rules and regulations; and to provide for related matters.

**HOUSE BILL NO. 91—**

BY REPRESENTATIVES DUPRE, DOWNER, GAUTREAUX, MCDONALD, AND MARIONNEAUX  
AN ACT

To amend and reenact R.S. 14:30.1(A)(2), relative to the crime of second degree murder; to include second degree kidnapping as one of the crimes during the perpetration of which a killing of a person constitutes second degree murder; and to provide for related matters.

**HOUSE BILL NO. 105—**

BY REPRESENTATIVE DUPRE  
AN ACT

To amend and reenact Code of Criminal Procedure Art. 814(A)(10), relative to responsive verdicts in criminal trials; to change the order in which "simple rape" and "sexual battery" appear as

April 7, 1997

responsive verdicts to the crime of forcible rape; and to provide for related matters.

**HOUSE BILL NO. 157—**

BY REPRESENTATIVE DOERGE

AN ACT

To authorize the Department of Wildlife and Fisheries and Wildlife and Fisheries Commission to dispose of certain land in Webster Parish; to provide for use of funds from such disposal for the purposes of building renovation; to provide terms, conditions, and requirements; and to provide for related matters.

**HOUSE BILL NO. 140—**

BY REPRESENTATIVE FAUCHEUX

AN ACT

To authorize and provide for the transfer or lease of certain state property to St. John the Baptist Parish from the Department of Transportation and Development; and to provide for related matters.

**HOUSE BILL NO. 108—**

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 41:140(D), relative to sales of immovable property by state agencies; to provide procedures and conditions for such sale; to authorize certain appraisals prior to the sale; to authorize the use of real estate brokers under certain circumstances to conduct such sale; to provide terms and conditions; to provide that no member of the legislature shall perform the services of such real estate broker or appraiser; and to provide for related matters.

**HOUSE BILL NO. 283—**

BY REPRESENTATIVE MCCAIN

AN ACT

To authorize and provide for the transfer or lease of certain state property by and on behalf of the state through the Department of Transportation and Development to the Assumption Parish Fire Protection District No. 1 for use by the Pierre Part/Belle River Volunteer Fire Department; to provide terms, conditions, procedures, and requirements; and to provide for related matters.

**HOUSE BILL NO. 304—**

BY REPRESENTATIVE DOWNER

AN ACT

To authorize and provide for the lease of certain property, consisting of certain state-owned water bottoms in Terrebonne Parish, from the Department of Natural Resources to the governing authority of Terrebonne Parish; to provide certain terms, conditions, and requirements; and to provide for related matters.

**HOUSE BILL NO. 305—**

BY REPRESENTATIVE DOWNER

AN ACT

To enact R.S. 41:1705(15), relative to public lands and state water bottom management; to provide an exemption from management by the Department of Natural Resources for Terrebonne Parish projects utilizing certain areas of Bayou Terrebonne for a public purpose; and to provide for related matters.

**HOUSE BILL NO. 409—**

BY REPRESENTATIVE STRAIN

AN ACT

To enact R.S. 56:1847(55), relative to the natural and scenic rivers system; to include the Abita River in St. Tammany Parish; and to provide for related matters.

**HOUSE BILL NO. 435—**

BY REPRESENTATIVES BRUNEAU AND LANCASTER

AN ACT

To amend and reenact R.S. 18:154(E), relative to voter registration; to provide that voter registration applications are open for public inspection; to make confidential certain information relating to voter registration; and to provide for related matters.

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

**House Bills and Joint Resolutions  
on Second Reading to be Referred**

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

**HOUSE BILL NO. 53—**

BY REPRESENTATIVE BRUNEAU

AN ACT

To enact R.S. 56:1833, relative to the Wild Louisiana Stamp Program; to provide for Wild Louisiana Guide Licenses; to provide for fees, terms, and conditions; to provide for rules and regulations; and to provide for related matters.

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

**HOUSE BILL NO. 91—**

BY REPRESENTATIVES DUPRE, DOWNER, GAUTREAUX, MCDONALD,  
AND MARIONNEAUX

AN ACT

To amend and reenact R.S. 14:30.1(A)(2), relative to the crime of second degree murder; to include second degree kidnapping as one of the crimes during the perpetration of which a killing of a person constitutes second degree murder; 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. 105—**

BY REPRESENTATIVE DUPRE

AN ACT

To amend and reenact Code of Criminal Procedure Art. 814(A)(10), relative to responsive verdicts in criminal trials; to change the order in which "simple rape" and "sexual battery" appear as responsive verdicts to the crime of forcible rape; 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. 108—**

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 41:140(D), relative to sales of immovable property by state agencies; to provide procedures and conditions for such sale; to authorize certain appraisals prior to the sale; to authorize the use of real estate brokers under certain circumstances to conduct such sale; to provide terms and conditions; to provide that no member of the legislature shall perform the services of such real estate broker or appraiser; 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.

**HOUSE BILL NO. 140—**

BY REPRESENTATIVE FAUCHEUX

AN ACT

To authorize and provide for the transfer or lease of certain state property to St. John the Baptist Parish from the Department of Transportation and Development; 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. 157—**  
BY REPRESENTATIVE DOERGE

AN ACT

To authorize the Department of Wildlife and Fisheries and Wildlife and Fisheries Commission to dispose of certain land in Webster Parish; to provide for use of funds from such disposal for the purposes of building renovation; to provide terms, conditions, and requirements; 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. 283—**  
BY REPRESENTATIVE MCCAIN

AN ACT

To authorize and provide for the transfer or lease of certain state property by and on behalf of the state through the Department of Transportation and Development to the Assumption Parish Fire Protection District No. 1 for use by the Pierre Part/Belle River Volunteer Fire Department; to provide terms, conditions, procedures, and requirements; 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. 304—**  
BY REPRESENTATIVE DOWNER

AN ACT

To authorize and provide for the lease of certain property, consisting of certain state-owned water bottoms in Terrebonne Parish, from the Department of Natural Resources to the governing authority of Terrebonne Parish; to provide certain terms, conditions, and requirements; 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. 305—**  
BY REPRESENTATIVE DOWNER

AN ACT

To enact R.S. 41:1705(15), relative to public lands and state water bottom management; to provide an exemption from management by the Department of Natural Resources for Terrebonne Parish projects utilizing certain areas of Bayou Terrebonne for a public purpose; 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. 409—**  
BY REPRESENTATIVE STRAIN

AN ACT

To enact R.S. 56:1847(55), relative to the natural and scenic rivers system; to include the Abita River in St. Tammany Parish; 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. 435—**  
BY REPRESENTATIVES BRUNEAU AND LANCASTER

AN ACT

To amend and reenact R.S. 18:154(E), relative to voter registration; to provide that voter registration applications are open for public inspection; to make confidential certain information relating to voter registration; 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.

**HOUSE BILL NO. 578—**  
BY REPRESENTATIVE WINDHORST

AN ACT

To enact R.S. 32:57(G), relative to penalties when traffic citations are issued by police employed by the Greater New Orleans Expressway Commission; to provide for an additional cost to be added to the penalty in such cases; to create a Greater New Orleans Expressway Commission Additional Cost Fund; to provide for uses of monies in the fund; 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. 590—**  
BY REPRESENTATIVE LANCASTER AND SENATOR DARDENNE

AN ACT

To enact R.S. 49:191(10)(g) and to repeal R.S. 49:191(8)(d), relative to the Department of Elections and Registration, including provisions to provide for the re-creation of the Department of Elections and Registration and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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

**HOUSE BILL NO. 591—**  
BY REPRESENTATIVE LANCASTER AND SENATOR DARDENNE

AN ACT

To enact R.S. 49:191(10)(g) and to repeal R.S. 49:191(8)(e), relative to the Department of State, including provisions to provide for the re-creation of the Department of State and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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

**HOUSE BILL NO. 592—**  
BY REPRESENTATIVE LANCASTER AND SENATOR DARDENNE

AN ACT

To enact R.S. 49:191(10)(g) and to repeal R.S. 49:191(8)(h), relative to the Department of State Civil Service, including provisions to provide for the re-creation of the Department of State Civil Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

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

**HOUSE BILL NO. 604—**  
BY REPRESENTATIVE STRAIN

AN ACT

To authorize and provide for the transfer of certain state property by the Department of Wildlife and Fisheries in Tangipahoa Parish; to provide descriptions; to provide terms and conditions; 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. 619—**  
BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 56:649.1, relative to lifetime hunting licenses; to include the wild turkey stamp in the lifetime hunting license; and to provide for related matters.

April 7, 1997

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

RETIREMENT

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

April 7, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 195— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:181(A)(1) and (2), 511(2), 1162(A)(3), and 1302(A)(6), relative to state retirement systems; to provide for the composition of the boards of trustees of state systems; to provide that the chairman of the Senate Committee on Retirement serve as ex-officio member of such boards of trustees; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 196— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:403(19) and (20) and 413(3), relative to Louisiana State Employees' Retirement System; to provide for eligibility and definitions of certain persons who may or may not be members or receive benefits from the system; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 197— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:701(5)(a), relative to the Teachers' Retirement System of Louisiana; to provide for the definition of average compensation; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 198— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:701(5)(c), relative to the Teachers' Retirement System of Louisiana; to provide for limitations on the computation of average compensation; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 199— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:162(C), relative to certain retirement systems; to provide for membership eligibility for certain part-time, seasonal, or temporary employees; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 200— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:728(B)(1) and (F), relative to the Teachers' Retirement System of Louisiana; to provide for establishing credit for certain teaching service; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 395— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:511(4) and (5), relative to the Louisiana State Employees' Retirement System; to provide for term limits for elected members of the board of trustees; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 399— BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:462, relative to Louisiana State Employees' Retirement System; to provide for an optional disability enhancement benefit program and rehabilitation program; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 425— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:181(A) and to repeal R.S. 11:182, relative to state and statewide retirement systems; to provide for the composition of the governing boards of state systems; to provide that the chairman of the Senate Committee on Retirement serve as ex officio member of such boards; to provide for per diem and expenses paid for board members to attend meetings; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 433— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:144 and to enact R.S. 11:158(D), relative to state and statewide retirement systems; to authorize the partial repayment of refunds; to authorize the partial purchase of service credit; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 434— BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:751, relative to the Teachers' Retirement System of Louisiana; to provide for rounding of service credit at retirement or beginning participation in the Deferred Retirement Option Plan; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 435— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:701(9), relative to the Teachers' Retirement System of Louisiana; to provide for certain compensation not included in the definition of earnable compensation; to provide for an effective date; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 436—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:723(A) and (B), relative to Teachers' Retirement System of Louisiana; to provide for retaining membership in the retirement system; to provide for an effective date; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 438—**  
BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:164, relative to all state and statewide retirement systems; to provide for payment of funds or benefits to a succession; to provide for an effective date; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 439—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:762(B)(1), relative to the Teachers' Retirement System of Louisiana; to provide for the computation of benefits for a surviving spouse; to provide for an effective date; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 440—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:752(D), relative to the Teachers' Retirement System of Louisiana; to provide for conversion of sick leave to membership service credit; to provide for an effective date; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 976—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:701(5)(a) and (c) and (9), 723, 728(B)(1) and (F), and 752(D) and to enact R.S. 11:751, relative to the Teachers' Retirement System of Louisiana; to provide for the definition of compensation; to provide for retaining membership; to provide for establishing credit for certain teaching service; to provide for rounding of service credit; to provide for conversion of sick leave to service credit; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
FRANCIS C. HEITMEIER  
Chairman

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

Senator Heitmeier 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. 195—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:181(A)(1) and (2), 511(2), 1162(A)(3), and 1302(A)(6), relative to state retirement systems; to provide for the composition of the boards of trustees of state systems; to provide that the chairman of the Senate Committee on Retirement serve as ex-officio member of such boards of trustees; and to provide for related matters.

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

**SENATE BILL NO. 196—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:403(19) and (20) and 413(3), relative to Louisiana State Employees' Retirement System; to provide for eligibility and definitions of certain persons who may or may not be members or receive benefits from the system; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 196 by Senator Heitmeier

AMENDMENT NO. 1

On page 2, line 21, delete "on July 1, 1991,"

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

**SENATE BILL NO. 197—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:701(5)(a), relative to the Teachers' Retirement System of Louisiana; to provide for the definition of average compensation; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 197 by Senator Heitmeier

AMENDMENT NO. 1

On page 2, line 2, delete "years" and insert in lieu thereof "three"

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

**SENATE BILL NO. 198—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:701(5)(c), relative to the Teachers' Retirement System of Louisiana; to provide for limitations on the computation of average compensation; to provide for an effective date; and to provide for related matters.

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

April 7, 1997

**SENATE BILL NO. 199—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:162(C), relative to certain retirement systems; to provide for membership eligibility for certain part-time, seasonal, or temporary employees; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 200—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:728(B)(1) and (F), relative to the Teachers' Retirement System of Louisiana; to provide for establishing credit for certain teaching service; to provide for an effective date; and to provide for related matters.

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

**SENATE BILL NO. 395—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:511(4) and (5), relative to the Louisiana State Employees' Retirement System; to provide for term limits for elected members of the board of trustees; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 395 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 4, between "trustees;" and "to" insert "to provide for the composition of the board of trustees;"

AMENDMENT NO. 2

On page 2, line 4, change "two" to "three"

AMENDMENT NO. 3

On page 2, line 6, change "second" to "third"

AMENDMENT NO. 4

On page 2, line 7, change "third" to "fourth"

AMENDMENT NO. 5

On page 2, at the end of line 14, insert the following:

"No department in the executive branch of state government, as set forth in Title 36 of the Louisiana Revised Statutes of 1950, shall have more than two trustees serving on the board at the same time. The candidate or candidates who have received the highest and next highest vote tallies and who do not violate the prohibition against more than two trustees from the same department shall be declared the elected trustee or trustees."

AMENDMENT NO. 6

On page 2, line 20, change "two" to "three"

AMENDMENT NO. 7

On page 2, line 22, change "second" to "third"

AMENDMENT NO. 8

On page 2, line 23, change "third" to "fourth"

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

**SENATE BILL NO. 399—**  
BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:462, relative to Louisiana State Employees' Retirement System; to provide for an optional disability enhancement benefit program and rehabilitation program; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 399 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 16, after "work" insert "in a job in the same or equivalent job classification as the member had before being disabled"

AMENDMENT NO. 2

On page 2, line 2, after "service" insert "in a job in the same or equivalent job classification as the member had before being disabled"

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

**SENATE BILL NO. 425—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:181(A) and to repeal R.S. 11:182, relative to state and statewide retirement systems; to provide for the composition of the governing boards of state systems; to provide that the chairman of the Senate Committee on Retirement serve as ex officio member of such boards; to provide for per diem and expenses paid for board members to attend meetings; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 425 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 6, delete "and expenses"

AMENDMENT NO. 2

On page 2, delete lines 23 through 25 and insert in lieu thereof "the normal expense allowance allowed state employees by the division of administration, provided funds are available for this purpose. The"

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

**SENATE BILL NO. 433—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:144 and to enact R.S. 11:158(D), relative to state and statewide retirement systems; to authorize the partial repayment of refunds; to authorize the partial purchase of service credit; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 433 by Senator Heitmeier

AMENDMENT NO. 1

On page 2, line 16, delete "repurchased" and insert in lieu thereof "purchased"

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

SENATE BILL NO. 434— BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:751, relative to the Teachers' Retirement System of Louisiana; to provide for rounding of service credit at retirement or beginning participation in the Deferred Retirement Option Plan; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 435— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:701(9), relative to the Teachers' Retirement System of Louisiana; to provide for certain compensation not included in the definition of earnable compensation; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 436— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:723(A) and (B), relative to Teachers' Retirement System of Louisiana; to provide for retaining membership in the retirement system; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 438— BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:164, relative to all state and statewide retirement systems; to provide for payment of funds or benefits to a succession; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 439— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:762(B)(1), relative to the Teachers' Retirement System of Louisiana; to provide for the computation of benefits for a surviving spouse; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 440— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:752(D), relative to the Teachers' Retirement System of Louisiana; to provide for conversion of sick leave to membership service credit; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 976— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:701(5)(a) and (c) and (9), 723, 728(B)(1) and (F), and 752(D) and to enact R.S. 11:751, relative to the Teachers' Retirement System of Louisiana; to provide for the definition of compensation; to provide for retaining membership; to provide for establishing credit for certain teaching service; to provide for rounding of service credit; to provide for conversion of sick leave to service credit; to provide for an effective date; and to provide for related matters.

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

Rules Suspended

Senator Greene asked for and obtained a suspension of the rules for the purpose of taking up Senate Bill No. 334 which was just advanced to a third reading and final passage in order to make it Special Order of the Day, No. 1 on Wednesday, April 9, 1997 immediately following the Morning Hour.

SENATE BILL NO. 334—

BY SENATORS GREENE, BRANCH, CASANOVA, DEAN, HOLLIS, JORDAN, SCHEDLER AND SHORT AND REPRESENTATIVES BOWLER, BRUNEAU, DONELON, FORSTER, JENKINS, LANCASTER, MARTINY, PERKINS, SCALISE, STELLY, VITTER, WALSWORTH AND WINSTON

A JOINT RESOLUTION

Proposing to amend Sections 3(A), 5, 6, 7, 8(B), and 12 of Article VIII of the Constitution of Louisiana and to add Article VIII, Section 16 thereof, relative to public education; to provide relative to the jurisdiction of the State Board of Elementary and Secondary Education; to create a Board of Governors to govern, manage, and have budgetary responsibility for all public institutions of post-secondary education; to provide relative to the membership, terms, and qualifications of the members of such board; to provide for their powers and duties; to provide for the creation of a master plan and the defining of institutional role, scope, and mission; to provide for the creation of certain councils and the duties thereof; to provide for the selection of the chief executive officers of the board and each institution; to provide relative to the powers and duties of such officers; to provide relative to the creation or conversion of institutions; to provide relative to appropriations for higher education; to eliminate the Board of Regents and all boards vested with management responsibilities for higher education systems; to provide for the transfer of certain rights, powers, and property and the assumption of obligations; to provide for transition and initial appointments; to specify an effective date; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Motion

On motion of Senator Greene, Senate Bill No. 334 was made Special Order of the Day 1 on Wednesday, April 9, 1997 immediately following the Morning Hour.

April 7, 1997

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

REVENUE AND FISCAL AFFAIRS

Senator Barham, Chairman, on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

April 7, 1997

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

SENATE BILL NO. 990— BY SENATOR ELLINGTON

AN ACT

To enact R.S. 47:302.31, relative to the proceeds of the state sales tax on hotel occupancy in certain parishes; to provide for the creation of the Franklin Visitor Enterprise Fund; to provide for uses of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1032— BY SENATOR HEITMEIER

AN ACT

To enact R.S. 47:322.1, relative to the proceeds of state sales tax on hotel occupancy in the city of Gretna; to create the Gretna Tourist Commission Enterprise Fund; to dedicate a portion of such tax collected in the city of Gretna to the fund; to provide for deposit of monies into the fund and allowable uses of the fund; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1034— BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 47:1605, relative to taxation; to provide relative to certain reports; to provide relative to certain penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1089— BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 47:2262, relative to tax adjudicated property; to clarify the procedure for the redemption of tax adjudicated property by a tax debtor; and to provide for related matters.

Reported favorably.

SENATE BILL NO.1215— BY SENATOR EWING

AN ACT

To amend and reenact R.S. 47:285, 318(A), 615(introductory paragraph), 645(A), 680, 695, 727(A), 832, 1010, 1040, 1061(A)(4), 1307, and 2417 and to enact R.S. 47:1521, relative to the taxes collected by the Department of Revenue and Taxation; to require all monies collected by the Department of Revenue and Taxation to be paid into the state treasury immediately upon receipt; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1221— BY SENATOR EWING

AN ACT

To amend and reenact R.S. 39:128(B), relative to certain higher education capital outlay projects; to index the threshold for the exemption of such projects for the capital outlay process; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1222— BY SENATOR EWING

AN ACT

To amend and reenact R.S. 39:126, relative to public contracts; to increase change order thresholds; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1305— BY SENATOR COX

AN ACT

To amend and reenact R.S. 47:101(A)(1), relative to returns and payment of tax; to require all individuals required to file a federal tax return, to file a state tax return; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1366— BY SENATOR COX

AN ACT

To amend and reenact R.S. 47:302.12(A) and 302.14(A), relative to the proceeds of the state sales and use tax on hotel occupancy in certain parishes; to provide for the proceeds of additional state sales and use taxes on hotel occupancy in Calcasieu Parish; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted, ROBERT J. BARHAM Chairman

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

Senator Barham 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. 990— BY SENATOR ELLINGTON

AN ACT

To enact R.S. 47:302.31, relative to the proceeds of the state sales tax on hotel occupancy in certain parishes; to provide for the creation of the Franklin Visitor Enterprise Fund; to provide for uses of monies in the fund; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 990 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 10, delete "by this Chapter from" and insert "on"

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

**SENATE BILL NO. 1032—**  
BY SENATOR HEITMEIER

AN ACT

To enact R.S. 47:322.1, relative to the proceeds of state sales tax on hotel occupancy in the city of Gretna; to create the Gretna Tourist Commission Enterprise Fund; to dedicate a portion of such tax collected in the city of Gretna to the fund; to provide for deposit of monies into the fund and allowable uses of the fund; and to provide for related matters.

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

**SENATE BILL NO. 1034—**  
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 47:1605, relative to taxation; to provide relative to certain reports; to provide relative to certain penalties; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 1034 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 11, delete "collector" and insert "secretary"

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

**SENATE BILL NO. 1089—**  
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 47:2262, relative to tax adjudicated property; to clarify the procedure for the redemption of tax adjudicated property by a tax debtor; and to provide for related matters.

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

**SENATE BILL NO. 1215—**  
BY SENATOR EWING

AN ACT

To amend and reenact R.S. 47:285, 318(A), 615(introductory paragraph), 645(A), 680, 695, 727(A), 832, 1010, 1040, 1061(A)(4), 1307, and 2417 and to enact R.S. 47:1521, relative to the taxes collected by the Department of Revenue and Taxation; to require all monies collected by the Department of Revenue and Taxation to be paid into the state treasury immediately upon receipt; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 1215 by Senator Ewing

AMENDMENT NO. 1

On page 1, at the beginning of line 4, change "2417" to "2418"

AMENDMENT NO. 2

On page 1, line 10, change "2417" to "2418"

AMENDMENT NO. 3

On page 3, line 12, delete "revenue" and insert "the Department of Revenue and Taxation"

AMENDMENT NO. 4

On page 4, at the beginning of line 6, delete "Immediately upon receipt, the" and insert "The"

AMENDMENT NO. 5

On page 5, at the beginning of line 16, insert "A."

AMENDMENT NO. 6

On page 5, at the beginning of line 18, delete the comma "," and after "receipt" delete the comma ","

AMENDMENT NO. 7

On page 6, delete lines 7 through 19, and insert the following:

"§2418. Disposition of collections

Except as provided in R.S. 47:2417, all taxes, interest and penalties collected pursuant to the provisions of this Part shall be remitted ~~by the tax collector~~ **by the secretary of the Department of Revenue and Taxation immediately upon receipt** to the state treasurer ~~not later than the tenth day of the following month~~, and shall be credited by the treasurer to the general fund."

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

**SENATE BILL NO. 1221—**  
BY SENATOR EWING

AN ACT

To amend and reenact R.S. 39:128(B), relative to certain higher education capital outlay projects; to index the threshold for the exemption of such projects for the capital outlay process; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 1221 by Senator Ewing

AMENDMENT NO. 1

On page 2, line 5, delete "or de-escalated"

AMENDMENT NO. 2

On page 2, line 6, after "Statistics" and before the ".", insert:

"; provided that, in no case shall the base be less than three hundred thousand dollars"

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

**SENATE BILL NO. 1222—**  
BY SENATOR EWING

AN ACT

To amend and reenact R.S. 39:126, relative to public contracts; to increase change order thresholds; and to provide for related matters.

April 7, 1997

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

**SENATE BILL NO. 1305—**  
BY SENATOR COX

AN ACT

To amend and reenact R.S. 47:101(A)(1), relative to returns and payment of tax; to require all individuals required to file a federal tax return, to file a state tax return; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. The bill was read by title, ordered engrossed, and recommitted to the Committee on Finance.

**SENATE BILL NO. 1366—**  
BY SENATOR COX

AN ACT

To amend and reenact R.S. 47:302.12(A) and 302.14(A), relative to the proceeds of the state sales and use tax on hotel occupancy in certain parishes; to provide for the proceeds of additional state sales and use taxes on hotel occupancy in Calcasieu Parish; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 1366 by Senator Cox

AMENDMENT NO. 1

On page 1, line 11, delete "by this Chapter from" and insert "on"

AMENDMENT NO. 2

On page 2, at the end of line 7, delete "by" and at the beginning of line 8, delete "this Chapter from" and insert "on"

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

**Privilege Report of the Committee on Senate and Governmental Affairs**

**ENROLLMENTS**

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

April 4, 1997

To the President and Members of the Senate:

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

The following Senate Resolution has been properly enrolled:

**SENATE RESOLUTION NO. 8—**  
BY SENATOR BEAN

A RESOLUTION

To commend and congratulate N.J. Caraway & Company, Inc. on the occasion of its one hundredth anniversary.

Respectfully submitted,  
JAY DARDENNE  
Chairman

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

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Robichaux            1 Day                            Tarver                            1 Day

**Adjournment**

Senator Bagneris moved that the Senate adjourn until Tuesday, April 8, 1997 at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Tuesday, April 8, 1997.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk