

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

**FORTY-NINTH 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

Wednesday, June 18, 1997

The Senate was called to order at 9:00 o'clock A.M., by Hon. Randy Ewing, President of the Senate.

**ROLL CALL**

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

**PRESENT**

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Dyess     | Lambert    |
| Bagneris      | Ellington | Landry     |
| Bajoie        | Fields    | Lentini    |
| Barham        | Greene    | Malone     |
| Bean          | Guidry    | Robichaux  |
| Branch        | Hainkel   | Romero     |
| Cain          | Heitmeier | Schedler   |
| Campbell      | Hines     | Short      |
| Casanova      | Hollis    | Siracusa   |
| Cox           | Irons     | Smith      |
| Cravins       | Johnson   | Tarver     |
| Dardenne      | Jones     | Theunissen |
| Dean          | Jordan    | Ullo       |
| Total—39      |           |            |

**ABSENT**

Total—0

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

**Prayer**

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

**Morning Hour**

**Messages from the Governor**

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

June 17, 1997

To the Honorable President and Member of the Senate:

Please be advised that the following individuals have been commissioned as Notaries Public for the parishes indicated through June 17, 1997. In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of the 1974, I do hereby present them for your review.

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

**CALCASIEU**

Angela J. Franks  
139 Alston Road  
Dequincy, La 70633

**EAST BATON ROUGE**

Karla M. Coreil  
5643 Corporate Blvd.  
Baton Rouge, La 70808

John M. Doyle  
301 Main St., 7th Floor  
Baton Rouge, La 70825

Jeffrey M. Richards  
301 Main St., 7th Floor  
Baton Rouge, La 70825

**JEFFERSON**

Carol Lynne Lavallee  
10105 Tiffany Dr.  
River Ridge, La 70123

Michael W. McMahan  
1515 Poydras St., Ste. 1950  
New Orleans, La 70112

**LAFAYETTE**

Elise Mayers Bouchner  
102 Britain Cr.  
Lafayette, La 70507

Maria Fabre Manuel  
103 Teche Dr.  
Lafayette, La 70507

**ORLEANS**

Michael Stephen Sepcich  
601 Poydras St., Ste. 2100  
New Orleans, La 70130

**POINTE COUPEE**

Katie S. Bellelo  
P. O. Box 519  
Maringouin, La 70757

**ST. TAMMANY**

Erica Blanchard  
2800 Hessmer Ave., Ste. D  
Metairie, La 70002

Anita Ann Cates  
P. O. Box 3140  
Covington, La 70434

Kim H. Davis  
14505 Blackwater Rd.  
Baker, La 70714

Beryle L. Patin  
301 Main St., 7th Floor  
Baton Rouge, La 70825

**EAST CARROLL**

F. Sherman Boughton, Jr.  
405 Morgan St  
Lake Providence, La 71254

Anita S. McCrossen  
4520 Alphonse Dr.  
Metairie, La 70006

Jeffrey M. Landry  
1000 Lafayette St., Ste. 200  
Lafayette, La 70501

Claudette B. Walker  
4916 Janice Ave.  
Kenner, La 70065

**ST. MARTIN**

Christine Laperouse  
102 E. Berard St.  
St. Martinville, La 70582

**Rules Suspended**

Senator Bagneris asked for and obtained a suspension of the rules for the purpose of advancing to the order of

June 18, 1997

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

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

**HOUSE BILL NO. 945—**  
BY REPRESENTATIVE MCCAIN  
AN ACT

To amend and reenact Code of Criminal Procedure Art. 880, relative to credit for prior custody; to delete the requirement that the court must give a defendant credit for prior custody in imposing sentence; and to provide for related matters.

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

**HOUSE BILL NO. 1061—**  
BY REPRESENTATIVE FAUCHEUX  
AN ACT

To amend and reenact R.S. 15:1155(C) and (G), relative to the Prison Enterprises Program in the Department of Public Safety and Corrections; to provide with respect to the membership of the board; to provide with respect to the number of members required for a quorum; to provide with respect to the number of votes necessary for the board to take action; and to provide for related matters.

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

**HOUSE BILL NO. 1307—**  
BY REPRESENTATIVE TRAVIS  
AN ACT

To amend and reenact R.S. 9:1783, relative to trusts and trustees; to provide for what persons and entities may serve as trustees of a trust; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Dyess     | Lambert    |
| Bagneris      | Ellington | Landry     |
| Bajoie        | Fields    | Lentini    |
| Barham        | Greene    | Malone     |
| Bean          | Guidry    | Robichaux  |
| Branch        | Hines     | Romero     |
| Cain          | Hollis    | Schedler   |
| Casanova      | Irons     | Siracusa   |
| Dardenne      | Johnson   | Smith      |
| Dean          | Jordan    | Theunissen |
| Total—30      |           |            |

**NAYS**

Total—0

**ABSENT**

|          |           |        |
|----------|-----------|--------|
| Campbell | Hainkel   | Short  |
| Cox      | Heitmeier | Tarver |
| Cravins  | Jones     | Ullo   |
| Total—9  |           |        |

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

**HOUSE BILL NO. 1461—**  
BY REPRESENTATIVES HEATON AND MURRAY  
AN ACT

To amend and reenact R.S. 15:85(7), relative to the enforcement and collection of bond forfeiture judgments; to provide for the time when judgments may be enforced and collected; to provide that such judgments may be collected in the same manner as civil judgments; and to provide for related matters.

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

**HOUSE BILL NO. 1517—**  
BY REPRESENTATIVE HEATON  
AN ACT

To amend and reenact R.S. 15:85(11)(a) and (b)(introductory paragraph), relative to hearings to prohibit certain commercial sureties from executing criminal bail bonds; to allow non-district courts to conduct such hearings; and to provide for related matters.

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

**HOUSE BILL NO. 1526—**  
BY REPRESENTATIVE TOOMY  
AN ACT

To amend and reenact R.S. 37:2558(A), relative to certified shorthand reporters; to establish fees to be paid to the Board of Examiners of Certified Shorthand Reporters; and to provide for related matters.

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

**HOUSE BILL NO. 2256—**  
BY REPRESENTATIVE COPELIN  
AN ACT

To amend and reenact R.S. 27:18, relative to the Louisiana Gaming Control Board; to provide for venue for civil proceedings involving gaming licensees; and to provide for related matters.

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

**HOUSE BILL NO. 2265—**  
BY REPRESENTATIVE HOLDEN  
AN ACT

To enact R.S. 27:311(I), relative to video draw poker devices; to provide licensing requirements for certain licensees; and to provide for related matters.

**Rules Suspended**

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

Without objection, so ordered.

**Motion**

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

Without objection, so ordered.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|          |           |            |
|----------|-----------|------------|
| Bagneris | Dardenne  | Jones      |
| Bajoie   | Guidry    | Landry     |
| Bean     | Heitmeier | Robichaux  |
| Branch   | Hines     | Romero     |
| Cain     | Hollis    | Siracusa   |
| Campbell | Irons     | Tarver     |
| Cox      | Johnson   | Theunissen |
| Total—21 |           |            |

**NAYS**

|               |          |       |
|---------------|----------|-------|
| Mr. President | Greene   | Short |
| Barham        | Lambert  | Smith |
| Casanova      | Lentini  | Ullo  |
| Dean          | Malone   |       |
| Dyess         | Schedler |       |
| Total—13      |          |       |

**ABSENT**

|           |         |        |
|-----------|---------|--------|
| Cravins   | Fields  | Jordan |
| Ellington | Hainkel |        |
| Total—5   |         |        |

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

**HOUSE BILL NO. 2403—**

BY REPRESENTATIVE TOOMY

**AN ACT**

To enact R.S. 17:1835, to enable the Board of Trustees for State Colleges and Universities to assess a student technology fee; to authorize the board to provide for the assessment of such fee at each institution in the University of Louisiana system; to provide limitations; to provide for the use of the proceeds thereof; to provide for reports; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

|         |         |
|---------|---------|
| Cravins | Hainkel |
|---------|---------|

Total—2

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

**HOUSE BILL NO. 2467—**

BY REPRESENTATIVES MARIONNEAUX AND WINDHORST

**AN ACT**

To enact R.S. 40:1485.10, relative to the regulation of charitable gaming; to provide with respect to venue in civil proceedings involving charitable gaming licensees; and to provide for related matters.

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

**HOUSE BILL NO. 512—**

BY REPRESENTATIVE DEWITT

**AN ACT**

To enact R.S. 4:165.1, relative to horse racing; to provide relative to Louisiana bred races; to provide for purses and purse supplements; to provide for bred awards; 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        | Heitmeier | Short      |
| Cain          | Hines     | Siracusa   |
| Campbell      | Hollis    | Smith      |
| Casanova      | Irons     | Tarver     |
| Cox           | Johnson   | Theunissen |
| Dardenne      | Jones     | Ullo       |
| Dean          | Jordan    |            |
| Total—35      |           |            |

**NAYS**

Total—0

**ABSENT**

|         |           |
|---------|-----------|
| Cravins | Robichaux |
| Hainkel | Schedler  |
| Total—4 |           |

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

**HOUSE BILL NO. 544—**

BY REPRESENTATIVE MURRAY

**AN ACT**

To amend and reenact R.S. 22:732.3, relative to venue for insurance insolvency matters; to provide that venue is proper for insolvency proceedings where at least twenty-five percent of the insurer's policyholders reside; and to provide for related matters.

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

June 18, 1997

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bagneris, Bajoie, Barham, Branch, Cain, Campbell, Casanova, Cox, Dardenne, Dean, Total—33; Dyess, Ellington, Greene, Guidry, Heitmeier, Hollis, Irons, Johnson, Jones, Jordan, Lambert; Landry, Lentini, Malone, Robichaux, Romero, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns of names: Bean, Cravins, Total—6; Fields, Hainkel; Hines, Schedler.

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.

HOUSE BILL NO. 747— BY REPRESENTATIVE LANCASTER AN ACT

To amend and reenact R.S. 24:53(B) and to repeal R.S. 24:53(C), relative to lobbying; to remove provisions requiring certain statements from the employer or principal of a lobbyist authorizing representation by the lobbyist; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed House Bill No. 747 by Representative Lancaster

AMENDMENT NO. 1 On page 1, line 2, after "R.S. 24:" insert "51(5) and"

AMENDMENT NO. 2 On page 1, line 3, after "lobbying;" insert "to provide for the definition of lobbyist;"

AMENDMENT NO. 3 On page 1, line 7, after "R.S. 24:" insert "51(5) and" and after "(B)" change "is" to "are"

AMENDMENT NO. 4 On page 1, between lines 8 and 9, insert the following:

"§51. Definitions When used in this Part: (5)(a) "Lobbyist" means any of the following: (i) any Any person who is employed or contracted to act in a representative capacity for the purpose of lobbying if lobbying constitutes one of the duties of such employment, or,

(ii) any Any person who receives compensation of any kind to act in a representative capacity when one of the functions for which compensation is paid is lobbying and makes expenditures as herein defined of two hundred dollars or more in a calendar year for the purpose of lobbying.

\* \* \*

Motion

Senator Jordan moved the previous question on the amendment.

Without objection, so ordered.

Senator Dardenne moved adoption of the amendments.

Senator Guidry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bagneris, Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Total—39; Dyess, Ellington, Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan; Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Total—0

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed House Bill No. 747 by Representative Lancaster

AMENDMENT NO. 1 In Senate Floor Amendment No. 4 proposed by Senator Dardenne and adopted by the Senate on June 18, 1997, between lines 22 and 23, insert the following:

(iii) Any person who testifies on behalf of a group or organization for or against any bill or measure before committees of the legislature or seeks to influence the passage or failure on a regular basis and who receives no compensation for such activities, shall be considered a lobbyist for the purposes of this Part.

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

**Motion**

Senator Short moved to table the amendment.

Senator Dardenne objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|         |         |        |
|---------|---------|--------|
| Branch  | Fields  | Malone |
| Cain    | Guidry  | Short  |
| Cox     | Johnson |        |
| Total—8 |         |        |

**NAYS**

|           |         |            |
|-----------|---------|------------|
| Bajoie    | Greene  | Lentini    |
| Barham    | Hainkel | Robichaux  |
| Bean      | Hines   | Romero     |
| Campbell  | Hollis  | Schedler   |
| Casanova  | Irons   | Siracusa   |
| Dardenne  | Jones   | Smith      |
| Dean      | Jordan  | Theunissen |
| Dyess     | Lambert | Ullo       |
| Ellington | Landry  |            |
| Total—26  |         |            |

**ABSENT**

|               |           |        |
|---------------|-----------|--------|
| Mr. President | Cravins   | Tarver |
| Bagneris      | Heitmeier |        |
| Total—5       |           |        |

The Chair declared the Senate refused to table the amendment.

**Motion**

Senator Jordan moved the previous question on the amendment.

Without objection, so ordered.

Senator Dardenne moved adoption of the amendments.

Senator Guidry objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Hainkel   | Romero     |
| Barham        | Heitmeier | Schedler   |
| Bean          | Hines     | Smith      |
| Campbell      | Hollis    | Tarver     |
| Dardenne      | Johnson   | Theunissen |
| Dean          | Jordan    | Ullo       |
| Ellington     | Lambert   |            |
| Greene        | Robichaux |            |
| Total—22      |           |            |

**NAYS**

|          |         |          |
|----------|---------|----------|
| Bajoie   | Guidry  | Malone   |
| Branch   | Irons   | Short    |
| Cain     | Jones   | Siracusa |
| Dyess    | Landry  |          |
| Fields   | Lentini |          |
| Total—13 |         |          |

**ABSENT**

|          |         |
|----------|---------|
| Bagneris | Cox     |
| Casanova | Cravins |
| Total—4  |         |

The Chair declared the amendments were adopted.

**Motion**

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

Without objection, so ordered.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Dyess     | Lentini    |
| Barham        | Ellington | Robichaux  |
| Bean          | Greene    | Romero     |
| Campbell      | Heitmeier | Schedler   |
| Casanova      | Hollis    | Short      |
| Cox           | Jones     | Smith      |
| Dardenne      | Jordan    | Theunissen |
| Dean          | Lambert   | Ullo       |
| Total—24      |           |            |

**NAYS**

|         |        |          |
|---------|--------|----------|
| Bajoie  | Fields | Landry   |
| Branch  | Guidry | Malone   |
| Cain    | Irons  | Siracusa |
| Total—9 |        |          |

**ABSENT**

|          |         |         |
|----------|---------|---------|
| Bagneris | Hainkel | Johnson |
| Cravins  | Hines   | Tarver  |
| Total—6  |         |         |

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

**HOUSE BILL NO. 950—**

BY REPRESENTATIVE PERKINS  
AN ACT

To enact Chapter 15 of Title 18 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 18:2001, relative to the authority of the governing authorities of local governmental subdivisions with respect to campaign signs; to prohibit such governing authorities from requiring a license or permit for the erection, display, or posting of campaign signs; to provide relative to certain prohibitions on such activities; and to provide for related matters.

**Motion**

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

Senator Cox objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

June 18, 1997

|               |           |            |
|---------------|-----------|------------|
| Bagneris      | Ellington | Jones      |
| Bajoie        | Fields    | Landry     |
| Barham        | Greene    | Malone     |
| Casanova      | Guidry    | Schedler   |
| Cravins       | Hainkel   | Smith      |
| Dardenne      | Hines     | Tarver     |
| Dyess         | Irons     | Theunissen |
| Total—21      |           |            |
|               | NAYS      |            |
| Bean          | Dean      | Romero     |
| Branch        | Hollis    | Short      |
| Cain          | Lambert   | Siracusa   |
| Campbell      | Lentini   | Ullo       |
| Cox           | Robichaux |            |
| Total—14      |           |            |
|               | ABSENT    |            |
| Mr. President | Johnson   |            |
| Heitmeier     | Jordan    |            |
| Total—4       |           |            |

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

**Personal Privilege**

Senator Dardenne asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the motion by Senator Guidry. He voted yea on the motion and had intended to vote nay. He asked that the Official Journal so state.

**HOUSE BILL NO. 975—**  
BY REPRESENTATIVE CRANE  
AN ACT

To amend and reenact R.S. 17:3351(A)(5), relative to the finance of public higher education; to require that the commissioner of administration reduce under specified circumstances state general fund appropriations that are allocated for use by a public higher education institution; to provide guidelines for taking such action and for determining the amount of any such reduction; and to provide for related matters.

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

**HOUSE BILL NO. 1545—**  
BY REPRESENTATIVE MORRISH  
AN ACT

To amend and reenact R.S. 22:1072(C), relative to penalties on delinquent tax payments by insurers; to provide that the amount of the penalty shall not exceed twenty-five percent of the tax which is due nor be less than twenty-five dollars; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

|          |           |           |
|----------|-----------|-----------|
|          | YEAS      |           |
| Bagneris | Ellington | Lentini   |
| Bajoie   | Fields    | Malone    |
| Barham   | Greene    | Robichaux |
| Bean     | Guidry    | Romero    |
| Branch   | Hainkel   | Short     |
| Cain     | Heitmeier | Siracusa  |
| Casanova | Hines     | Smith     |

|               |          |            |
|---------------|----------|------------|
| Cox           | Hollis   | Tarver     |
| Cravins       | Irons    | Theunissen |
| Dardenne      | Jones    | Ullo       |
| Dean          | Jordan   |            |
| Dyess         | Lambert  |            |
| Total—34      |          |            |
|               | NAYS     |            |
| Landry        |          |            |
| Total—1       |          |            |
|               | ABSENT   |            |
| Mr. President | Johnson  |            |
| Campbell      | Schedler |            |
| Total—4       |          |            |

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

**HOUSE BILL NO. 1588—**  
BY REPRESENTATIVES MICHOT AND BRUNEAU  
AN ACT

To amend and reenact R.S. 24:772(A), relative to reports to the legislature; to provide for distribution of reports required to be submitted to the legislature; to provide that copies of such reports be sent to individual legislators only upon request of such legislator; to require each agency to annually submit a list of reports and publications to the members of the legislature; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Jordan sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Jordan to Reengrossed House Bill No. 1588 by Representative Michot

AMENDMENT NO. 1

On page 1, line 6, after "to" and before "annually" insert "semi-"

AMENDMENT NO. 2

On page 2, line 1, after "distribute" insert "semi-"

On motion of Senator Jordan, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

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

Total—0

ABSENT

Mr. President

Campbell

Johnson

Total—3

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

**HOUSE BILL NO. 1590—**

BY REPRESENTATIVES PERKINS AND MURRAY  
AN ACT

To amend and reenact R.S. 22:2002(7) and to enact R.S. 22:213.6 and 1214(22) and R.S. 40:2207, relative to health insurance; to prohibit the use of prenatal test results by health insurers under certain circumstances; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Bajoie sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Bajoie to Reengrossed House Bill No. 1590 by Representative Perkins and Murray

AMENDMENT NO. 1

On page 1, line 2, after "22:213.6" insert a comma "," and "213.7,"

AMENDMENT NO. 2

On page 1, line 3, after "1214(22)" insert "and "(23)"

AMENDMENT NO. 3

On page 1, line 5, after "circumstances;" insert the following:

"to provide for definitions relative to genetic testing; to prohibit the use of genetic test results by health insurers under certain circumstances; to provide for requirements for release of genetic information; to provide for penalties;"

AMENDMENT NO. 4

On page 1, line 8, after "22:213.6" insert a comma "," and "213.7," and after "1214(22)" insert "and (23)"

AMENDMENT NO. 5

On page 2, between lines 17 and 18, insert the following:

§213.7. Prohibited discrimination; genetic information; disclosure requirements; definitions

A. As used in this Section, the following terms shall have the following meanings:

(1) "Collection" means obtaining a DNA sample or samples.

(2) "Compulsory disclosure" means any disclosure of genetic information mandated or required by federal or state law in connection with a judicial, legislative, or administrative proceeding.

(3) "Disclose" means to convey or to provide access to genetic information to a person other than the individual.

(4) "DNA" means deoxyribonucleic acid including mitochondrial DNA, complementary DNA, as well as any DNA derived from ribonucleic acid (RNA).

(5) "Family" includes an individual's blood relatives and any legal relatives, including a spouse or adopted child, who may have a material interest in the genetic information of the individual.

(6) "Genetic characteristic" means any gene or chromosome, or alteration thereof, that is scientifically or medically believed to cause a disease, disorder, or syndrome, or to be associated with a statistically significant increased risk of development of a disease, disorder, or syndrome.

(7) "Genetic analysis" means the process of characterizing genetic information from a human tissue sample.

(8) "Genetic information" means all information about genes, gene products, inherited characteristics, or family history/pedigree that is expressed in common language.

(9) "Genetic test" means any test for determining the presence or absence of genetic characteristics in an individual, including tests of nucleic acids, such as DNA, RNA, and mitochondrial DNA, chromosomes, or proteins in order to diagnose or identify a genetic characteristic.

(10) "Individual" means the source of a human tissue sample from which a DNA sample is extracted or genetic information is characterized.

(11) "Individual identifier" means a name, address, social security number, health insurance identification number, or similar information by which the identity of an individual can be determined with reasonable accuracy, either directly or by reference to other available information. Such term does not include characters, numbers, or codes assigned to an individual or a DNA sample that cannot singly be used to identify an individual.

(12) "Insurer" means any hospital, health, or medical expense insurance policy, hospital or medical service contract, employee welfare benefit plan, health and accident insurance policy, or any other insurance contract of this type, including a group insurance plan, or any policy of group, family group, blanket, or franchise health and accident insurance, a self-insurance plan, health maintenance organization, and preferred provider organization, including insurance agents and third party administrators, which delivers or issues for delivery in this state an insurance policy or plan.

(13) "Person" means all persons other than the individual who is the source of a tissue sample and shall include a family, corporation, partnership, association, joint venture, government, governmental subdivision or agency, and any other legal or commercial entity.

(14) "Research" means scientific investigation that includes systematic development and testing of hypotheses for the purpose of increasing knowledge.

(15) "Storage" means retention of a DNA sample or of genetic information for an extended period of time after the initial testing process.

B.(1) No insurer shall, on the basis of any genetic information concerning an individual or family member or on the basis of an individual's or family member's request for or receipt of genetic services, or the refusal to submit to a genetic test or make available the results of a genetic test:

(a) Terminate, restrict, limit, or otherwise apply conditions to the coverage of an individual or family member under the policy or plan, or restrict the sale of the policy or plan to an individual or family member.

(b) Cancel or refuse to renew the coverage of an individual or family member under the policy or plan.

(c) Deny coverage or exclude an individual or family member from coverage under the policy or plan.

(d) Impose a rider that excludes coverage for certain benefits or services under the policy or plan.

(e) Establish differentials in premium rates or cost sharing for coverage under the policy or plan.

(f) Otherwise discriminate against an individual or family member in the provision of insurance.

(2) No insurer shall require an applicant for coverage under the policy or plan, or an individual or family member who is presently covered under a policy or plan, to be the subject of a genetic test or to be subjected to questions relating to genetic information.

(3) All insurers shall, in the application or enrollment information provided by the insurer concerning a policy or plan, provide an applicant or enrollee with a written statement disclosing the rights of the applicant or enrollee under this Section. Such statement shall be in a form and manner that is noticeable to and understandable by an average applicant or enrollee.

C.(1) No insurer shall obtain genetic information from an insured or enrollee, or from their DNA sample, without first obtaining written informed consent from the insured, enrollee, or their representative.

(a) To be valid, an authorization for disclosure of genetic information shall:

(i) Be in writing, signed by the individual and dated on the date of such signature.

(ii) Identify the person permitted to make the disclosure.

(iii) Describe the specific genetic information to be disclosed.

(iv) Identify the person to whom the information is to be disclosed.

(v) Describe with specificity the purpose for which the disclosure is being made.

(vi) State the date upon which the authorization will expire, which in no event shall be more than sixty days after the date of the authorization.

(vii) Include a statement that the authorization is subject to revocation at any time before the disclosure is actually made or the individual is made aware of the details of the genetic information.

(viii) Include a statement that the authorization shall be invalid if used for any purpose other than the described purpose for which the disclosure is made.

(b) A copy of the authorization shall be provided to the individual.

(c) An individual may revoke or amend the authorization, in whole or in part, at any time.

(d) A general authorization for the release of medical records or medical information shall not be construed as an authorization for disclosure of genetic information. With respect to medical records that contain genetic information, the requirements for disclosure of genetic information under this Section must be complied with.

D. The requirements of this Section shall not apply to the genetic information obtained:

(1) By a state, parish, municipal, or federal law enforcement agency for the purposes of establishing the identity of a person in the course of a criminal investigation or prosecution.

(2) To determine paternity.

(3) To determine the identity of deceased individuals.

(4) For anonymous research where the identity of the subject will not be released.

(5) Pursuant to newborn screening requirements established by state or federal law.

(6) As authorized by federal law for the identification of persons.

(7) By the Department of Social Services or by a court having juvenile jurisdiction as set forth in Children's Code Article 302 for the purposes of child protection investigations or neglect proceedings.

E. An insured's or enrollee's genetic information is the property of the insured or enrollee. No person shall retain an insured's or enrollee's genetic information without first obtaining authorization from the insured, enrollee, or their representative, unless retention is:

(1) For the purposes of a criminal or death investigation or for use of in a criminal or juvenile proceeding.

(2) To determine paternity.

F.(1) Any person who through negligence collects, stores, or analyzes a DNA sample in violation of this Section, or discloses genetic information in violation of this Section, shall be liable to the individual for each such violation in an amount equal to:

(a) Any actual damages sustained as a result of the collection, storage, analysis, or disclosure, or fifty thousand dollars, whichever is greater.

(b) Treble damages, in any case where such a violation resulted in profit or monetary gain.

(c) The costs of the action together with reasonable attorney fees as determined by the court, in the case of a successful action to enforce any liability under this Section.

(2) Any person who:

(a) Through a request, the use of persuasion, under threat, or with a promise of reward, willfully induces another to collect, store, or analyze a DNA sample in violation of this Section; or

(b) Willfully collects, stores, or analyzes a DNA sample in violation of this Section, or willfully discloses genetic information in violation of this Section, shall be liable to the individual for each such violation in an amount equal to:

(i) Any actual damages sustained as a result of the collection, analysis, or disclosure, or one hundred thousand dollars, whichever is greater.

(ii) The costs of the action together with reasonable attorney fees as determined by the court, in the case of a successful action under this Section."

AMENDMENT NO. 6

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

"(23) The discrimination against an insured, enrollee, or beneficiary in the issuance, payment of benefits, withholding of coverage, cancellation or nonrenewal of a policy, contract, plan, or program based upon the results of a genetic test or receipt of genetic information. The provisions of this Paragraph shall only apply to insurers as defined in R.S. 22:213.7(A)(12)."

AMENDMENT NO. 7

On page 3, line 14, after "R.S. 22:213.6" insert "and 213.7"

AMENDMENT NO. 8

On page 3, line 21, after "results" insert a semi-colon ";" and "genetic information"

AMENDMENT NO. 9

On page 3, line 23, after "22:213.6" insert "and 213.7"

AMENDMENT NO. 10

On page 3, line 24, after "results" insert "and genetic information"

On motion of Senator Bajoie, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Hollis sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hollis to Reengrossed House Bill No. 1590 by Representative Perkins

AMENDMENT NO. 1

In Senate Floor Amendment No. 5 proposed by Senator Bajoie and adopted by the Senate on June 18, 1997, on page 4, after line 54, insert the following:

"G. Notwithstanding any provision to the contrary, this Section does not apply to any actions of an insurer or third parties dealing with an insurer taken in the ordinary course of business in connection with the sale, issuance or administration of a life, disability income, long-term care insurance policy"

AMENDMENT NO. 2

In Senate Floor Amendment No. 6 proposed by Senator Bajoie and adopted by the Senate on June 18, 1997, on page 5, line 7, after "information." delete the remainder of the line and delete line 8 and insert the following:

"Actions of an insurer or third parties dealing with an insurer taken in the ordinary course of business in connection with the sale, issuance or administration of a life, disability income, long-term care insurance policy are exempt from the provisions of this Paragraph."

On motion of Senator Hollis, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Robichaux sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Robichaux to Reengrossed House Bill No. 1590 by Representative Perkins

AMENDMENT NO. 1

On page 2, line 5, after "plan" insert "in force" and delete the comma and insert a period "."

AMENDMENT NO. 2

On page 2, line 7, after "plan" insert "in force"

AMENDMENT NO. 3

On page 2, line 9, after "plan" insert "in force"

AMENDMENT NO. 4

On page 2, line 11, after "plan" insert "in force"

AMENDMENT NO. 5

On page 2, line 13, after "plan" insert "in force"

On motion of Senator Robichaux, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total—38

NAYS

Total—0

ABSENT

Johnson  
Total—1

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

**HOUSE BILL NO. 1812—**

BY REPRESENTATIVE DONELON  
AN ACT

To amend and reenact R.S. 22:1395.5(C)(1), relative to the Louisiana Life and Health Insurance Guaranty Association; to provide that the association is not a state department, unit, agency, instrumentality, commission, or board for any purpose, unless specifically provided by provision of law; 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     |
| Branch        | Guidry    | Robichaux  |
| Cain          | Hainkel   | Romero     |
| Campbell      | Heitmeier | Schedler   |
| Casanova      | Hines     | Short      |
| Cox           | Hollis    | Smith      |
| Cravins       | Irons     | Tarver     |
| Dardenne      | Jones     | Theunissen |
| Dean          | Jordan    | Ullo       |

Total—36

NAYS

Total—0

ABSENT

Bean  
Total—3  
Johnson  
Siracusa

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.

**HOUSE BILL NO. 1941—**

BY REPRESENTATIVES CLARKSON AND LONG  
AN ACT

To amend and reenact R.S. 42:1121(A), relative to ethics; to prohibit certain former public servants from entering into certain contracts for a limited period of time; 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

|          |           |            |
|----------|-----------|------------|
| Bagneris | Ellington | Landry     |
| Bajoie   | Fields    | Lentini    |
| Barham   | Greene    | Malone     |
| Branch   | Guidry    | Robichaux  |
| Cain     | Hainkel   | Romero     |
| Campbell | Heitmeier | Schedler   |
| Casanova | Hines     | Short      |
| Cox      | Hollis    | Siracusa   |
| Cravins  | Irons     | Smith      |
| Dardenne | Jones     | Tarver     |
| Dean     | Jordan    | Theunissen |
| Dyess    | Lambert   | Ullo       |

Total—36

NAYS

Total—0

ABSENT

Mr. President  
Total—3  
Bean  
Johnson

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.

June 18, 1997

HOUSE BILL NO. 2027—

BY REPRESENTATIVE DONELON  
AN ACT

To amend and reenact R.S. 22:637(B) and to enact R.S. 22:636.8, relative to return of unearned premiums; to provide for overpayments, surplus premium, and endorsement credits; to provide for payment of unearned premiums and commissions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

|               |         |
|---------------|---------|
| Mr. President | Johnson |
| Total—2       |         |

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

HOUSE BILL NO. 2127—

BY REPRESENTATIVES THORNHILL AND FAUCHEUX  
AN ACT

To enact R.S. 24:59, relative to lobbying; to provide that any person who receives or expends funds in excess of ten thousand dollars in any calendar year for certain purposes related to legislation shall be required to file certain reports; to provide for the filing of reports; to provide for penalties; to provide for definitions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

|          |           |           |
|----------|-----------|-----------|
| Bajoie   | Ellington | Landry    |
| Barham   | Fields    | Lentini   |
| Bean     | Greene    | Malone    |
| Branch   | Guidry    | Robichaux |
| Cain     | Hainkel   | Romero    |
| Campbell | Heitmeier | Schedler  |
| Casanova | Hines     | Short     |
| Cox      | Hollis    | Siracusa  |

|          |         |            |
|----------|---------|------------|
| Cravins  | Irons   | Smith      |
| Dardenne | Jones   | Tarver     |
| Dean     | Jordan  | Theunissen |
| Dyess    | Lambert | Ullo       |
| Total—36 |         |            |

NAYS

Total—0

ABSENT

|               |          |         |
|---------------|----------|---------|
| Mr. President | Bagneris | Johnson |
| Total—3       |          |         |

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

HOUSE BILL NO. 2276—

BY REPRESENTATIVE DONELON  
AN ACT

To amend and reenact R.S. 22:895 and 904(A) and to repeal R.S. 22:896, 897, 898, and 899, relative to insurers; to provide for loss reserve requirements for insurers; to provide for actuarial certification of loss reserves; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

|          |           |            |
|----------|-----------|------------|
| Bajoie   | Ellington | Malone     |
| Barham   | Fields    | Robichaux  |
| Bean     | Greene    | Romero     |
| Branch   | Guidry    | Schedler   |
| Cain     | Hainkel   | Short      |
| Campbell | Hines     | Siracusa   |
| Casanova | Hollis    | Smith      |
| Cox      | Irons     | Tarver     |
| Cravins  | Jordan    | Theunissen |
| Dardenne | Lambert   | Ullo       |
| Dean     | Landry    |            |
| Dyess    | Lentini   |            |
| Total—34 |           |            |

NAYS

Total—0

ABSENT

|               |           |       |
|---------------|-----------|-------|
| Mr. President | Heitmeier | Jones |
| Bagneris      | Johnson   |       |
| Total—5       |           |       |

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

HOUSE BILL NO. 2326—

BY REPRESENTATIVE MARTINY  
AN ACT

To amend and reenact R.S. 22:844(A)(12) and (H), 855(11) and (13), and 856(1) and to repeal R.S. 22:844.2, relative to investments of domestic insurers; to repeal the use of investments in certain open-end or closed-end management type investment companies; to remove the limitations of certain percentages; to repeal the use of investments in data processing equipment by certain insurers; to permit the use of goodwill by an insurer under certain conditions; and to provide for related matters.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed House Bill No. 2326 by Representative Martiny

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 22:844(A)(12)" to "R.S. 22:349, 844(A)(12)" and at the end of line 2, delete "and" and on line 3, change "856(1)" to "856(1), 1304, and 3012(A)"

AMENDMENT NO. 2

On page 1, line 3, change "R.S. 22:844.2" to "R.S. 22:801(B) and 844.2" and delete "investments of domestic"

AMENDMENT NO. 3

On page 1, line 4, between "investments" and "in" insert "of domestic insurers"

AMENDMENT NO. 4

On page 1, line 8, between "conditions;" and "and" insert "to provide for review of examination fees for burial insurers; to increase the interval between required examinations of certain funeral service insurers by the Department of Insurance; to provide for examinations of self-insurers; to repeal certain conversion requirements for life insurance companies;"

AMENDMENT NO. 5

On page 1, line 11, change "R.S. 22:844(A)(12)" to "R.S. 22:349, 844(A)(12)" and change "and 856(1)" to "856(1), 1304, and 3012(A)"

AMENDMENT NO. 6

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

"§349. Examinations

A representative of the office of the commissioner of insurance shall make an examination of the books, papers, and affairs of each association once in every two five years and may make an examination oftener more often if it is made to appear to the commissioner of insurance that the association is not complying with the provisions of this Part or its articles or bylaws.

\* \* \*

AMENDMENT NO. 7

On page 4, between lines 12, and 13, insert the following:

"§1304. Review and examination expense; how paid

A. Whenever the commissioner of insurance shall cause an examination of examines an insurer, all the expenses incurred by the commissioner of insurance in conducting such examination, including the expenses and fees of examiners, auditors, accountants, actuaries, attorneys, or clerical or other assistants who are employed by the commissioner of insurance to make the examination, shall be paid by the insurer examined. The commissioner shall likewise be entitled to recover from each reviewed insurer the actual expenses incurred in conducting its annual office review. All funds so generated and collected shall be used only to defray the expenses of reviews and examinations and for no other purpose.

B. With respect to insurers, excluding self-insurance funds possessing less than one million dollars capital and surplus at the time of the examination, the commissioner of insurance shall, if requested by the insurer, conduct an administrative hearing pursuant to R.S. 22:1351 et seq. within fifteen days after the expenses and fees, excluding the costs of the actuarial certification of reserves, to be paid by the insurer total two thousand dollars. At the hearing it shall be determined whether the amount of expenses billed to the insurer are reasonable and it shall be determined whether the examination should continue. Nothing in this Subsection shall prevent an insurer from contesting the amount of expenses as provided in R.S. 22:1306.

\* \* \*

§3012. Examination by commissioner

A. The commissioner of insurance shall make an annual examination of each self-insurer for the initial three-year period during which the self-insurer transacts business in this state. Thereinafter, the commissioner shall make an examination of each self-insurer at least once every three five years, unless the commissioner, in his discretion, determines that the financial condition or operations of the self-insurer warrant more frequent examinations.

\* \* \*

AMENDMENT NO. 8

On page 4, line 13, change "R.S. 22:844.2 is" to "R.S. 22:801(B) and 844.2 are" and change "its" to "their"

On motion of Senator Heitmeier, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bagneris, Bajoje, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Jones, Jordan, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen

Total—36

NAYS

Total—0

ABSENT

Table with 3 columns: Mr. President, Johnson, Ullo

Total—3

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

HOUSE BILL NO. 2368— BY REPRESENTATIVE GREEN AN ACT

To enact R.S. 47:2420(D), relative to inheritance tax; to provide for exemption from penalty and interest for certain delinquent inheritance taxes; and to provide for related matters.

Floor Amendments Sent Up

Senator Ewing sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ewing to Engrossed House Bill No. 2368 by Representative Green

AMENDMENT NO. 1

On page 2, after line 2, insert the following: "Section 2. This Act shall be effective July 1, 1998.

June 18, 1997

On motion of Senator Ewing, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Hainkel  
Total—1

**ABSENT**

Johnson  
Total—2

Siracusa

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

**HOUSE BILL NO. 2424—**

BY REPRESENTATIVES CRANE, BRUN, R. ALEXANDER, BARTON, BAUDOIN, BOWLER, BRUCE, BRUNEAU, DEVILLE, DIEZ, DIMOS, DONELON, DUPRE, FLAVIN, FONTENOT, FORSTER, FRITH, FRUGE, GAUTREAUX, HAMMETT, HEBERT, HILL, HOPKINS, JOHNS, KENNARD, KENNEY, LANCASTER, MARTINY, MCCALLUM, MCDONALD, MCMAINS, MORRISH, PINAC, ROUSSELLE, SALTER, SCALISE, SHAW, STELLY, THORNHILL, TRICHE, VITTER, WALSWORTH, WIGGINS, AND WRIGHT  
**AN ACT**

To amend and reenact R.S. 17:3351(A)(5), relative to tuition and attendance fees at public colleges and universities; to provide for the powers, duties, and responsibilities of public higher education management boards; to grant authority to the management boards to establish in accordance with certain guidelines tuition and attendance fees applicable to nonresident students; and to provide for related matters.

**Rules Suspended**

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

Senator Cain objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|          |           |           |
|----------|-----------|-----------|
| Bajoie   | Ellington | Lentini   |
| Barham   | Fields    | Malone    |
| Bean     | Greene    | Robichaux |
| Branch   | Heitmeier | Romero    |
| Campbell | Hines     | Schedler  |

|          |         |            |
|----------|---------|------------|
| Casanova | Hollis  | Short      |
| Cox      | Irons   | Siracusa   |
| Cravins  | Jones   | Smith      |
| Dardenne | Jordan  | Tarver     |
| Dean     | Lambert | Theunissen |
| Dyess    | Landry  | Ullo       |
| Total—33 |         |            |

**NAYS**

Cain  
Total—2

Hainkel

**ABSENT**

Mr. President  
Bagneris  
Total—4

Guidry  
Johnson

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

**Rules Suspended**

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

Senator Cain objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|          |           |            |
|----------|-----------|------------|
| Bean     | Greene    | Malone     |
| Casanova | Heitmeier | Robichaux  |
| Cox      | Hines     | Romero     |
| Cravins  | Hollis    | Short      |
| Dardenne | Jordan    | Tarver     |
| Dean     | Lambert   | Theunissen |
| Fields   | Landry    | Ullo       |
| Total—21 |           |            |

**NAYS**

Bajoie  
Branch  
Cain  
Campbell  
Total—10

Dyess  
Ellington  
Lentini  
Schedler

**ABSENT**

Mr. President  
Bagneris  
Barham  
Total—8

Guidry  
Hainkel  
Irons

Johnson  
Jones

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |         |          |
|---------------|---------|----------|
| Mr. President | Dyess   | Malone   |
| Bean          | Greene  | Romero   |
| Branch        | Hainkel | Schedler |

|          |         |            |
|----------|---------|------------|
| Cain     | Hines   | Siracusa   |
| Casanova | Hollis  | Theunissen |
| Dardenne | Jordan  | Ullo       |
| Dean     | Lambert |            |
| Total—20 |         |            |

NAYS

|          |           |         |
|----------|-----------|---------|
| Bagneris | Ellington | Landry  |
| Bajoie   | Fields    | Lentini |
| Barham   | Guidry    | Smith   |
| Campbell | Heitmeier | Tarver  |
| Cox      | Irons     |         |
| Cravins  | Jones     |         |
| Total—16 |           |         |

ABSENT

|         |           |       |
|---------|-----------|-------|
| Johnson | Robichaux | Short |
| Total—3 |           |       |

The Chair declared the bill failed to pass.

**Notice of Reconsideration**

Senator Greene, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

**HOUSE BILL NO. 2459—**

BY REPRESENTATIVES MONTGOMERY, BAUDOIN, BRUCE, CARTER, DOERGE, FRITH, FRUGE, GAUTREAUX, HILL, HUDSON, ILES, KENNEY, MORRISH, STRAIN, ALARIO, BARTON, BAYLOR, CRANE, DAMICO, DANIEL, DEVILLE, DEWITT, DIEZ, FAUCHEUX, FLAVIN, FONTENOT, GREEN, GULLORY, HAMMETT, HEATON, HOLDEN, HOPKINS, HUNTER, JOHNS, LANDRIEU, LEBLANC, MARIONNEAUX, MCCALLUM, MCDONALD, MICHOT, MITCHELL, MURRAY, ODINET, PIERRE, PINAC, POWELL, QUESAIRE, RIDDLE, ROMERO, ROUSSELLE, SALTER, SHAW, JACK SMITH, JOHN SMITH, THOMPSON, TRAVIS, TRICHE, WALSWORTH, WESTON, WIGGINS, WILKERSON, AND WILLARD-LEWIS

**AN ACT**

To enact Part VIII of Chapter 28 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:4410 through 4416, relative to forestry; to provide for declaration of policy and cooperative agreements; to create and provide for the disposition of funds concerning the Forestry Productivity Fund; to provide for assistance through cooperative agreements; to provide for the administration of the program and powers and duties of the commissioner; to provide for exclusions and limitations; to provide for requirements of participation; to provide for competitive research and cooperative extension grants; to provide for an effective date; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Malone sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Malone to Reengrossed House Bill No. 2459 by Representative Montgomery

AMENDMENT NO. 1

On page 1, line 2 after "To" insert "amend and reenact R.S. 3:4278.2(B) and to"

AMENDMENT NO. 2

On page 1, line 4 after "forestry;" insert "to require approval of at least sixty-five of the co-owners of timber property prior to the sale of timber;"

AMENDMENT NO. 3

On page 2, line 1, after "Section 1." insert "R.S. 3:4278.2(B) is hereby amended and reenacted to read as follows and"

AMENDMENT NO. 4

On page 2, between 3 and 4, insert the following:  
 " §4278.2. Sale of undivided timber interest; consent of co-owners; theft

\* \* \*

B. A buyer who purchases the timber from a co-owner or co-heir of land may not remove the timber without the consent of the co-owners or co-heirs representing at least ~~eighty~~ sixty-five percent of the ownership interest in the land, provided that he has made reasonable effort to contact the co-owners or co-heirs who have not consented and, if contacted, has offered to contract with them on substantially the same basis that he has contracted with the other co-owners or co-heirs.

\* \* \*"

Senator Malone moved adoption of the amendments.

Senator Barham objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

|           |         |          |
|-----------|---------|----------|
| Bean      | Hines   | Malone   |
| Cain      | Irons   | Romero   |
| Campbell  | Jones   | Schedler |
| Cox       | Jordan  | Short    |
| Ellington | Lambert | Tarver   |
| Guidry    | Landry  | Ullo     |
| Hainkel   | Lentini |          |
| Total—20  |         |          |

NAYS

|               |          |            |
|---------------|----------|------------|
| Mr. President | Dardenne | Heitmeier  |
| Bajoie        | Dean     | Robichaux  |
| Barham        | Dyess    | Smith      |
| Branch        | Fields   | Theunissen |
| Total—12      |          |            |

ABSENT

|          |         |          |
|----------|---------|----------|
| Bagneris | Greene  | Siracusa |
| Casanova | Hollis  |          |
| Cravins  | Johnson |          |
| Total—7  |         |          |

The Chair declared the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

|               |           |           |
|---------------|-----------|-----------|
| Mr. President | Ellington | Landry    |
| Bajoie        | Fields    | Lentini   |
| Barham        | Greene    | Malone    |
| Bean          | Guidry    | Robichaux |
| Branch        | Hainkel   | Romero    |
| Cain          | Heitmeier | Schedler  |
| Campbell      | Hines     | Short     |
| Cox           | Hollis    | Siracusa  |
| Cravins       | Irons     | Smith     |
| Dardenne      | Jones     | Tarver    |

June 18, 1997

|                           |                   |                    |
|---------------------------|-------------------|--------------------|
| Dean<br>Dyess<br>Total—36 | Jordan<br>Lambert | Theunissen<br>Ullo |
|                           | NAYS              |                    |
| Total—0                   | ABSENT            |                    |
| Bagneris<br>Total—3       | Casanova          | Johnson            |

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

**HOUSE BILL NO. 2477—**  
BY REPRESENTATIVES WRIGHT AND WESTON  
AN ACT  
To amend and reenact R.S. 37:78(C)(2), relative to eligibility for examination for certification as a certified public accountant; to provide for educational requirements for such eligibility; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Ellington sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Ellington to Reengrossed House Bill No. 2477 by Representatives Wright and Weston

AMENDMENT NO. 1  
On page 2, line 21, after "a" and before "college" insert "Louisiana"

On motion of Senator Ellington, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President  
Total—2

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

**HOUSE BILL NO. 2509 (Substitute for House Bill No. 2183 by Representative Donelon)—**  
BY REPRESENTATIVE DONELON  
AN ACT

To amend and reenact R.S. 22:1113(G) and (H) and to enact Chapter 6 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:3051 through 3065, relative to insurance sales by financial institutions; to provide with respect to financial institution insurance sales, including licensure requirements, sales, referrals, anti-tying, disclosures, solicitations, discrimination, customer privacy, and maintenance of insurance records by certain companies, agencies, and institutions; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Cravins sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Cravins to Reengrossed House Bill No. 2509 by Representative Donelon

AMENDMENT NO. 1  
Delete all Senate Committee Amendments proposed by the Senate Committee on Insurance and adopted by the Senate on June 11, 1997.

AMENDMENT NO. 2  
On page 1, line 2, between "reenact" and "R.S." insert the following:

"R.S. 6:121(B)(1) and (2), 242(A)(6)(a) and (b) and (C)(2), 513(3), 941(C), and 973 and"

AMENDMENT NO. 3  
On page 1, line 9, between "institutions;" and "and to" insert the following:

"to provide for parity for state-chartered banks;"

AMENDMENT NO. 4  
On page 1, between lines 10 and 11, insert the following:

"Section 1. R.S. 6:121(B)(1) and (2), 242(A)(6)(a) and (b) and (C)(2), 513(3), 941(C), and 973 are hereby amended and reenacted to read as follows:

§121. Regulatory powers; promulgation of rules and regulations

\* \* \*

B.(1) The commissioner shall have the power to enact and promulgate rules and regulations as may be necessary or appropriate to implement the provisions of this Title. The commissioner in making rules and regulations pursuant to this power shall consider among other matters the impact any such rule or regulation will have on the dual banking system as well as the impact any such rule or regulation will have on the public interest in the business of banking. The commissioner may also consider the regulations of the Comptroller of the Currency, the Federal Reserve Board, the Federal Deposit Insurance Corporation, and the Office of Thrift Supervision and the Federal Home Loan Bank Board to allow financial institutions organized under the laws of this state to offer services consistent with services offered by financial institutions organized under the laws of the United States.

(2) Notwithstanding any other provision of this Title, the commissioner shall not authorize any bank, bank holding company, or subsidiary, or employee thereof to engage in any insurance activity except an insurance activity authorized by R.S. 6:242. However, any bank which was engaged as a general insurance agent or broker on January 1, 1984, may continue to be so engaged. ~~If such bank is acquired after January 1, 1984, by another bank, bank holding~~

company, or subsidiary thereof, the insurance agency activities of the surviving bank, bank holding company, or subsidiary thereof shall be limited to insurance activities for persons who are domiciled in or who own property in the parish where the acquired bank maintained its principal office. However, the surviving bank, bank holding company, or subsidiary thereof may continue to engage in insurance activities for any person who was insured by such bank on July 19, 1990:

\* \* \*

§242. Banking powers

A. In addition to the general corporate powers conferred in R.S. 6:241 and the powers conferred by other provisions of the laws of this state, a state bank shall have the following banking powers and those incidental to the exercise of these powers:

\* \* \*

(6)(a) To act as the agent for any insurance company authorized to do insurance business in this state by soliciting and selling insurance, but only with respect to credit insurance which, within the terms and conditions authorized by law, is limited to assuring repayment or partial repayment of the outstanding balance due on a specific extension of credit by a bank in the event of the death, disability, or involuntary unemployment of the debtor and collecting premiums on those policies issued through the bank by such insurance company; and to receive for services so rendered such commissions or fees as may be agreed upon between the bank and the insurance company for which it is acting as agent. Notwithstanding any other provisions of this Title, no bank shall engage or be authorized to engage in any insurance activity that is not expressly permitted by this Paragraph. However, if by federal law that preempts state law, national banks are authorized to engage in an insurance activity not permitted by the laws of this state, the commissioner of financial institutions, by administrative rule, shall authorize state banks to engage in the same insurance activity, provided that such rule shall not become effective while there is any pending legal action or administrative proceeding applicable to national banks in Louisiana contesting whether such federal law preempts state law; and to receive for services so rendered such lawful commissions or fees as may be agreed upon between the bank and the insurance company for which it is acting as agent.

(b) Nothing contained in this Title shall prohibit any bank which was engaged as a general insurance agent or broker on January 1, 1984, from continuing to be so engaged. If such bank is acquired after January 1, 1984, by another bank, bank holding company, or subsidiary thereof, the insurance agency activities of the surviving bank, bank holding company, or subsidiary thereof shall be limited to insurance activities for persons who are domiciled in or who own property in the parish where the acquired bank maintained its principal office. However, the surviving bank, bank holding company, or subsidiary thereof may continue to engage in insurance activities for any person who was insured by such bank on July 19, 1990. Notwithstanding any other law to the contrary, any bank which was engaged as a general insurance agent or broker on January 1, 1984, may continue to be so engaged.

\* \* \*

C.

\* \* \*

(2) In the event of a conflict between this Subsection, or any rule or regulation promulgated hereunder, and any other provision of law, except Subsection A of this Section, the provisions of this Subsection shall control.

\* \* \*

§513. Prohibitions

It shall be unlawful

\* \* \*

(3) For any bank holding company, or subsidiary, or employee thereof to engage in any insurance activity except an insurance activity authorized by R.S. 6:242. However, any bank holding company or subsidiary thereof which was engaged as a general insurance agent, or broker on January 1, 1984, may continue to be so engaged. However, if a bank holding company or subsidiary thereof acquires a bank that was engaged as a general insurance agent or broker on January 1, 1984, the insurance activities of the surviving bank, bank holding company, or subsidiary thereof shall be limited to insurance activities for persons who are domiciled in or who own property in the parish where the acquired bank maintained its principal office. However, the surviving bank, bank holding company, or subsidiary thereof may continue to engage in insurance activities for any person who was insured by such bank on July 19, 1990.

\* \* \*

§941. Restrictions on acquisition of control of capital stock associations

\* \* \*

C. If a bank or bank holding company acquires a savings and loan association, the surviving financial institution or bank holding company and its subsidiaries shall not engage in any insurance activity except an insurance activity authorized by R.S. 6:242, business except the limited insurance business into which banks are authorized to enter after January 1, 1984, pursuant to R.S. 6:242(A)(6):

\* \* \*

§973. Prohibited insurance activities

If a bank or bank holding company acquires a savings and loan association, the surviving financial institution or bank holding company and its subsidiaries shall not engage in any insurance activity except an insurance activity authorized by R.S. 6:242, business except the limited insurance business into which banks are authorized to enter after January 1, 1984, pursuant to R.S. 6:242(A)(6):"

AMENDMENT NO. 5

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

AMENDMENT NO. 6

On page 11, delete lines 7 through 9 in their entirety and insert in lieu thereof the following:

"Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

Motion

Senator Hollis moved the previous question on the amendment.

Without objection, so ordered.

Senator Cravins moved adoption of the amendments.

Senator Guidry objected.

June 18, 1997

ROLL CALL

The roll was called with the following result:

YEAS

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Dean      | Lambert    |
| Bagneris      | Dyess     | Lentini    |
| Barham        | Ellington | Malone     |
| Bean          | Greene    | Robichaux  |
| Branch        | Heitmeier | Romero     |
| Cain          | Hines     | Short      |
| Campbell      | Hollis    | Siracusa   |
| Casanova      | Irons     | Smith      |
| Cox           | Jones     | Theunissen |
| Dardenne      | Jordan    | Ullo       |
| Total—30      |           |            |

NAYS

|         |          |        |
|---------|----------|--------|
| Bajoie  | Hainkel  | Tarver |
| Fields  | Landry   |        |
| Guidry  | Schedler |        |
| Total—7 |          |        |

ABSENT

|         |         |
|---------|---------|
| Cravins | Johnson |
| Total—2 |         |

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

|         |        |
|---------|--------|
| Johnson | Jordan |
| Total—2 |        |

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

HOUSE BILL NO. 182—

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 40:967(B)(3) and (4) and to enact R.S. 40:967(B)(5), relative to controlled dangerous substances; to increase the penalties for the production, manufacture, distribution, or dispensing or possessing with intent to produce, manufacture, distribute, or dispense cocaine, cocaine base, and related substances; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

|          |           |            |
|----------|-----------|------------|
| Bagneris | Dyess     | Landry     |
| Bajoie   | Ellington | Lentini    |
| Barham   | Fields    | Malone     |
| Bean     | Greene    | Robichaux  |
| Branch   | Guidry    | Romero     |
| Cain     | Hainkel   | Schedler   |
| Campbell | Heitmeier | Short      |
| Casanova | Hines     | Siracusa   |
| Cox      | Hollis    | Smith      |
| Cravins  | Irons     | Tarver     |
| Dardenne | Jordan    | Theunissen |
| Dean     | Lambert   | Ullo       |
| Total—36 |           |            |

NAYS

Total—0

ABSENT

|               |         |       |
|---------------|---------|-------|
| Mr. President | Johnson | Jones |
| Total—3       |         |       |

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

HOUSE BILL NO. 629—

BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 11:263(E) and to enact R.S. 11:267, relative to the Louisiana State Employees' Retirement System, the Teachers' Retirement System of Louisiana, the Louisiana School Employees' Retirement System, and the State Police Pension and Retirement System; to provide with respect to investment of funds held in trust by each such system; to further provide with respect to investment limitations and guidelines applicable to the governing board of each such system; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

|          |           |           |
|----------|-----------|-----------|
| Bagneris | Dyess     | Landry    |
| Bajoie   | Ellington | Lentini   |
| Barham   | Fields    | Malone    |
| Bean     | Greene    | Robichaux |
| Branch   | Guidry    | Romero    |
| Cain     | Hainkel   | Schedler  |

|          |           |            |
|----------|-----------|------------|
| Campbell | Heitmeier | Short      |
| Casanova | Hines     | Siracusa   |
| Cox      | Hollis    | Smith      |
| Cravins  | Jones     | Tarver     |
| Dardenne | Jordan    | Theunissen |
| Dean     | Lambert   | Ullo       |
| Total—36 |           |            |

NAYS

Total—0

ABSENT

|               |       |         |
|---------------|-------|---------|
| Mr. President | Irons | Johnson |
| Total—3       |       |         |

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

**HOUSE BILL NO. 725—**

BY REPRESENTATIVES FAUCHEUX, BARTON, BAUDOIN, COPELIN, DANIEL, DIEZ, DOERGE, DUPRE, FLAVIN, FORSTER, FRITH, FRUGE, GAUTREAUX, HEBERT, HOPKINS, HUNTER, ILES, JOHNS, KENNARD, KENNEY, LANDRIEU, LONG, MARIONNEAUX, MARTINY, MCCALLUM, MCDONALD, MICHOT, MURRAY, ODINET, PERKINS, PIERRE, PINAC, POWELL, ROMERO, ROUSSELLE, SCHNEIDER, SHAW, JACK SMITH, STRAIN, THOMPSON, THORNHILL, TRAVIS, AND WIGGINS

AN ACT

To amend and reenact R.S. 17:7(6)(a), relative to teacher certification; to provide for the duties and responsibilities of the State Board of Elementary and Secondary Education; to require under specified circumstances the establishment of an alternative method or process by which a teacher at a nonpublic school may meet qualifications or conditions for the issuance of a permanent regular teacher certificate; to provide guidelines for the establishment of the alternative method or process; to provide limitations; to provide for effectiveness; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Landry sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Landry to Reengrossed House Bill No. 725 by Representative Fauchoux

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 1 proposed by the Senate Committee on Education and adopted by the Senate on June 12, 1997

AMENDMENT NO. 2

On page 2, line 23, after "condition." insert "A teacher employed in a nonpublic school who meets the qualifications or conditions pursuant to the alternative method or process established pursuant to this Subsubparagraph shall be issued a permanent regular teacher certificate which shall be valid for all purposes in this state and under all the same conditions as if it had been issued to a teacher who complied with the qualifications or conditions as otherwise established by law or board policy."

AMENDMENT NO. 3

On page 3, delete lines 4 through 12

On motion of Senator Landry, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

|         |         |
|---------|---------|
| Cravins | Johnson |
| Total—2 |         |

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

**HOUSE BILL NO. 1096—**

BY REPRESENTATIVES JETSON AND WELCH

AN ACT

To enact R.S. 17:416(G), relative to pupil discipline; to prohibit the taking of any disciplinary action against a pupil by the governing authority of a public elementary or secondary school or by any public elementary or secondary school administrator, teacher, or other school employee for the use of force upon another person under specified circumstances involving self-defense of the pupil or the pupil's property; to provide for application; to provide for effectiveness; and to provide for related matters.

**Motion**

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

Senator Branch objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

|          |           |            |
|----------|-----------|------------|
| Bagneris | Ellington | Lentini    |
| Bajoie   | Fields    | Robichaux  |
| Barham   | Greene    | Romero     |
| Bean     | Guidry    | Schedler   |
| Cain     | Heitmeier | Short      |
| Campbell | Hines     | Siracusa   |
| Cox      | Hollis    | Smith      |
| Dardenne | Irons     | Tarver     |
| Dean     | Jones     | Theunissen |
| Dyess    | Jordan    |            |
| Total—29 |           |            |

NAYS

June 18, 1997

|          |         |      |
|----------|---------|------|
| Branch   | Lambert | Ullo |
| Casanova | Landry  |      |
| Total—5  |         |      |

ABSENT

|               |         |        |
|---------------|---------|--------|
| Mr. President | Hainkel | Malone |
| Cravins       | Johnson |        |
| Total—5       |         |        |

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

|          |         |            |
|----------|---------|------------|
| Bagneris | Fields  | Robichaux  |
| Bajoie   | Guidry  | Schedler   |
| Cain     | Hollis  | Short      |
| Cox      | Irons   | Siracusa   |
| Cravins  | Jones   | Tarver     |
| Dean     | Lambert | Theunissen |
| Total—18 |         |            |

NAYS

|               |           |         |
|---------------|-----------|---------|
| Mr. President | Dyess     | Landry  |
| Barham        | Ellington | Lentini |
| Bean          | Greene    | Romero  |
| Branch        | Hainkel   | Smith   |
| Campbell      | Heitmeier | Ullo    |
| Casanova      | Hines     |         |
| Dardenne      | Jordan    |         |
| Total—19      |           |         |

ABSENT

|         |        |
|---------|--------|
| Johnson | Malone |
| Total—2 |        |

The Chair declared the bill failed to pass.

**Notice of Reconsideration**

Senator Fields, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

**HOUSE BILL NO. 1133—**  
BY REPRESENTATIVES BRUN AND DUPRE  
AN ACT

To amend and reenact and as amended to arrange in proper statutory form and incorporate into the statutes the provisions of Article XIV, Section 15.1(25) of the Constitution of 1921, continued as statute by Article X, Section 18 of the Constitution of 1974, by amending and reenacting R.S. 33:2495, and to repeal R.S. 33:2495.1, relative to municipal fire and police civil service; to require completion of certain formal training prior to commencement of working test periods for entry level positions in the classified service; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

|         |         |
|---------|---------|
| Dean    | Johnson |
| Total—2 |         |

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

**HOUSE BILL NO. 1134—**  
BY REPRESENTATIVES BRUN AND DUPRE  
AN ACT

To amend and reenact R.S. 33:2555, relative to municipal fire and police civil service; to require completion of certain formal training prior to commencement of working test periods for entry level positions in the classified service; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

|         |         |       |
|---------|---------|-------|
| Bean    | Johnson | Short |
| Total—3 |         |       |

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

HOUSE BILL NO. 1136— BY REPRESENTATIVE BRUN

AN ACT

To amend and reenact R.S. 33:2536(L), relative to the fire and police civil service board in municipalities with a population of not less than seven thousand nor more than thirteen thousand, parishes, and fire protection districts; to remove the authority of the board to require the state examiner to act as secretary of the board; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Johnson
Total—1

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

HOUSE BILL NO. 1137— BY REPRESENTATIVE BRUN

AN ACT

To amend and reenact and as amended to arrange in proper statutory form and incorporate into the statutes the provisions of Article XIV, Section 15.1(6)(1)(3) of the Constitution of 1921, continued as statute by Article X, Section 18 of the Constitution of 1974, by amending and reenacting R.S. 33:2476(L)(3), relative to the salary of the secretary of municipal fire and police civil service boards in municipalities with populations of not less than thirteen thousand nor more than two hundred fifty thousand; to provide for the maximum salary for the secretary; to require the municipal governing authority to approve such salary; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Johnson
Total—1

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

HOUSE BILL NO. 1308— BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 38:334(A), relative to the Lafourche Basin Levee District; to provide for revenue utilization; and to provide for related matters.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed House Bill No. 1308 by Representative Triche

AMENDMENT NO. 1

On page 2, line 4, change "and shall be" to ". When such funds are expended within St. Charles Parish, in-kind services shall not exceed fifty percent of such expenditures. Expenditures shall be"

On motion of Senator Landry, the amendments were adopted.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed House Bill No. 1308 by Representative Triche

AMENDMENT NO. 1

On page 1, line 2, after "R.S." change "38:334(A)" to "R.S. 38:291(F)(2) and 334(A)"

AMENDMENT NO. 2

June 18, 1997

On page 1, line 3, after "utilization;" add "to provide for membership of the board of commissioners; to add one member from St. Charles Parish;"

AMENDMENT NO. 3

On page 1, line 9, after "R.S." change "38:334(A) is" to "38:291(F)(2) and 334(A) are"

AMENDMENT NO. 4

On page 1, between lines 10 and 11, add the following:

"§291. Naming; limits of districts; composition of boards

\* \* \*

F. Lafourche Basin Levee District. (1)(a)

\* \* \*

(2) The governor shall appoint, in accordance with the provisions of R.S. 38:304, ten eleven persons, one from each parish or part of a parish, except for St. Charles Parish, in the district, two from St. Charles Parish, and four from the district at large, one of whom shall be appointed on the recommendation of the railroads of the district, to serve as levee commissioners.

\* \* \*

On motion of Senator Landry, the amendments were adopted.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Lambert and Robichaux to Reengrossed House Bill No. 1308 by Representative Triche

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 1 proposed by the Senate Committee on Transportation, Highways and Public Works and adopted by the Senate on June 12, 1997.

AMENDMENT NO. 2

On page 1, line 15, change "seventy-five" to "fifty-seven"

On motion of Senator Lambert, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Dean Lambert
Total—38 NAYS

Total—0 ABSENT

Johnson
Total—1

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

HOUSE BILL NO. 1397—

BY REPRESENTATIVES FAUCHEUX, ANSARDI, AND CHAISSON
AN ACT

To enact R.S. 33:4574.10, relative to the parishes of St. Charles, St. John the Baptist, and St. James; to create the River Parishes Convention, Tourist, and Visitors Commission to have jurisdiction within such parishes; to provide for the appointment, powers, and duties of the commission; to authorize the levy and collection of a hotel/motel occupancy tax by the commission for the purpose of funding the activities of the commission; to provide relative to borrowing by the commission and budgetary matters; and to provide for related matters.

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

HOUSE BILL NO. 1622—

BY REPRESENTATIVE BRUN
AN ACT

To amend and reenact R.S. 33:2536(L)(3), relative to the fire and police civil service board in municipalities with a population of not less than seven thousand nor more than thirteen thousand, parishes, and fire protection districts; to provide for the maximum salary for the secretary; to require the approval of the municipal governing authority of such salary; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0 ABSENT

Dean Dyess Johnson
Total—3

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

**HOUSE BILL NO. 1698—**  
BY REPRESENTATIVE HOLDEN  
AN ACT

To amend and reenact R.S. 48:251, relative to highway construction contracts; to require warranties in state contracts for highway construction; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

|         |         |
|---------|---------|
| Dean    | Johnson |
| Total—2 |         |

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

**HOUSE BILL NO. 1784 (Duplicate of Senate Bill No. 653)—**  
BY REPRESENTATIVE DEWITT AND SENATOR HAINKEL  
AN ACT

To amend and reenact R.S. 30:209, relative to the State Mineral Board; to provide relative to the powers and duties of the board; to authorize certain activities; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

|          |         |            |
|----------|---------|------------|
| Cravins  | Jones   | Tarver     |
| Dardenne | Jordan  | Theunissen |
| Dean     | Lambert |            |
| Total—35 |         |            |

NAYS

Total—0

ABSENT

|          |         |
|----------|---------|
| Casanova | Johnson |
| Hainkel  | Ullo    |
| Total—4  |         |

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

**HOUSE BILL NO. 1785—**  
BY REPRESENTATIVE DEWITT  
AN ACT

To amend and reenact R.S. 30:209.1, relative to the State Mineral Board; to provide relative to the acquisition of geological and other information; to authorize the acquisition of certain data; to provide certain terms and conditions; to provide relative to confidentiality; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

|         |         |
|---------|---------|
| Bean    | Johnson |
| Total—2 |         |

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

**HOUSE BILL NO. 1994—**  
BY REPRESENTATIVE DEWITT  
AN ACT

To amend and reenact R.S. 56:303.1, 304.1, and 305.1(A) and (B), all relative to fishing; to provide relative to the time of purchase of a commercial fisherman's license, vessel license, and commercial gear license; to provide that such licenses may be purchased after November fifteenth for the immediately following license year; to provide that licenses purchased for the immediately following license year shall be valid from the date of purchase through

June 18, 1997

December thirty-first of the following year; and to provide for related matters.

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

HOUSE BILL NO. 2020— BY REPRESENTATIVE BOWLER AN ACT

To amend and reenact R.S. 33:2493(C), relative to municipal fire and police civil service; to provide relative to qualifications for admission to certain competitive employment tests for the classified police service; to remove the requirement that an applicant for such test be a qualified elector of the state; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed House Bill No. 2020 by Representative Bowler

AMENDMENT NO. 1 On page 1, line 4, between "classified" and "police" insert:

"fire and"

AMENDMENT NO. 2 On page 2, at the beginning of line 10, insert:

"fire or"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Hainkel Hollis
Total—2

ABSENT

Cravins Johnson
Total—2

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

HOUSE BILL NO. 2035— BY REPRESENTATIVE DEWITT AN ACT

To amend and reenact R.S. 32:853(A), relative to abstracts of operating records; to provide relative to the content of these records; and to provide for related matters.

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

HOUSE BILL NO. 2421— BY REPRESENTATIVE WARNER AN ACT

To amend and reenact R.S. 39:1484(18), relative to procurement of state services; to include land surveyors in the professions listed within the definition of "professional service"; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Cravins Johnson
Fields Robichaux
Total—4

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

HOUSE BILL NO. 2436— BY REPRESENTATIVE FAUCHEUX AN ACT

To enact Subpart D of Part VIII of Chapter 1 of Title 34 of the Louisiana Revised Statutes of 1950, comprised of R.S. 34:340.12 through 340.16, relative to ports, harbors, and terminals; to create the Rodent Control and Prevention of Infectious Diseases Act; to provide for the control, testing, and monitoring of rodents on ships and barges; to provide for rodent control; to provide definitions, terms, conditions, procedures, and requirements; to provide for fees and for uses of such fees; to provide for the employment of personnel and contractors; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bagneris, Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Dardenne, Dean, Dyess, Total—37; Ellington, Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Jones, Jordan, Lambert, Landry; Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Table with 2 columns: Cravins, Johnson; Total—2

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

HOUSE BILL NO. 2447— BY REPRESENTATIVE WESTON AN ACT

To enact R.S. 47:463.46, relative to motor vehicle license plates; to create a special license plate for the Louisiana state parks; to provide for costs and issuance; to provide for the transfer of land to the office of state parks; and to provide for related matters.

Floor Amendments Sent Up

Senator Romero sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Romero to Original House Bill No. 2447 by Representative Weston

AMENDMENT NO. 1

On page 1, line 2, after "To" insert:

"provide for special uses of certain properties within Lake Fausse Pointe State Park located in Iberia and St. Martin parishes and"

AMENDMENT NO. 2

On page 2, at the bottom of the page, insert:

"Section 2 A. Notwithstanding any law to the contrary and subject to the limitations and restrictions provided in this Act and set forth by law, including rules and regulations promulgated by the Department of Wildlife and Fisheries, hunting with shotguns only shall be authorized from November 1 to January 15 annually on the property described below, to wit:

That portion of lands in Lake Fausse Pointe State Park lying adjacent to and south of the Ceabon Pipeline Canal, all located in Iberia and St. Martin parishes.

B. Under no circumstances shall the authorization for hunting contained in this Act be extended to or apply to any other property now owned or acquired in the future by the office of state parks. Such authorized use is predicated upon a unique combination of features at

Lake Fausse Pointe State Park, including the fact that the acreage referred to in Sub-Section (A) herein is a wetland area, which is isolated by a natural water boundary of approximately thirty feet in width, and lies more than one mile from the closest constructed facility on the park.

C. The park wardens shall bear no responsibility for the enforcement of state wildlife laws, but shall retain all law enforcement powers granted to them under state law. The restrictions on hunting which are contained in this Act shall be strictly enforced. All violations of the provisions of this Act shall be prosecuted to the fullest extent of the law. The secretary of the Department of Culture, Recreation and Tourism, after a finding of imminent peril to the public health, safety or welfare of the citizens of the state of Louisiana or their visitors, may suspend the authorization of hunting provided in this Act, provided however, that such suspension shall be subject to a prior approval by the Senate Committee on Natural Resources and House Committee on Municipal, Parochial and Cultural Affairs.

D. The provisions of this Section shall cease to be effective on July 1, 2000."

On motion of Senator Romero, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bagneris, Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Total—36; Dean, Dyess, Ellington, Fields, Greene, Guidry, Heitmeier, Hines, Hollis, Irons, Jones, Jordan; Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns: Hainkel, Johnson, Tarver; Total—3

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

HOUSE BILL NO. 2460— BY REPRESENTATIVE BAUDOIN AN ACT

To enact R.S. 30:2073(9) and 2075.3, relative to public sewer systems; to provide for operating; to provide for receiverships; to provide for conditions; to provide for powers of the court; to provide for powers and duties of the receiver; and to provide for related matters.

Floor Amendments Sent Up

Senator Robichaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Robichaux to Engrossed House Bill No. 2460 by Representative Baudoin

AMENDMENT NO. 1

On page 1, delete lines 2 through 5 in their entirety in insert in lieu thereof the following:

“To amend and reenact R.S. 30:4(C)(16)(a), the introductory paragraph of 4(I), and 4(I)(7) and to enact R.S. 30:4.3, 4.4, 2073(9), and 2075.3, relative to public health; to provide for the regulation of certain nonhazardous waste facilities; to provide for the operation of certain public sanitary sewerage systems; to provide for receiverships of public sanitary sewerage systems; to provide for powers of the court and the receiver; and to provide for related matters.

AMENDMENT NO. 2

On page 1, line 7, after “Section 1.” change “R.S. 30:2073(9) and 2075.3” to “R.S. 30:4(C)(16)(a), the introductory paragraph of 4(I), and 4(I)(7) are hereby amended and reenacted, and R.S. 30:4.3, 4.4, 2073(9), and 2075.3”

AMENDMENT NO. 3

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

“§4. Jurisdiction, duties, and powers of the assistant secretary; rules and regulations \* \* \*

C. The commissioner has authority to make, after notice and hearings as provided in this Chapter, any reasonable rules, regulations, and orders that are necessary from time to time in the proper administration and enforcement of this Chapter, including rules, regulations, or orders for the following purposes: \* \* \*

(16)(a) To regulate by rules in accordance with the provisions of R.S. 30:4.3 and 4.4, the drilling, casing, cementing, disposal interval, monitoring, plugging and permitting of disposal wells which are used to inject waste products in the subsurface and to regulate all surface and storage waste facilities incidental to oil and gas exploration and production, in such a manner as to prevent the escape of such waste product into a fresh groundwater aquifer or into oil or gas strata; may require the plugging of each abandoned well or each well which is of no further use and the closure of associated pits, the removal of equipment, structures, and trash, and other general site cleanup of such abandoned or unused well sites; and may require reasonable bond with security for the performance of the duty to plug each abandoned well or each well which is of no further use and to perform the site cleanup required by this Subparagraph. Only an owner as defined in R.S. 30:3(8) shall be held or deemed responsible for the performance of any actions required by the commissioner. \* \* \*

I. The commissioner shall make, after notice and public hearing as provided in this Chapter, any reasonable rules, regulations, and orders, in accordance with the provisions of R.S. 30:4.3 and 4.4, that are necessary to control the offsite disposal at commercial facilities of drilling mud, saltwater and other related nonhazardous wastes generated by the drilling and production of oil and gas wells. Such regulations shall contain provisions identifying the waste materials to be regulated. Such regulations shall at a minimum require: \* \* \*

(7) Criteria for the location, design and operation of commercial offsite disposal facilities in accordance with the provisions of R.S. 30:4.3 and 4.4. \* \* \*

§4.3. Commercial facilities, disposal of nonhazardous oilfield waste from outside Louisiana

A. No commercial nonhazardous oilfield waste solids treatment and/or disposal facility in the state of Louisiana shall accept drilling mud, saltwater, or other related wastes generated by the drilling and production of oil and gas wells located in a state or country other than

the state of Louisiana if such waste cannot be lawfully disposed of in Louisiana or in the state or country of its origination.

B. Any person wishing to dispose of wastes generated by the drilling and production of oil and gas wells may file an application for a permit to dispose of the waste at a site in Louisiana with the office of conservation in compliance with the office of conservation rules and regulations pertaining to permitting procedures. In addition to the application requirements set forth in the office of conservation rules and regulations, the application must also set forth the chemical and physical qualities of the waste and provide a copy of the law or restriction that prohibits disposal of the waste in the state or country of its origination.

C. Upon acceptance of an application submitted pursuant to Subsection B of this Section, the office of conservation shall set a time, date, and location for a public hearing to be held in the parish in which the waste may be disposed and shall publish in the Louisiana Register a notice of the filing and the time, date, and location of the public hearing. The public hearing shall be held not less than thirty days from the date of notice in the Louisiana Register.

D. At least thirty days prior to the public hearing, the applicant must file a copy of the complete application with the local governing authority of the parish in which the waste may be disposed, and shall publish a notice of the filing and of the time, date, and location of the public hearing in the official journal of the parish in which the waste may be disposed on three separate days at least fifteen days prior to the date of the hearing. Such notice shall not be less than one-quarter page in size and printed in boldface type.

E. At any hearing held pursuant to this Section, all interested persons shall be allowed the opportunity to present testimony, facts, evidence, or other information, and shall be entitled to ask questions related to the application.

F. After a public hearing held in accordance with this Section, the office of conservation shall hold the public comment period open for thirty days from the date of the public hearing. The commissioner of conservation shall issue a final permit decision within ninety days of the closing of the public comment period.

§4.4. Location of commercial facilities; waiver; requirements for pits located in commercial facilities

A. No commercial nonhazardous oilfield waste solids treatment and/or disposal facilities that accept for disposal drilling mud, saltwater, or other related nonhazardous waste generated by the drilling and production of oil and gas wells shall be located in any parish with a population of between eighty thousand and eighty-six thousand people where the disposal well or related storage tanks, pits, treatment facilities, cells, or other equipment are within two thousand five hundred feet of a residential, commercial, or public building. No owner of a residential or commercial building, and no administrative body responsible for a public building, may waive the location requirements established in this Subsection. However, no commercial nonhazardous oilfield waste solids treatment and/or disposal facility shall be deemed to be in violation of the provisions of this Section if a residential, commercial, or public building is constructed or erected within two thousand five hundred feet of the facility or its related disposal wells, storage tanks, pits, treatment facilities, cells, or other equipment after the effective date of this Section.

B.(1) Except as otherwise provided in this Subsection, every commercial nonhazardous oilfield waste solids treatment and/or disposal facility, in existence on or before August 15, 1997, that accepts drilling mud, saltwater, or other related nonhazardous waste generated by drilling or production activities of oil and gas wells, and which facility is in violation of Subsection A of this Section, shall have three years within which to cease operations or relocate. No rule or regulation shall be promulgated by the commissioner of conservation to extend this three year period.

(2) The three year period for compliance provided in Paragraph (1) of this Subsection shall not apply if there are adverse health effects to the surrounding community which are substantial. In determining the existence of substantial adverse health effects to the surrounding community, a comparison control study of self-reported adverse health effects shall be conducted and the data evaluated and interpreted in

accordance with appropriate, acceptable scientific methodology which may include, but is not limited to, incidence, prevalence, and statistically significant differences. Personal interviews and medical records of the affected community shall be compiled and evaluated.

(3) Any control study conducted pursuant to this Subsection shall be performed by an accredited academic institution of higher education pursuant to institutional internal review board rules and regulations and subject to appropriate peer review.

(4) Upon a determination that there exist substantial adverse health effects to the surrounding community, the commissioner of conservation shall order that such facility immediately cease receiving such waste, unless the facility proves by clear and convincing evidence that no substantial adverse health effects to the surrounding community exist. The commissioner shall conduct a hearing within sixty days of the determination of adverse health effects, and the facility shall have an opportunity to present evidence, testimony, or other relevant information to rebut the presumption that the facility should cease receipt of wastes. The commissioner shall promulgate rules and regulations pursuant to the Administrative Procedure Act providing for the procedure for hearings to be held by the commissioner and the closure of a facility determined to pose substantial health effects to the surrounding community.

(5) Failure of a facility to comply with an order of the commissioner shall constitute a violation of the provisions of this Section.

\* \* \*

**Rules Suspended**

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

Senator Bean objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|          |           |           |
|----------|-----------|-----------|
| Bagneris | Dean      | Jordan    |
| Bajoie   | Dyess     | Landry    |
| Barham   | Ellington | Lentini   |
| Bean     | Fields    | Malone    |
| Branch   | Greene    | Robichaux |
| Cain     | Guidry    | Romero    |
| Campbell | Hainkel   | Schedler  |
| Casanova | Heitmeier | Smith     |
| Cox      | Hines     | Tarver    |
| Cravins  | Hollis    | Ullo      |
| Dardenne | Jones     |           |
| Total—32 |           |           |

**NAYS**

|          |            |
|----------|------------|
| Siracusa | Theunissen |
| Total—2  |            |

**ABSENT**

|               |         |       |
|---------------|---------|-------|
| Mr. President | Johnson | Short |
| Irons         | Lambert |       |
| Total—5       |         |       |

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

**Motion**

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

Without objection, so ordered.

Senator Robichaux moved adoption of the amendments.

Senator Theunissen objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |          |           |
|---------------|----------|-----------|
| Mr. President | Cravins  | Lambert   |
| Bajoie        | Dardenne | Landry    |
| Barham        | Fields   | Robichaux |
| Campbell      | Greene   | Schedler  |
| Casanova      | Guidry   | Tarver    |
| Cox           | Jones    |           |
| Total—17      |          |           |

**NAYS**

|           |         |            |
|-----------|---------|------------|
| Bean      | Hainkel | Short      |
| Branch    | Hines   | Siracusa   |
| Cain      | Hollis  | Smith      |
| Dean      | Lentini | Theunissen |
| Ellington | Malone  |            |
| Total—14  |         |            |

**ABSENT**

|           |         |        |
|-----------|---------|--------|
| Bagneris  | Irons   | Romero |
| Dyess     | Johnson | Ullo   |
| Heitmeier | Jordan  |        |
| Total—8   |         |        |

The Chair declared the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |           |           |
|---------------|-----------|-----------|
| Mr. President | Dardenne  | Jones     |
| Bagneris      | Dyess     | Jordan    |
| Bajoie        | Ellington | Lambert   |
| Barham        | Fields    | Landry    |
| Branch        | Greene    | Robichaux |
| Cain          | Guidry    | Romero    |
| Campbell      | Hainkel   | Schedler  |
| Casanova      | Hines     | Short     |
| Cox           | Hollis    | Smith     |
| Cravins       | Johnson   | Tarver    |
| Total—30      |           |           |

**NAYS**

|         |         |            |
|---------|---------|------------|
| Bean    | Lentini | Siracusa   |
| Dean    | Malone  | Theunissen |
| Total—6 |         |            |

**ABSENT**

|           |       |      |
|-----------|-------|------|
| Heitmeier | Irons | Ullo |
| Total—3   |       |      |

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

**Rules Suspended**

Senator Schedler asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 1707 from the Committee on Finance.

**HOUSE BILL NO. 1707—**

BY REPRESENTATIVE RIDDLE

**AN ACT**

To enact Part VII of Chapter 12 of Title 40 of the Louisiana Revised Statutes of 1950, to consist of R.S. 40:2254.1 through 2254.12, relative to certificates of public advantage; to authorize certain health care facilities and providers to enter into cooperative, merger, joint venture, and consolidation agreements; to authorize the Department of Justice to provide immunity to health care providers to enter agreements that might otherwise be considered violations of antitrust laws through certificates of public advantage; to specify the agreements eligible for such certificates; to provide for the types of health care providers eligible; to provide for an application process; to provide for grounds for approval, denial, or revocation of a certificate; to provide for denial, appeal of denial, and amendment of such certificate; to provide for powers and duties of the Department of Justice and the attorney general related to certificates, including recordkeeping, rulemaking, enforcement of terms and conditions of agreements, and the imposition of fees; and to provide for related matters.

Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**Rules Suspended**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 1187 from the Committee on Finance.

**HOUSE BILL NO. 1187—**

BY REPRESENTATIVE PRATT

**AN ACT**

To enact R.S. 17:436(D), relative to performing noncomplex health procedures; to require city and parish school boards to provide safety equipment, materials, and supplies to employees performing noncomplex health procedures; to specify such safety equipment, materials, and supplies to be provided; and to provide for related matters.

Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**Rules Suspended**

Senator Bajoie asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 1896 from the Committee on Finance.

**HOUSE BILL NO. 1896—**

BY REPRESENTATIVE PRATT

**AN ACT**

To enact R.S. 17:7(22), relative to the powers and duties of the State Board of Elementary and Secondary Education; to provide for the development, adoption, and implementation of a pilot program in eight elementary schools to departmentalize grades one through six; to provide relative to participation in such program, including the selection of schools; to require each participating school to study certain outcomes, create a strategic plan, and provide for a daily planning period; to provide for program implementation and evaluation; to provide for rules and regulations; and to provide for related matters.

Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**Privilege Report of the Legislative Bureau**

June 18, 1997

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

**HOUSE BILL NO. 1187—**

BY REPRESENTATIVE PRATT

**AN ACT**

To enact R.S. 17:436(D), relative to performing noncomplex health procedures; to require city and parish school boards to provide safety equipment, materials, and supplies to employees performing noncomplex health procedures; to specify such safety equipment, materials, and supplies to be provided; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1707—**

BY REPRESENTATIVE RIDDLE

**AN ACT**

To enact Part VII of Chapter 12 of Title 40 of the Louisiana Revised Statutes of 1950, to consist of R.S. 40:2254.1 through 2254.12, relative to certificates of public advantage; to authorize certain health care facilities and providers to enter into cooperative, merger, joint venture, and consolidation agreements; to authorize the Department of Justice to provide immunity to health care providers to enter agreements that might otherwise be considered violations of antitrust laws through certificates of public advantage; to specify the agreements eligible for such certificates; to provide for the types of health care providers eligible; to provide for an application process; to provide for grounds for approval, denial, or revocation of a certificate; to provide for denial, appeal of denial, and amendment of such certificate; to provide for powers and duties of the Department of Justice and the attorney general related to certificates, including recordkeeping, rulemaking, enforcement of terms and conditions of agreements, and the imposition of fees; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1896—**

BY REPRESENTATIVE PRATT

**AN ACT**

To enact R.S. 17:7(22), relative to the powers and duties of the State Board of Elementary and Secondary Education; to provide for the development, adoption, and implementation of a pilot program in eight elementary schools to departmentalize grades one through six; to provide relative to participation in such program, including the selection of schools; to require each participating school to study certain outcomes, create a strategic plan, and provide for a daily planning period; to provide for program implementation and evaluation; to provide for rules and regulations; and to provide for related matters.

Reported without amendments.

Respectfully submitted,  
DENNIS BAGNERIS  
Chairman

**Adoption of Legislative Bureau Report**

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

**Recess**

On motion of Senator Bagneris, the Senate took a recess until 1:45 o'clock P.M.

**After Recess**

The Senate was called to order at 1:45 o'clock P.M. by the President of the Senate.

**ROLL CALL**

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

**PRESENT**

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Dyess     | Lambert    |
| Bagneris      | Ellington | Landry     |
| Bajoie        | Fields    | Lentini    |
| Barham        | Greene    | Malone     |
| Bean          | Guidry    | Robichaux  |
| Branch        | Hainkel   | Romero     |
| Cain          | Heitmeier | Schedler   |
| Campbell      | Hines     | Short      |
| Casanova      | Hollis    | Siracusa   |
| Cox           | Irons     | Smith      |
| Cravins       | Johnson   | Tarver     |
| Dardenne      | Jones     | Theunissen |
| Dean          | Jordan    | Ullo       |
| Total—39      |           |            |

**ABSENT**

Total—0

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

**Senate Business Resumed**

**Morning Hour**

**Messages from the House**

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

**Message from the House**

**PASSED SENATE BILLS AND JOINT RESOLUTIONS**

June 18, 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 the following Senate Bills and Joint Resolutions:

**SENATE BILL NO. 658—**  
BY SENATOR DARDENNE

**AN ACT**

To amend and reenact Code of Criminal Procedure Art. 408.1, relative to qualifications and selection of grand and petit jurors; to provide with respect to initial selection of general venire; to provide for source; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 684—**

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

**AN ACT**

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

Reported without amendments.

**SENATE BILL NO. 685—**

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

**AN ACT**

To repeal Chapter 21-A of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:1831 through 1839, relative to criminal victim's escrow accounts; to repeal provisions of law relating to such accounts, including notice of intent to file claim, notice to victims, release of and payments from escrow accounts, proration of payments, and void actions.

Reported without amendments.

**SENATE BILL NO. 686—**

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

**AN ACT**

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

Reported without amendments.

**SENATE BILL NO. 883—**

BY SENATOR LANDRY

**AN ACT**

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

Reported without amendments.

**SENATE BILL NO. 257—**

BY SENATORS LENTINI AND SHORT

**AN ACT**

To amend and reenact R.S. 15:574.4(D) and R.S. 46:1844(O), and to enact R.S. 15:573.1, relative to proceedings on punishment for crimes committed; to allow certain persons to appear before the Board of Pardons or the Board of Parole by means of telephone communication from the office of the local district attorney; and to provide for related matters.

Reported without amendments.

**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 without amendments.

June 18, 1997

**SENATE BILL NO. 151—**  
BY SENATOR JORDAN

AN ACT

To amend and reenact Code of Criminal Procedure Art. 894.2(A)(2); relative to requirements of home incarceration; to provide that home incarceration may be recommended by the district attorney, or under certain circumstances, ordered by the court; and to provide for related matters.

Reported without amendments.

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

**Message from the House**

**PASSED SENATE BILLS AND  
JOINT RESOLUTIONS**

June 18, 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 the following Senate Bills and Joint Resolutions:

**SENATE BILL NO. 529—**  
BY SENATOR GUIDRY

AN ACT

To amend and reenact R.S. 17:350.21(B), relative to funding of laboratory schools; to increase state funding for the university laboratory schools operated by Louisiana State University and Agricultural and Mechanical College and by Southern University and Agricultural and Mechanical College; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 751—**  
BY SENATORS GUIDRY AND DEAN  
AN ACT

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

Reported with amendments.

**SENATE BILL NO. 793—**  
BY SENATORS BAGNERIS AND HINES  
AN ACT

To amend and reenact R.S. 40:1299.39(A)(1)(a)(iv)(aa), relative to medical malpractice liability; to provide definitions; to provide for effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1508—**  
BY SENATOR LENTINI

AN ACT

To enact Subpart E of Part III of Chapter 1 of Code Title V of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:355.1 through 355.17, relative to guidelines for moving a child's residence; to provide for definitions; to provide for notice; to provide for court sanctioned relocations; to provide for elements of proof; to provide for sanctions for unwarranted proposals to relocate a child; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1343—**  
BY SENATOR BAGNERIS

AN ACT

To amend and reenact R.S. 9:334(A) and (E), relative to child custody dispute mediation; to establish qualifications of child custody dispute mediators who supervise co-mediation training; to provide regarding the authority to promulgate rules and regulations; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1371—**  
BY SENATOR JOHNSON

AN ACT

To enact R.S. 47:322.1, relative to the state sales tax on hotel occupancy in parishes with a population of over four hundred seventy-five thousand; to establish a special fund in the state treasury; to provide for deposit of monies into the fund and allowable uses of monies in the fund; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1090—**  
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 35:323(A), (B), and (C)(1) and (3), 323.1(A) and (B), 327, 328, 331, 332, 334, 335, 336(A) and (B), 337, 337.1, and 338, and to enact R.S. 35:321(3), and to repeal R.S. 35:323(D) and (G) and 329, relative to notaries public and commissioners; to provide for the appointment of notaries; to provide for changes in the office of the custodian of notarial records for the parish of Orleans; to provide for the preservation of notarial records; to increase the fees to be charged by the custodian of notarial records; to provide for the use and separate location of microfilm records; to provide for the testing of sureties on bonds and for the giving of new bond; to provide for the revocation of a non-attorney's commission for failure to furnish bond; to provide for notice by the custodian of the bond expiration date; to provide sanction for act after expiration of bond or after surety canceled; to provide for the appointment of a deputy and an archivist; to provide for unbudgeted funds collected by the custodian of notarial records; to provide for the annual budget; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1128—**  
BY SENATOR ELLINGTON AND REPRESENTATIVE KENNEY  
AN ACT

To amend and reenact R.S. 9:305, relative to disavowal of paternity; to provide for the period in which child support payments are owed; to provide additional time for disavowal actions; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1155—**  
BY SENATORS BAGNERIS AND SCHEDLER  
AN ACT

To amend and reenact Civil Code Arts. 394 and 405, Code of Civil Procedure Art. 4549, and to repeal Civil Code Arts. 400 and 401, relative to interdiction and curatorship; to provide for notice and hearing in a suit for the appointment of a provisional curator; to provide criteria for appointment of a provisional curator; to provide for the powers and duration of a provisional curator; and to provide for related matters.

Reported with amendments.

**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 with amendments.

**SENATE BILL NO. 1523—**  
BY SENATOR SCHEDLER  
AN ACT

To enact R.S. 33:2335.1, relative to mutual aid between local police departments; to provide for aid to be provided to a requesting agency; to provide for the authority of law enforcement personnel; to define "emergency"; to provide for liability; to provide that no charge shall be made for services rendered; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 253—**  
BY SENATOR HINES  
AN ACT

To enact R.S. 40:5.5(C) and (D), relative to food safety; to require the issuance of a food safety certificate and the display of the certificate at a food service establishment; to authorize a certificate application fee; to require the Department of Health and Hospitals to provide for the issuance and renewal of the certificate as part of the state's sanitary code; to provide a food safety training program; to define food service establishment; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 512—**  
BY SENATOR COX  
AN ACT

To enact R.S. 14:40.2(B)(6) and (D), relative to stalking; to specifically prohibit the stalking of a child; to provide elements, definitions and penalties; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1469—**  
BY SENATOR HAINKEL  
AN ACT

To enact R.S. 18:1505.2(M), relative to the Campaign Finance Disclosure Act; to prohibit contributions by foreign nationals; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 321—**  
BY SENATOR MALONE AND REPRESENTATIVE BRUN  
A JOINT RESOLUTION

Proposing to amend Article I, Section 10 of the Constitution of Louisiana, relative to the right to vote; to prohibit convicted felons from seeking or holding public office; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

**SENATE BILL NO. 320—**  
BY SENATORS LENTINI, SCHEDLER, BARHAM, BEAN, CAIN, CAMPBELL, CASANOVA, COX, DARDENNE, DEAN, DYESS, ELLINGTON, FIELDS, GREENE, GUIDRY, HAINKEL, HEITMEIER, HINES, HOLLIS, JONES, JORDAN, LAMBERT, LANDRY, MALONE, ROBICHAUX, ROMERO, SHORT, SMITH, TARVER, AND ULLO  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(A) and to add Article VII, Section 18(G) of the Constitution of Louisiana, relative to creating a special assessment level for homestead exempt property of persons sixty-five years of age or older; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

**SENATE BILL NO. 161—**  
BY SENATOR JORDAN  
AN ACT

To repeal Code of Criminal Procedure Art. 894.1(D)(3), (4), and (5), relative to sentencing guidelines; to repeal certain requirements that the court advise the offender relative to the length of sentence and whether the sentence was enhanced.

Reported with amendments.

**SENATE BILL NO. 914—**  
BY SENATORS COX AND JOHNSON  
AN ACT

To amend and reenact R.S. 15:1204.2(B)(4) and 1204.4, to enact R.S. 14:107.2 and R.S. 40:2403(H), relative to offenses affecting the general peace and order; to provide for hate crimes; to provide for penalties; to provide for the training of law enforcement officers; to provide for record keeping and reporting; to provide for studies by the Louisiana Commission on Human Rights; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 447—**  
BY SENATOR JORDAN  
AN ACT

To amend and reenact Code of Criminal Procedure Art. 899(C), relative to suspended sentence and probation; to provide with respect to arrest or summons for violation of probation; to provide for bail; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 448—**  
BY SENATOR JORDAN  
AN ACT

To enact Code of Criminal Procedure Art. 14.1, relative to general powers of courts; to provide with respect to the right of a person not to be compelled to give evidence against himself; and to provide for related matters.

Reported with amendments.

June 18, 1997

**SENATE BILL NO. 956—**  
BY SENATORS BARHAM, DARDENNE, EWING AND HAINKEL  
AN ACT

To enact R.S. 47:1580(C) and to repeal R.S. 47:1580(A)(5), relative to suspension of prescription; to provide that the failure to file any return reporting any state tax, license, excise, interest, penalty, or other charge shall interrupt the running of prescription until the subsequent filing of that return; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 361—**  
BY SENATOR GREENE  
AN ACT

To amend and reenact R.S. 14:102.2 and 102.6 and to enact R.S. 15:436.2, relative to animals; to provide for the disposition of animals impounded as a result of animal cruelty cases; to provide for notice of seizure; to require persons claiming interest in seized animal to post bond for reasonable costs incurred in the boarding and treatment of such animal; to provide for use of photographs as evidence; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 908—**  
BY SENATOR JORDAN  
AN ACT

To amend and reenact R.S. 13:621.15, relative to district courts; to provide for an additional judgeship in the fifteenth judicial district; to provide for the election and term of office; to provide for qualifications; to provide relative to compensation; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 58—**  
BY SENATOR GUIDRY  
AN ACT

To enact R.S. 49:1015(F), relative to employee drug testing; to require drug testing prior to the hiring of certain public employees; to require random drug testing of certain public employees; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 176—**  
BY SENATOR GUIDRY  
AN ACT

To amend and reenact R.S. 18:1463(B), relative to election offenses; to prohibit the unauthorized use of a person's photograph or likeness on any sample ballot, political campaign pamphlet or other political material which falsely alleges endorsement or support by another candidate or person; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1368—**  
BY SENATORS COX AND SCHEDLER  
AN ACT

To amend and reenact the heading of Chapter 3-B of Title 15 of the Louisiana Revised Statutes of 1950 and R.S. 15:540, 546, 547, and 548(H), and to enact R.S. 15:541 (9) through (16) and R.S. 15:542.1, relative to the registration of sex offenders; to provide for the registration of sexually violent predators and child predators; to provide definitions; to provide for an advisory panel; to provide for evaluation procedures; 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 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. 394—**  
BY SENATOR HEITMEIER  
AN ACT

To enact R.S. 11:1921(C), relative to the Parochial Employees' Retirement System; to provide for optional membership for persons fifty-five years of age or older who have forty quarters credit in Social Security; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 449—**  
BY SENATOR JORDAN  
AN ACT

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

Reported with amendments.

**SENATE BILL NO. 763—**  
BY SENATOR SHORT  
AN ACT

To enact Chapter 27-A of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.1 through 9039.4, relative to the East Florida Parishes Retirement District; to create the district; to provide for a board of directors to implement the powers, duties, functions, and responsibilities of the district; to authorize the district, with voter approval, to grant certain sales and use tax refunds; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 427—**  
BY SENATOR HEITMEIER  
AN ACT

To amend and reenact R.S. 11:2260(A)(7), relative to the Firefighters' Retirement System; to provide for computation of cost-of-living adjustments; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 426—**  
BY SENATOR HEITMEIER  
AN ACT

To amend and reenact R.S. 11:2253(A)(1), relative to the Firefighters' Retirement System; to provide with respect to membership in the system; to establish a membership age limit; to provide for re-employment of a retiree without suspension of benefits; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 828—**  
BY SENATORS HAINKEL, DARDENNE AND EWING  
AN ACT

To amend and reenact R.S. 39:291, relative to the Louisiana Data Base Commission; to provide for membership; to provide for

qualification of members; to provide for term of membership; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1519—**  
BY SENATORS SHORT AND SCHEDLER  
AN ACT

To enact R.S. 33:4575.11 through 4575.16, relative to special districts; to create event center districts in certain parishes; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 319—**  
BY SENATOR THEUNISSEN  
AN ACT

To amend and reenact R.S. 47:806(C), relative to motor vehicles; to provide relative to required records for the purchase of certain fuels; to exempt certain motor vehicles of 2,000 pounds or less; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1474—**  
BY SENATOR SCHEDLER  
AN ACT

To amend and reenact R.S. 33:4575.1(A) and (C), and to enact R.S. 33:4575.3(20), relative to recreational facilities; to provide with respect to the East St. Tammany Events Center District; to provide for board membership and terms of office; to authorize the levying of a hotel occupancy tax; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1501—**  
BY SENATOR ROMERO  
AN ACT

To amend and reenact R.S. 11:1632(A)(2) and to enact R.S. 11:1631(B)(3), relative to the District Attorneys Retirement System; to authorize eligibility for certain retirement benefits at age sixty or older with ten years of creditable service; to provide relative to eligibility for certain benefits in such system; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1296—**  
BY SENATOR DARLENNE  
AN ACT

To amend and reenact R.S. 11:721.1, relative to the Teachers' Retirement System of Louisiana; to provide for membership eligibility; to provide membership is optional in the system for certain persons employed by certain associations of persons involved in education; to provide for an effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1278—**  
BY SENATORS HAINKEL, DARLENNE AND EWING  
AN ACT

To amend and reenact R.S. 25:2(A) and 3, relative to the board of commissioners of the State Library of Louisiana; to provide for the board's composition, duties, and functions; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 916—**  
BY SENATOR LANDRY  
AN ACT

To amend and reenact R. S. 14:2(13), relative to criminal law; to provide for the definition of "crime of violence"; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1198—**  
BY SENATOR ELLINGTON  
AN ACT

To enact Subpart A-1 of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:181 through 188, relative to creating a career option for high school students; to require the completion of Five Year Educational Plans by students; to provide for the creation of a vocational major in high schools and curriculum design teams; to provide for a vocational major pilot program; to establish timelines for piloting and full implementation; to provide an approval process; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 797—**  
BY SENATORS BAGNERIS AND GUIDRY  
AN ACT

To enact R.S. 44:36(E), relative to public records; to provide for retention of certain records by prosecuting agencies; to provide for effective date; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1477—**  
BY SENATOR ELLINGTON  
AN ACT

To enact R.S. 33:4574(A)(2)(mm) and 4574.1-A(A)(1)(mm), relative to occupancy taxes levied by tourism commissions; to create the Franklin Parish Tourism Commission as a political subdivision of the state; to authorize the commission to levy and collect a sales and use tax upon the occupancy of hotel and motel rooms, bed and breakfast and overnight camping facilities within the parish; and to provide for related matters.

Reported with amendments.

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

**Privilege Report of the  
Legislative Bureau**

June 18, 1997

To the President and Members of the Senate:

I am directed by your Legislative Bureau to submit the following report:

The following bills are approved as to construction and duplication.

**HOUSE BILL NO. 916—**  
BY REPRESENTATIVES DIEZ, DEWITT, AND BRUCE  
AN ACT

To amend and reenact R.S. 36:501(C)(1), 502(A)(1) and (B), 508(A), (B), (C), and (F) and to enact R.S. 36:510, relative to the reorganization of the Department of Transportation and Development; to create the offices of highway engineering and public works and intermodal transportation; and to provide for related matters.

June 18, 1997

Reported without amendments.

**HOUSE BILL NO. 1285—**  
BY REPRESENTATIVE FORSTER  
AN ACT

To enact R.S. 40:2009.44, relative to residents of nursing home facilities; to require the Department of Health and Hospitals to promulgate rules and regulations which provide for a specified minimum number of leave days per spell of illness for which Medicaid payments will be made on behalf of Medicaid eligible residents when said residents are admitted as inpatients to other licensed health care facilities; to require the department to promulgate rules and regulations which provide for a specified minimum number of leave days per year for which Medicaid payments will be made on behalf of Medicaid eligible residents when said residents are absent from the facility on home leave; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1874—**  
BY REPRESENTATIVES PERKINS, A. ALEXANDER, BAUDOIN, CARTER, CRANE, DANIEL, DURAND, FLAVIN, FONTENOT, GUILLORY, HOLDEN, JENKINS, JETSON, KENNARD, KENNEY, MCMAINS, MORRISH, RIDDLE, ROMERO, TRAVIS, WELCH, AND WESTON AND SENATORS BRANCH, DARDENNE, FIELDS, AND GUIDRY  
AN ACT

To enact R.S. 30:2282, relative to waste sites; to provide for certain lakes; to provide for remediation; to provide for legal proceedings; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1915—**  
BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact R.S. 15:571.3(A)(1), relative to the diminution of prison sentences for good behavior; to provide for the rate of good time for certain prisoners in parish prisons; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 2033—**  
BY REPRESENTATIVES DOWNER, R. ALEXANDER, DEVILLE, DIMOS, LEBLANC, McDONALD, MCMAINS, JOHN SMITH, STELLY, AND TRICHE  
AN ACT

To amend and reenact R.S. 27:270(A)(3) and (B) and to enact R.S. 39:127.2, relative to the disposition of net revenues received from casino gaming proceeds; to provide for the disposition of such proceeds including the deposit into certain funds within the state treasury; to establish the Capitol Complex Master Plan Fund within the state treasury; to provide that monies in the fund shall be expended for capital improvements pursuant to the Capitol Complex Master Plan; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 2498—**  
BY REPRESENTATIVE HUNTER  
AN ACT

To enact R.S. 46:450.1(F), relative to electronic issuance of certain public assistance program benefits; to require that the system for electronic issuance of food stamps provide for identification of nonallowable items; to require photo identification; and to provide for related matters.

Reported without amendments.

Respectfully submitted,  
DENNIS BAGNERIS  
Chairman

Adoption of Legislative Bureau Report

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

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON  
FINANCE**

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

June 18, 1997

To the President and Members of the Senate:

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

**HOUSE BILL NO. 916—**  
BY REPRESENTATIVES DIEZ, DEWITT, AND BRUCE  
AN ACT

To amend and reenact R.S. 36:501(C)(1), 502(A)(1) and (B), 508(A), (B), (C), and (F) and to enact R.S. 36:510, relative to the reorganization of the Department of Transportation and Development; to create the offices of highway engineering and public works and intermodal transportation; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1285—**  
BY REPRESENTATIVE FORSTER  
AN ACT

To enact R.S. 40:2009.44, relative to residents of nursing home facilities; to require the Department of Health and Hospitals to promulgate rules and regulations which provide for a specified minimum number of leave days per spell of illness for which Medicaid payments will be made on behalf of Medicaid eligible residents when said residents are admitted as inpatients to other licensed health care facilities; to require the department to promulgate rules and regulations which provide for a specified minimum number of leave days per year for which Medicaid payments will be made on behalf of Medicaid eligible residents when said residents are absent from the facility on home leave; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1874—**  
BY REPRESENTATIVES PERKINS, A. ALEXANDER, BAUDOIN, CARTER, CRANE, DANIEL, DURAND, FLAVIN, FONTENOT, GUILLORY, HOLDEN, JENKINS, JETSON, KENNARD, KENNEY, MCMAINS, MORRISH, RIDDLE, ROMERO, TRAVIS, WELCH, AND WESTON AND SENATORS BRANCH, DARDENNE, FIELDS, AND GUIDRY  
AN ACT

To enact R.S. 30:2282, relative to waste sites; to provide for certain lakes; to provide for remediation; to provide for legal proceedings; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1915—**  
BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact R.S. 15:571.3(A)(1), relative to the diminution of prison sentences for good behavior; to provide for the rate of good time for certain prisoners in parish prisons; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 2033—**  
BY REPRESENTATIVES DOWNER, R. ALEXANDER, DEVILLE, DIMOS,  
LEBLANC, MCDONALD, MCMAINS, JOHN SMITH, STELLY, AND TRICHE  
AN ACT

To amend and reenact R.S. 27:270(A)(3) and (B) and to enact R.S. 39:127.2, relative to the disposition of net revenues received from casino gaming proceeds; to provide for the disposition of such proceeds including the deposit into certain funds within the state treasury; to establish the Capitol Complex Master Plan Fund within the state treasury; to provide that monies in the fund shall be expended for capital improvements pursuant to the Capitol Complex Master Plan; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 2498—**  
BY REPRESENTATIVE HUNTER  
AN ACT

To enact R.S. 46:450.1(F), relative to electronic issuance of certain public assistance program benefits; to require that the system for electronic issuance of food stamps provide for identification of nonallowable items; to require photo identification; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
JOHN HAINKEL  
Chairman

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

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

**HOUSE BILL NO. 916—**  
BY REPRESENTATIVES DIEZ, DEWITT, AND BRUCE  
AN ACT

To amend and reenact R.S. 36:501(C)(1), 502(A)(1) and (B), 508(A), (B), (C), and (F) and to enact R.S. 36:510, relative to the reorganization of the Department of Transportation and Development; to create the offices of highway engineering and public works and intermodal transportation; and to provide for related matters.

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

**HOUSE BILL NO. 1285—**  
BY REPRESENTATIVE FORSTER  
AN ACT

To enact R.S. 40:2009.44, relative to residents of nursing home facilities; to require the Department of Health and Hospitals to promulgate rules and regulations which provide for a specified minimum number of leave days per spell of illness for which Medicaid payments will be made on behalf of Medicaid eligible residents when said residents are admitted as inpatients to other licensed health care facilities; to require the department to promulgate rules and regulations which provide for a specified minimum number of leave days per year for which Medicaid payments will be made on behalf of Medicaid eligible residents when said residents are absent from the facility on home leave; and to provide for related matters.

Reported with amendments by the Committee on Finance.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 1285 by Representative Forster

**AMENDMENT NO. 1**  
On page 1, line 18, delete "ten" and insert "seven"

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

**HOUSE BILL NO. 1874—**  
BY REPRESENTATIVES PERKINS, A. ALEXANDER, BAUDOIN, CARTER,  
CRANE, DANIEL, DURAND, FLAVIN, FONTENOT, GUILLORY, HOLDEN,  
JENKINS, JETSON, KENNARD, KENNEY, MCMAINS, MORRISH, RIDDLE,  
ROMERO, TRAVIS, WELCH, AND WESTON AND SENATORS BRANCH,  
DARDENNE, FIELDS, AND GUIDRY  
AN ACT

To enact R.S. 30:2282, relative to waste sites; to provide for certain lakes; to provide for remediation; to provide for legal proceedings; and to provide for related matters.

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

**HOUSE BILL NO. 1915—**  
BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact R.S. 15:571.3(A)(1), relative to the diminution of prison sentences for good behavior; to provide for the rate of good time for certain prisoners in parish prisons; and to provide for related matters.

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

**HOUSE BILL NO. 2033—**  
BY REPRESENTATIVES DOWNER, R. ALEXANDER, DEVILLE, DIMOS,  
LEBLANC, MCDONALD, MCMAINS, JOHN SMITH, STELLY, AND TRICHE  
AN ACT

To amend and reenact R.S. 27:270(A)(3) and (B) and to enact R.S. 39:127.2, relative to the disposition of net revenues received from casino gaming proceeds; to provide for the disposition of such proceeds including the deposit into certain funds within the state treasury; to establish the Capitol Complex Master Plan Fund within the state treasury; to provide that monies in the fund shall be expended for capital improvements pursuant to the Capitol Complex Master Plan; and to provide for related matters.

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

**HOUSE BILL NO. 2498—**  
BY REPRESENTATIVE HUNTER  
AN ACT

To enact R.S. 46:450.1(F), relative to electronic issuance of certain public assistance program benefits; to require that the system for electronic issuance of food stamps provide for identification of nonallowable items; to require photo identification; and to provide for related matters.

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

**Rules Suspended**

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

Senate Resolutions to be Adopted, Subject to Call

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

Called from the Calendar

Senator Jordan asked that Senate Resolution No. 31 be called from the Calendar at this time.

SENATE RESOLUTION NO. 31— BY SENATOR JORDAN

A RESOLUTION

To urge and request the Louisiana Supreme Court to study and adopt rules for regulating lawyer advertising that will respond to the needs of the public for information about the legal system, their rights and their ability to engage the services of an attorney that will improve the system for regulating lawyer advertising in a manner that will instill public confidence in the legal system.

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

Rules Suspended

Senator Bagneris asked for and obtained a suspension of the rules for the purpose of advancing to the order of

House Bills and Joint Resolutions on Third Reading and Final Passage

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

HOUSE BILL NO. 2486— BY REPRESENTATIVE SCHNEIDER AN ACT

To amend and reenact Section 4 of Act No. 762 of the 1986 Regular Session as amended by Act No. 875 of the 1988 Regular Session and Act No. 1227 of the 1995 Regular Session of the Legislature, relative to the Greater New Orleans Expressway Commission; to provide for the collection of tolls; to provide for the vote necessary to increase tolls; and to provide for related matters.

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

HOUSE BILL NO. 2518 (Substitute for House Bill No. 1999 by Representative DeWitt)— BY REPRESENTATIVE DEWITT AN ACT

To amend and reenact R.S. 56:307.6 and 307.7(A), relative to the interstate transportation of seafood; to provide for those required to have a transport license; to provide relative to information which must be retained by a person transporting seafood; and to provide for related matters.

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

HOUSE BILL NO. 71— BY REPRESENTATIVE FAUCHEUX AN ACT

To enact R.S. 13:2614, relative to justice of the peace courts; to provide for the territorial jurisdiction of justice of the peace courts in St. James Parish; to provide for an additional justice of the peace and constable; to provide for elections; and to provide for related matters.

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

HOUSE BILL NO. 75— BY REPRESENTATIVE FAUCHEUX AN ACT

To enact R.S. 13:2614, relative to particular justice of the peace courts; to provide for territorial jurisdiction of justice of the peace courts in St. John the Baptist Parish; to provide for an additional justice of the peace and constable; to provide for elections; and to provide for related matters.

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

HOUSE BILL NO. 189— BY REPRESENTATIVE FAUCHEUX AN ACT

To amend and reenact R.S. 13:46(A) and (B) and to enact R.S. 13:46(D), relative to the Judicial Compensation Commission; to require the commission to study and make recommendations regarding the cost-of-living adjustments for the Judges' Noncontributory Retirement Plan and other changes in judges' retirement; to provide with respect to legislative action on commission recommendations; to provide for termination of the commission; and to provide for related matters.

Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Reengrossed House Bill No. 189 by Representative Fauchaux

AMENDMENT NO. 1

On page 1, line 6, between "retirement" and "; to" insert "and the salaries of the commissioners of district courts"

AMENDMENT NO. 2

On page 1, line 14, between "judges" and "and" insert "and commissioners of district courts"

AMENDMENT NO. 3

On page 2, line 2, between "salaries" and "and" insert "salaries of commissioners of district courts."

On motion of Senator Bajoie, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns listing names of members: Mr. President, Bagneris, Barham, Bean, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Fields, Greene, Guidry, Heitmeier, Hines, Hollis, Irons, Johnson, Jordan, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Theunissen.

Total—31

NAYS

Total—0

ABSENT

|         |         |        |
|---------|---------|--------|
| Bajoie  | Jones   | Tarver |
| Branch  | Lambert | Ullo   |
| Hainkel | Smith   |        |
| Total—8 |         |        |

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

**HOUSE BILL NO. 242—**  
BY REPRESENTATIVE ROUSSELLE  
AN ACT

To amend and reenact R.S. 9:5625(A), relative to prescription; to provide for the prescriptive period for enforcement of violations of zoning restrictions, building restrictions, or subdivision regulations and for use violations; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Greene    | Lentini    |
| Barham        | Guidry    | Malone     |
| Bean          | Heitmeier | Robichaux  |
| Cain          | Hines     | Romero     |
| Casanova      | Hollis    | Schedler   |
| Cox           | Irons     | Short      |
| Cravins       | Johnson   | Siracusa   |
| Dardenne      | Jones     | Tarver     |
| Dean          | Jordan    | Theunissen |
| Ellington     | Lambert   |            |
| Fields        | Landry    |            |
| Total—31      |           |            |

NAYS

Total—0

ABSENT

|          |          |       |
|----------|----------|-------|
| Bagneris | Campbell | Smith |
| Bajoie   | Dyess    | Ullo  |
| Branch   | Hainkel  |       |
| Total—8  |          |       |

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

**HOUSE BILL NO. 260—**  
BY REPRESENTATIVES WIGGINS, BARTON, JOHNS, PERKINS, AND TRICHE  
AN ACT

To amend and reenact R.S. 9:2799, relative to offenses and quasi offenses; to provide with respect to the donation of food without incurring liability for damages; to provide exceptions for intentional acts or omissions only; to eliminate the requirement that the food bank have certain liability insurance; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Short sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Short to Engrossed House Bill No. 260 by Representative Wiggins, et al

AMENDMENT NO. 1

On page 1, line 16, after "omission" insert "or gross negligence"

On motion of Senator Short, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Fields    | Landry     |
| Bagneris      | Greene    | Lentini    |
| Bajoie        | Guidry    | Malone     |
| Barham        | Heitmeier | Robichaux  |
| Bean          | Hines     | Romero     |
| Cain          | Hollis    | Schedler   |
| Casanova      | Irons     | Short      |
| Cox           | Johnson   | Siracusa   |
| Cravins       | Jones     | Smith      |
| Dean          | Jordan    | Tarver     |
| Ellington     | Lambert   | Theunissen |
| Total—33      |           |            |

NAYS

Total—0

ABSENT

|          |          |         |
|----------|----------|---------|
| Branch   | Dardenne | Hainkel |
| Campbell | Dyess    | Ullo    |
| Total—6  |          |         |

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

**HOUSE BILL NO. 366—**  
BY REPRESENTATIVE TRAVIS  
AN ACT

To amend and reenact R.S. 51:1286(C)(1)(introductory paragraph) and to repeal R.S. 51:1286(C)(3), relative to the Louisiana Tourism Promotion District; to remove the limitation on the amount of the proceeds of the sales and use tax levied by the district which are to be used for costs of collection of the tax and for the promotion of tourism; to amend and reenact Section 3 of Act No. 535 of the 1988 Regular Session of the Legislature, as amended by Section 2 of Act No. 285 of the 1992 Regular Session of the Legislature; to provide with respect to the Louisiana Tax Free Shopping Program; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Hollis sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hollis to Reengrossed House Bill No. 366 by Representative Travis

AMENDMENT NO. 1

On page 1, line 17 after "authorized," insert "not to exceed fifteen million dollars from July 1, 1997 to July 1, 1998 and shall not exceed sixteen million dollars from July 1, 1998 to July 1, 1999, and"

June 18, 1997

On motion of Senator Hollis, the amendments were adopted.

Motion

Senator Guidry moved to return the amended bill to the Involuntary Calendar.

Senator Hollis objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie Fields Jones
Dean Guidry
Total—5

NAYS

Mr. President Ellington Lentini
Bagneris Greene Malone
Barham Heitmeier Romero
Bean Hines Schedler
Branch Hollis Short
Cain Irons Siracusa
Casanova Johnson Smith
Cox Jordan Tarver
Dardenne Lambert Theunissen
Dyess Landry
Total—29

ABSENT

Campbell Hainkel Ullo
Cravins Robichaux
Total—5

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

Rules Suspended

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

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie Irons Schedler
Cravins Johnson Short
Fields Lambert Smith
Guidry Landry Ullo
Hines Lentini
Total—14

NAYS

Mr. President Dardenne Malone
Bagneris Dean Romero
Barham Ellington Siracusa
Bean Greene Tarver
Branch Heitmeier Theunissen
Cain Hollis
Casanova Jordan
Cox
Total—19

ABSENT

Branch Dyess Jones
Campbell Hainkel Robichaux
Total—6

The Chair declared the Senate refused to suspend the rules.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean Guidry
Fields Landry
Total—4 ABSENT

Campbell
Total—1

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

HOUSE BILL NO. 466—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 13:2592(B), relative to justices of the peace; to authorize justices of the peace in certain parishes to appoint ad hoc justices of the peace under certain circumstances; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Dyess  
Total—37

Landry  
NAYS

Hainkel  
Total—1

ABSENT

Cravins  
Total—1

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

**HOUSE BILL NO. 630—**  
BY REPRESENTATIVE WARNER  
AN ACT

To enact R.S. 14:95(I) and R.S. 17:1805(G), to authorize certain college and university police officers to carry concealed handguns; and to provide for related matters.

**Motion**

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

Senator Jordan objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie  
Cox  
Cravins  
Fields  
Total—12

Guidry  
Hainkel  
Irons  
Johnson

Jones  
Schedler  
Tarver  
Ullo

NAYS

Bagneris  
Barham  
Bean  
Branch  
Cain  
Dardenne  
Dean  
Total—21

Dyess  
Ellington  
Greene  
Heitmeier  
Hines  
Hollis  
Jordan

Lambert  
Landry  
Lentini  
Romero  
Siracusa  
Smith  
Theunissen

ABSENT

Mr. President  
Campbell  
Total—6

Casanova  
Malone

Robichaux  
Short

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President  
Bagneris  
Barham

Greene  
Guidry  
Hainkel

Lentini  
Malone  
Robichaux

Bean  
Branch  
Cain  
Casanova  
Cox  
Dardenne  
Dyess  
Ellington  
Total—33

Heitmeier  
Hines  
Hollis  
Irons  
Johnson  
Jordan  
Lambert  
Landry

Romero  
Schedler  
Short  
Siracusa  
Smith  
Tarver  
Theunissen  
Ullo

NAYS

Bajoie  
Total—3

Dean  
ABSENT

Fields

Campbell  
Total—3

Cravins

Jones

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

**HOUSE BILL NO. 852—**  
BY REPRESENTATIVE JACK SMITH  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 7(B) of the Constitution of Louisiana, relative to the Interim Emergency Board; to allow the board to appropriate funds to avert an impending emergency; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Bagneris sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Bagneris to Engrossed House Bill No. 852 by Representative Jack Smith

AMENDMENT NO. 1

On page 2, line 8, between "impending" and "emergency" insert "flood"

AMENDMENT NO. 2

In Senate Committee Amendment No. 2 proposed by the Senate Committee on Finance and adopted by the Senate on June 16, 1997 change "a situation consisting of an anticipated flood emergency" to "an anticipated situation"

On motion of Senator Bagneris the amendments were adopted.

**Motion**

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

Senator Landry objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie  
Barham  
Bean  
Cain  
Casanova

Dyess  
Ellington  
Greene  
Heitmeier  
Hines

Lentini  
Malone  
Robichaux  
Romero  
Short

June 18, 1997

|          |         |            |
|----------|---------|------------|
| Cox      | Irons   | Siracusa   |
| Cravins  | Johnson | Tarver     |
| Dardenne | Jones   | Theunissen |
| Dean     | Jordan  | Ullo       |
| Total—27 |         |            |

NAYS

|         |         |          |
|---------|---------|----------|
| Branch  | Hainkel | Landry   |
| Fields  | Hollis  | Schedler |
| Guidry  | Lambert | Smith    |
| Total—9 |         |          |

ABSENT

|               |          |          |
|---------------|----------|----------|
| Mr. President | Bagneris | Campbell |
| Total—3       |          |          |

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Heitmeier | Malone     |
| Barham        | Hines     | Robichaux  |
| Bean          | Johnson   | Schedler   |
| Cain          | Jones     | Short      |
| Cox           | Jordan    | Siracusa   |
| Cravins       | Lambert   | Tarver     |
| Dyess         | Lentini   | Theunissen |
| Total—21      |           |            |

NAYS

|          |         |        |
|----------|---------|--------|
| Bajoie   | Fields  | Irons  |
| Branch   | Greene  | Landry |
| Casanova | Guidry  | Romero |
| Dardenne | Hainkel | Smith  |
| Dean     | Hollis  | Ullo   |
| Total—15 |         |        |

ABSENT

|          |          |           |
|----------|----------|-----------|
| Bagneris | Campbell | Ellington |
| Total—3  |          |           |

The Chair declared the amended bill failed to pass.

**Notice of Reconsideration**

Senator Siracusa, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

**HOUSE BILL NO. 928—**  
BY REPRESENTATIVE FAUCHEUX  
AN ACT

To enact Code of Criminal Procedure Art. 900(D), relative to hearings on the revocation of probation; to provide requirements for those hearings; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Dyess     | Lambert    |
| Bagneris      | Ellington | Landry     |
| Bajoie        | Fields    | Lentini    |
| Barham        | Greene    | Malone     |
| Bean          | Guidry    | Robichaux  |
| Branch        | Hainkel   | Romero     |
| Cain          | Heitmeier | Schedler   |
| Campbell      | Hines     | Short      |
| Casanova      | Hollis    | Siracusa   |
| Cox           | Irons     | Smith      |
| Cravins       | Johnson   | Tarver     |
| Dardenne      | Jones     | Theunissen |
| Dean          | Jordan    | Ullo       |
| Total—39      |           |            |

NAYS

Total—0

ABSENT

Total—0

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

**HOUSE BILL NO. 1102—**  
BY REPRESENTATIVES TRAVIS, DOWNER, DEWITT, AND FRITH  
AN ACT

To enact Part V of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2341 through 2345, relative to economic development; to create and provide relative to a regional initiatives program; to provide for financial assistance to certain organizations; to provide for the promulgation of rules and regulations; 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     | Landry     |
| Bagneris      | Ellington | Lentini    |
| Bajoie        | Fields    | Malone     |
| Barham        | Greene    | Robichaux  |
| Bean          | Guidry    | Romero     |
| Branch        | Hainkel   | Schedler   |
| Cain          | Heitmeier | Short      |
| Campbell      | Hines     | Siracusa   |
| Casanova      | Hollis    | Smith      |
| Cravins       | Johnson   | Tarver     |
| Dardenne      | Jones     | Theunissen |
| Dean          | Lambert   | Ullo       |
| Total—36      |           |            |

NAYS

Total—0

ABSENT

|         |       |        |
|---------|-------|--------|
| Cox     | Irons | Jordan |
| 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.

**HOUSE BILL NO. 1361—**  
BY REPRESENTATIVE TRICHE  
AN ACT

To amend and reenact the Title of Act No. 113 of the 1950 Regular Session of the Legislature, as last amended by Act No. 196 of the 1992 Regular Session of the Legislature, relative to the Bayou Lafourche Fresh Water District; to provide for the purposes of the district and the powers and duties of the board of commissioners; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

|          |        |
|----------|--------|
| Casanova | Jordan |
| Total—2  |        |

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

**HOUSE BILL NO. 1530—**  
BY REPRESENTATIVE WINDHORST  
AN ACT

To amend and reenact R.S. 47:820.5(B)(2), relative to the uses of toll revenues from the Greater New Orleans Mississippi River Bridges; to provide for additional projects that may be funded by excess revenues; and to provide for related matters.

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

**HOUSE BILL NO. 1738—**  
BY REPRESENTATIVE FARVE  
AN ACT

To enact R.S. 15:827(A)(5), relative to the duties of the Department of Public Safety and Corrections; to require the department to devise and offer a comprehensive program of released offender transition services; 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 | Lentini    |
| Bajoie        | Fields    | Malone     |
| Barham        | Greene    | Robichaux  |
| Bean          | Guidry    | Romero     |
| Branch        | Hainkel   | Schedler   |
| Cain          | Heitmeier | Short      |
| Campbell      | Hines     | Siracusa   |
| Casanova      | Hollis    | Smith      |
| Cox           | Irons     | Tarver     |
| Cravins       | Johnson   | Theunissen |
| Dardenne      | Jones     | Ullo       |
| Dean          | Jordan    |            |
| Total—38      |           |            |

NAYS

Total—0

ABSENT

|         |
|---------|
| Landry  |
| Total—1 |

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.

**HOUSE BILL NO. 1739—**  
BY REPRESENTATIVE FARVE (BY REQUEST)  
AN ACT

To amend and reenact R.S. 15:874(2) and (4)(c) and (d) and to enact R.S. 15:874(4)(e), relative to inmate's compensation accounts; to provide for deposits and uses of monies in inmate's savings accounts once the account balance reaches two hundred fifty dollars; 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    | Robichaux |
| Branch        | Hainkel   | Romero    |
| Cain          | Heitmeier | Schedler  |
| Campbell      | Hines     | Siracusa  |
| Casanova      | Hollis    | Smith     |
| Cox           | Irons     | Tarver    |
| Cravins       | Johnson   | Ullo      |
| Dardenne      | Jones     |           |
| Dean          | Jordan    |           |
| Total—37      |           |           |

NAYS

Total—0

ABSENT

|         |            |
|---------|------------|
| Short   | Theunissen |
| Total—2 |            |

June 18, 1997

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.

**Rules Suspended**

Senator Bagneris asked for and obtained a suspension of the rules for the purpose of taking up the following House Bills on third reading and final passage in the priority order requested.

**HOUSE BILL NO. 857—**

BY REPRESENTATIVE MURRAY

**A JOINT RESOLUTION**

Proposing to amend Article VII, Section 25(A) of the Constitution of Louisiana, to provide relative to the sale of property for unpaid taxes in certain municipalities; to authorize sales with no minimum bid under certain conditions; to provide relative to proceeds of such sales and remaining liabilities on the property; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

| YEAS          |           |            |
|---------------|-----------|------------|
| Mr. President | Ellington | Lentini    |
| Bagneris      | Fields    | Malone     |
| Bajoie        | Greene    | Robichaux  |
| Barham        | Guidry    | Romero     |
| Bean          | Hainkel   | Schedler   |
| Branch        | Heitmeier | Short      |
| Cain          | Hines     | Siracusa   |
| Campbell      | Hollis    | Smith      |
| Casanova      | Irons     | Tarver     |
| Cox           | Johnson   | Theunissen |
| Cravins       | Jones     | Ullo       |
| Dardenne      | Lambert   |            |
| Dyess         | Landry    |            |
| Total—37      |           |            |
| NAYS          |           |            |
| Total—0       |           |            |
| ABSENT        |           |            |
| Dean          | Jordan    |            |
| Total—2       |           |            |

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

**HOUSE BILL NO. 2503—**

BY REPRESENTATIVES GUILLORY, HOLDEN, JETSON, AND WESTON

**AN ACT**

To enact Part L of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.111 through 1300.114, relative to health care; to enact the Federal Qualified Health Centers (FQHCs) Preservation Act; to provide for legislative findings and purpose; to provide definitions; to provide for certain reimbursements in the state Medicaid plan; to provide for promulgation of such reimbursement provisions; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Hines sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hines to Reengrossed House Bill No. 2503 by Representative Guillory

AMENDMENT NO. 1

On page 5, line 15, after "department" insert "based on availability of funds to the extent permitted by federal law"

AMENDMENT NO. 2

On page 5, line 23, after "law" insert ", and based on availability of funds"

On motion of Senator Hines, 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    | Robichaux  |
| Branch        | Hainkel   | Romero     |
| Cain          | Heitmeier | Schedler   |
| Campbell      | Hines     | Short      |
| Casanova      | Hollis    | Siracusa   |
| Cox           | Irons     | Smith      |
| Cravins       | Johnson   | Tarver     |
| Dardenne      | Jones     | Theunissen |
| Dean          | Jordan    | Ullo       |
| Total—39      |           |            |
| NAYS          |           |            |
| Total—0       |           |            |
| ABSENT        |           |            |
| Total—0       |           |            |

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

**HOUSE BILL NO. 1839—**

BY REPRESENTATIVE WINDHORST

**AN ACT**

To amend and reenact R.S. 40:2601(5), 2606, 2611(L), 2612(E) and (G), and 2616(A), (B)(3)(b), (C), and (D), to enact R.S. 40:2616(E) and (F) and R.S. 15:1225, and to repeal Chapter 13 of Title 32, comprised of R.S. 32:1550 through 1553, relative to seizure and forfeiture of contraband and controlled dangerous substances; to provide definitions; to provide with respect to forfeiture proceedings; to provide for a drug asset forfeiture grant trust fund; to provide for administration of the fund; to reduce the amount of the cost bond requirement for recovery of seized property by an owner or interest holder; to change the burden of proof required in forfeiture proceedings; to provide for sales of seized items; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Dean  
Total—2

**ABSENT**

Cravins  
Total—1

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

**HOUSE BILL NO. 2302—**

BY REPRESENTATIVE RIDDLE

**AN ACT**

To enact Part III-F of Title 19 of the Louisiana Revised Statutes of 1950, comprised of R.S. 19:135 through 135.8, relative to expropriation by a declaration of taking; to provide for the expropriation of property in this manner by certain parishes; to provide for definitions; to provide for authority to expropriate; to provide for the contents and place of filing of the petition; to provide for the prayer of the petition and for an ex parte order of deposit of estimated compensation; to provide for vesting of title; to provide for notice to the owner of the property; to provide for contesting the validity of the expropriation and for waiver of defenses; to provide for the answer by the owner; to provide the penalty for the nonuse of the expropriated property; 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 | Dean      | Lentini    |
| Bajoie        | Dyess     | Malone     |
| Barham        | Ellington | Robichaux  |
| Bean          | Fields    | Romero     |
| Branch        | Greene    | Short      |
| Cain          | Heitmeier | Siracusa   |
| Campbell      | Hollis    | Smith      |
| Casanova      | Irons     | Tarver     |
| Cox           | Johnson   | Theunissen |
| Cravins       | Jones     | Ullo       |
| Dardenne      | Lambert   |            |
| Total—32      |           |            |

**NAYS**

Guidry  
Total—3

Jordan  
Landry

**ABSENT**

Bagneris  
Hainkel  
Total—4

Hines  
Schedler

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.

**Rules Suspended**

Senator Siracusa asked for a suspension of the rules for the purpose of reconsidering House Bill No. 852.

Senator Guidry objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|           |           |            |
|-----------|-----------|------------|
| Bagneris  | Hines     | Schedler   |
| Barham    | Irons     | Short      |
| Bean      | Johnson   | Siracusa   |
| Cain      | Jones     | Smith      |
| Cravins   | Lambert   | Tarver     |
| Dyess     | Landry    | Theunissen |
| Fields    | Robichaux |            |
| Heitmeier | Romero    |            |
| Total—22  |           |            |

**NAYS**

Bajoie  
Branch  
Campbell  
Casanova  
Dardenne  
Total—14

Dean  
Greene  
Guidry  
Hainkel  
Hollis

Jordan  
Lentini  
Malone  
Ullo

**ABSENT**

Mr. President  
Total—3

Cox  
Ellington

The Chair declared the rules were suspended.

**Reconsideration**

On motion of Senator Siracusa, pursuant to the previous notice given, the vote by which the following bill failed to earlier today was reconsidered.

**HOUSE BILL NO. 852—**

BY REPRESENTATIVE JACK SMITH

**A JOINT RESOLUTION**

Proposing to amend Article VII, Section 7(B) of the Constitution of Louisiana, relative to the Interim Emergency Board; to allow the board to appropriate funds to avert an impending emergency; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

**Motion**

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

June 18, 1997

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

|          |           |            |
|----------|-----------|------------|
| Bajoie   | Dean      | Lentini    |
| Barham   | Dyess     | Malone     |
| Bean     | Ellington | Robichaux  |
| Branch   | Greene    | Romero     |
| Cain     | Guidry    | Schedler   |
| Campbell | Heitmeier | Short      |
| Casanova | Hines     | Siracusa   |
| Cox      | Irons     | Tarver     |
| Cravins  | Johnson   | Theunissen |
| Dardenne | Jones     | Ullo       |
| Total—30 |           |            |

NAYS

|         |        |
|---------|--------|
| Fields  | Landry |
| Hollis  | Smith  |
| Total—4 |        |

ABSENT

|               |         |         |
|---------------|---------|---------|
| Mr. President | Hainkel | Lambert |
| Bagneris      | Jordan  |         |
| Total—5       |         |         |

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

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

ROLL CALL

The roll was called with the following result:

YEAS

|           |           |            |
|-----------|-----------|------------|
| Bagneris  | Greene    | Landry     |
| Bajoie    | Guidry    | Malone     |
| Barham    | Heitmeier | Robichaux  |
| Bean      | Hines     | Romero     |
| Casanova  | Irons     | Schedler   |
| Cox       | Johnson   | Short      |
| Dyess     | Jones     | Siracusa   |
| Ellington | Jordan    | Theunissen |
| Fields    | Lambert   |            |
| Total—26  |           |            |

NAYS

|               |          |         |
|---------------|----------|---------|
| Mr. President | Dardenne | Lentini |
| Branch        | Dean     | Smith   |
| Cain          | Hainkel  | Ullo    |
| Campbell      | Hollis   |         |
| Total—11      |          |         |

ABSENT

|         |        |
|---------|--------|
| Cravins | Tarver |
| Total—2 |        |

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

Rules Suspended

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

House Bills and Joint Resolutions on Third Reading and Final Passage

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

HOUSE BILL NO. 2480— BY REPRESENTATIVE PERKINS AN ACT

To enact R.S. 14:90.3, relative to offenses affecting general morality; to create the crime of gambling by computer; to provide definitions; to provide penalties; to provide exceptions; and to provide for related matters.

Floor Amendments Sent Up

Senator Short sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Short to Reengrossed House Bill No. 2480 by Representative Perkins

AMENDMENT NO. 1

On page 3, line 2, after "conducting" and before "of any" insert "as a business"

AMENDMENT NO. 2

On page 5, at the end of line 11, insert "or the operation of a state lottery"

AMENDMENT NO. 3

On page 5, line 14, after "33" and before "of the" insert "or Subtitle XI of Title 47"

On motion of Senator Short, the amendments were adopted.

Floor Amendments Sent Up

Senator Casanova sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Casanova to Reengrossed House Bill No. 2480 by Representative Perkins

AMENDMENT NO. 1

On page 1, line 2, after "14:90.3" delete the comma "," and the word "relative" and insert in lieu thereof the following:

"and Chapter 7 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:401 through 403, all relative to gaming and gambling, to provide with respect"

AMENDMENT NO. 2

On page 1, line 4, after "exceptions;" insert "to provide with respect to the advertising of certain gaming and gambling activities;"

AMENDMENT NO. 3

On page 5, after line 21, add the following:

"Section 2. Chapter 7 of Title 27 of the Louisiana Revised Statutes of 1950, comprised of R.S. 27:401 through 403, is hereby enacted to read as follows:

**CHAPTER 7. ADVERTISING OF GAMING AND GAMBLING ACTIVITIES**

**§401. Applicability; definitions**

A. Except as otherwise provided in this Section, the provisions of this Chapter shall apply to the advertising of all forms of gaming or gambling activities, including but not limited to, riverboat gaming, land-based casino gaming, video draw poker device gaming, and the state lottery. The provisions of this Chapter shall not apply to pari mutuel wagering on horse racing or to charitable raffles, bingo, and keno, and related gaming activities authorized pursuant to R.S. 33:4861.1 et seq.

B. As used in this Chapter, the words and phrases 'person', 'whoever', 'those in violation', and 'offender', mean and refer to those licensed to operate gaming aboard a riverboat, land based casinos, video draw poker establishments, and the state lottery.

**§402. Warning required**

A. Except as otherwise provided in this Section, all advertising for gaming or gambling activities shall contain the following warning: "GAMBLING CAN BE ADDICTIVE".

B. Printed advertising, including but not limited to billboards, signs, and advertisements in newspapers and magazines, shall contain the warning in type which is of a sufficient size that can be read by a person with normal vision who is reading the advertisement under normal conditions.

C. Advertisements on radio or other audio media shall contain the warning at a sufficient level of volume and speed of speech that can be understood by a person of normal hearing who is hearing the advertisement under normal conditions.

D. Advertisements on television or other audio/visual media shall contain the warning in a manner which complies with the requirements of both Subsection B and Subsection C of this Section.

E. The requirement of Subsection A of this Section shall not apply to signs which are located on the premises of gaming or gambling establishments.

**§403. Penalties**

A. Whoever violates the provisions of R.S. 27:402 shall, upon conviction, be fined not more than one thousand dollars.

B. In addition to the criminal penalty provided in Subsection A of this Section, each person who violates the provisions of R.S. 27:402 shall be subject to sanctions imposed by the agency which regulates the gaming or gambling activities with respect to which the violation occurred. The regulatory agency may suspend, revoke, or refuse to renew the license, permit, or certificate held by the offender.

Section 3. Section 2 of this Act shall be effective January 1, 1998."

On motion of Senator Casanova, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Jordan sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Jordan to Reengrossed House Bill No. 2480 by Representative Perkins

**AMENDMENT NO. 1**

On page 5, after line 21, insert the following:

"H. Nothing in this Section shall prohibit, limit, or otherwise restrict the purchase, sale, exchange, or other transaction related to stocks, bonds, futures, options, commodities, or other similar instruments or transactions occurring on a stock or commodities exchange, brokerage house, or similar entity."

On motion of Senator Jordan, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Dyess     | Lambert    |
| Barham        | Ellington | Lentini    |
| Bean          | Greene    | Malone     |
| Branch        | Guidry    | Romero     |
| Cain          | Hainkel   | Schedler   |
| Campbell      | Hollis    | Short      |
| Casanova      | Johnson   | Smith      |
| Dardenne      | Jones     | Theunissen |
| Dean          | Jordan    | Ullo       |
| Total—27      |           |            |

**NAYS**

|          |           |           |
|----------|-----------|-----------|
| Bagneris | Heitmeier | Robichaux |
| Bajoie   | Hines     | Siracusa  |
| Cox      | Irons     | Tarver    |
| Cravins  | Landry    |           |
| Total—11 |           |           |

**ABSENT**

Fields  
Total—1

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

**HOUSE BILL NO. 857—**

BY REPRESENTATIVE MURRAY

**A JOINT RESOLUTION**

Proposing to amend Article VII, Section 25(A) of the Constitution of Louisiana, to provide relative to the sale of property for unpaid taxes in certain municipalities; to authorize sales with no minimum bid under certain conditions; to provide relative to proceeds of such sales and remaining liabilities on the property; to provide for submission of the proposed amendment to the electors; 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 | Lentini    |
| Bajoie        | Fields    | Malone     |
| Barham        | Greene    | Robichaux  |
| Bean          | Guidry    | Romero     |
| Branch        | Hainkel   | Schedler   |
| Cain          | Heitmeier | Short      |
| Campbell      | Hines     | Siracusa   |
| Casanova      | Hollis    | Smith      |
| Cox           | Irons     | Tarver     |
| Cravins       | Johnson   | Theunissen |
| Dardenne      | Jones     | Ullo       |
| Dean          | Jordan    |            |
| Total—38      |           |            |

**NAYS**

Landry  
Total—1

**ABSENT**

June 18, 1997

Total—0

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.

**HOUSE BILL NO. 693—**  
BY REPRESENTATIVES TRAVIS, DOWNER, AND DEWITT  
AN ACT

To amend and reenact R.S. 51:2312(A)(introductory paragraph) and to enact Part V of Chapter 39 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:2341 and 2342 and to repeal R.S. 51:2312.1, relative to the Economic Development Awards Program; to transfer administration of the program; to create the Economic Development Awards Fund and provide for disposition of the funds; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

|          |           |
|----------|-----------|
| Bagneris | Ellington |
| Total—2  |           |

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

**HOUSE BILL NO. 646—**  
BY REPRESENTATIVES FONTENOT AND JENKINS  
AN ACT

To enact R.S. 42:1116.1 and 1141(B)(3), relative to the ethics code; to provide for random drug testing of elected officials; to provide for the development, administration, and enforcement of the drug testing program for elected officials by the Board of Ethics; to declare the intention and policy of the legislature; to provide for certain assistance by the legislative auditor, commissioner of administration, and the secretary of the Department of Health and Hospitals; to require payment of costs of the program by the Board of Ethics; to provide that testing positive for illegal drugs is prohibited; to provide that failure to submit to a drug test required under the program is prohibited; to provide for penalties; to provide for definitions; to provide for implementation of the program; and to provide for related matters.

**Rules Suspended**

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

Senator Landry objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

|           |           |            |
|-----------|-----------|------------|
| Bagneris  | Fields    | Romero     |
| Barham    | Greene    | Schedler   |
| Branch    | Heitmeier | Short      |
| Campbell  | Hines     | Siracusa   |
| Casanova  | Hollis    | Smith      |
| Cox       | Johnson   | Tarver     |
| Dardenne  | Lambert   | Theunissen |
| Dean      | Lentini   | Ullo       |
| Dyess     | Malone    |            |
| Ellington | Robichaux |            |
| Total—28  |           |            |

NAYS

|         |        |        |
|---------|--------|--------|
| Cain    | Irons  | Landry |
| Hainkel | Jordan |        |
| Total—5 |        |        |

ABSENT

|               |         |        |
|---------------|---------|--------|
| Mr. President | Bean    | Guidry |
| Bajoie        | Cravins | Jones  |
| Total—6       |         |        |

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

**Motion**

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

Senator Ellington objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

|          |         |           |
|----------|---------|-----------|
| Bagneris | Cox     | Jordan    |
| Bajoie   | Johnson | Landry    |
| Bean     | Jones   | Robichaux |
| Total—9  |         |           |

NAYS

|           |           |            |
|-----------|-----------|------------|
| Barham    | Greene    | Romero     |
| Branch    | Guidry    | Schedler   |
| Cain      | Heitmeier | Short      |
| Casanova  | Hines     | Siracusa   |
| Dardenne  | Hollis    | Smith      |
| Dyess     | Irons     | Tarver     |
| Ellington | Lentini   | Theunissen |
| Fields    | Malone    | Ullo       |
| Total—24  |           |            |

ABSENT

|               |         |         |
|---------------|---------|---------|
| Mr. President | Cravins | Hainkel |
| Campbell      | Dean    | Lambert |
| Total—6       |         |         |

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

Personal Privilege

Senator Lambert asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the motion by Senator Jordan to return the bill to the Involuntary Calendar. He had intended to vote nay on the motion. He asked that the Official Journal so state.

Rules Suspended

Senator Hines asked for and obtained a suspension of the rules for the purpose of limiting debate on any one instrument to twenty minutes.

Floor Amendments Sent Up

Senator Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Reengrossed House Bill No. 646 by Senator Fontenot

AMENDMENT NO. 1

On page 3, between lines 20 and 21, insert:

"F. The selection for, administration of, results of, or any matter related to the test provided for in this Section are confidential and privileged and no person shall divulge or disclose any information obtained or contained in such results. Whoever violates the provisions of this Subsection shall be fined not more than ten thousand dollars."

Senator Jones moved adoption of the amendments.

Senator Guidry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators who voted 'YEAS' in three columns: Bajoi, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Dardenne, Total—26; Dean, Ellington, Greene, Heitmeier, Hines, Hollis, Johnson, Jones, Jordan; Lambert, Landry, Lentini, Malone, Schedler, Short, Smith, Tarver.

NAYS

Table listing names of senators who voted 'NAYS': Guidry, Ullo, Total—2.

ABSENT

Table listing names of senators who were 'ABSENT' in three columns: Mr. President, Bagneris, Cravins, Dyess, Total—11; Fields, Hainkel, Irons, Robichaux; Romero, Siracusa, Theunissen.

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Reengrossed House Bill No. 646 by Senator Fontenot

AMENDMENT NO. 1

On page 4, between lines 9 and 10, insert the following:

"Section 3. The Senate and Governmental Affairs Committee and the House and Governmental Affairs Committee shall have oversight of the rules and regulations promulgated by the Board of Ethics and implemented by the Department of Health and Hospitals."

AMENDMENT NO. 2

On page 4, line 10, change "Section 3." to "Section 4."

AMENDMENT NO. 3

On page 4, line 13, change "Section 4." to "Section 5."

On motion of Senator Jones, the amendments were adopted.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Reengrossed House Bill No. 646 by Representative Fontenot

AMENDMENT NO. 1

On page 1, line 3, change "elected" to "certain"

AMENDMENT NO. 2

On page 1, line 17, after "elected" insert "or appointed"

AMENDMENT NO. 3

On page 1, line 19, after "elected" insert "or appointed"

AMENDMENT NO. 4

On page 2, line 2, after "elected" insert "or appointed"

AMENDMENT NO. 5

On page 2, line 5, after "elected" insert "or appointed"

AMENDMENT NO. 6

On page 2, line 9, after "officials," insert "appointed officials, or members appointed to any state board or commission," and at the end of the line, change "elected" to "such"

AMENDMENT NO. 7

On page 2, at the end of line 16, insert the following:

"Such plan shall include a second confirmation drug test to confirm that the positive results of a first test are correct."

AMENDMENT NO. 8

On page 2, line 19, change "elected" to "such"

AMENDMENT NO. 9

On page 3, line 1, delete "elected"

AMENDMENT NO. 10

On page 3, line 7, after "test" delete the remainder of the line and insert "required by the provisions of this Section"

June 18, 1997

AMENDMENT NO. 11  
On page 3, line 10, delete "elected"

AMENDMENT NO. 12  
On page 3, line 12, delete "elected"

AMENDMENT NO. 13  
On page 3, line 14, delete "elected"

AMENDMENT NO. 14  
On page 3, line 17, change "the elected" to "such"

AMENDMENT NO. 15  
On page 3, line 19, delete "elected"

AMENDMENT NO. 16  
On page 4, line 1, delete "elected"

AMENDMENT NO. 17  
On page 4, line 2, delete "elected"

AMENDMENT NO. 18  
On page 4, line 7, delete "elected"

AMENDMENT NO. 19  
On page 4, line 12, delete "elected"

**Rules Suspended**

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

Senator Bean objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|          |         |        |
|----------|---------|--------|
| Bagneris | Johnson | Landry |
| Bajoie   | Jones   | Ullo   |
| Campbell | Jordan  |        |
| Fields   | Lambert |        |
| Total—10 |         |        |

**NAYS**

|           |           |            |
|-----------|-----------|------------|
| Barham    | Greene    | Robichaux  |
| Bean      | Guidry    | Romero     |
| Branch    | Hainkel   | Schedler   |
| Cain      | Heitmeier | Siracusa   |
| Dardenne  | Hines     | Smith      |
| Dean      | Hollis    | Tarver     |
| Dyess     | Lentini   | Theunissen |
| Ellington | Malone    |            |
| Total—23  |           |            |

**ABSENT**

|               |         |       |
|---------------|---------|-------|
| Mr. President | Cox     | Irons |
| Casanova      | Cravins | Short |
| Total—6       |         |       |

The Chair declared the Senate refused to suspend the rules.

On motion of Senator Landry, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Ellington | Malone     |
| Bagneris      | Fields    | Robichaux  |
| Barham        | Guidry    | Schedler   |
| Bean          | Hainkel   | Short      |
| Branch        | Heitmeier | Siracusa   |
| Cain          | Hines     | Smith      |
| Campbell      | Hollis    | Tarver     |
| Cox           | Irons     | Theunissen |
| Dardenne      | Jones     | Ullo       |
| Dean          | Lambert   |            |
| Dyess         | Lentini   |            |
| Total—31      |           |            |

**NAYS**

|         |         |        |
|---------|---------|--------|
| Bajoie  | Johnson | Landry |
| Greene  | Jordan  | Romero |
| Total—6 |         |        |

**ABSENT**

|          |         |
|----------|---------|
| Casanova | Cravins |
| Total—2  |         |

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

**Personal Privilege**

Senator Romero asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 646. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

**Personal Privilege**

Senator Greene asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 646. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

**HOUSE BILL NO. 1820—**  
BY REPRESENTATIVE MCMAINS  
AN ACT

To enact R.S. 39:1533.1, relative to the establishment of reversionary medical trusts; to establish the "Master Reversionary Trust Fund" in the state treasury; to provide for the deposit of certain monies in the fund; to provide for the administration of the fund; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |           |           |
|---------------|-----------|-----------|
| Mr. President | Dyess     | Lambert   |
| Bagneris      | Ellington | Landry    |
| Bajoie        | Fields    | Lentini   |
| Barham        | Guidry    | Malone    |
| Bean          | Hainkel   | Robichaux |
| Branch        | Heitmeier | Romero    |

|          |         |            |
|----------|---------|------------|
| Cain     | Hines   | Schedler   |
| Campbell | Hollis  | Siracusa   |
| Casanova | Irons   | Smith      |
| Cox      | Johnson | Tarver     |
| Dardenne | Jones   | Theunissen |
| Dean     | Jordan  | Ullo       |
| Total—36 |         |            |

NAYS

Total—0

ABSENT

|         |        |       |
|---------|--------|-------|
| Cravins | Greene | Short |
| Total—3 |        |       |

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

**HOUSE BILL NO. 2090—**  
BY REPRESENTATIVE DEWITT  
AN ACT

To amend and reenact R.S. 40:1300.52(D)(1) and 1300.53(A), relative to criminal history checks performed by the office of state police; to provide that information regarding convictions of certain offenses shall be provided to employers; to provide that an employer may refuse to hire persons convicted of certain offenses; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris  
Total—1

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

**HOUSE BILL NO. 1952—**  
BY REPRESENTATIVE HEBERT  
AN ACT

To enact R.S. 33:2218.2(C)(8)(c), relative to supplemental monthly compensation for certain full-time law enforcement officers; to provide for eligibility for supplemental pay for certain elected city marshals; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Dyess     | Lambert    |
| Bagneris      | Ellington | Landry     |
| Bajoie        | Fields    | Lentini    |
| Barham        | Greene    | Malone     |
| Bean          | Guidry    | Robichaux  |
| Branch        | Hainkel   | Romero     |
| Cain          | Heitmeier | Schedler   |
| Campbell      | Hines     | Short      |
| Casanova      | Hollis    | Siracusa   |
| Cox           | Irons     | Smith      |
| Cravins       | Johnson   | Tarver     |
| Dardenne      | Jones     | Theunissen |
| Dean          | Jordan    | Ullo       |
| Total—39      |           |            |

NAYS

Total—0

ABSENT

Total—0

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

**HOUSE BILL NO. 2492—**  
BY REPRESENTATIVES WINSTON AND BRUCE  
AN ACT

To enact R.S. 37:1285.2, relative to the practice of medicine; to provide for the establishment of the Advisory Committee on Pain of the Louisiana State Board of Medical Examiners; to provide for the membership, powers, and duties of said committee; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Schedler sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Schedler to Reengrossed House Bill No. 2492 by Representative Winston

**AMENDMENT NO. 1**

In Amendment No. 3, proposed by the Senate Committee on Health and Welfare and adopted by the Senate on June 13, 1997, on page 1, after line 29, insert the following:

"(12) A representative of the Louisiana Association of Nurse Anesthetists, Ltd."

On motion of Senator Schedler, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

June 18, 1997

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

NAYS

Total—0

ABSENT

Bagneris  
Total—1

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

**HOUSE BILL NO. 1921—**

BY REPRESENTATIVE THOMPSON  
AN ACT

To amend and reenact R.S. 3:313(7), 315(9), 318, and 322(C) and to enact R.S. 3:313(10) and 323(D) and Part III of Chapter 4-A of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:331 through 338, relative to the Louisiana Rural Development Law; to provide for the definition of rural areas; to provide for functions, powers, and duties of the office of rural development; to provide for contract authority; to create and provide relative to the rural development loan program; to create and provide relative to the Rural Development Loan Fund; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Cain  
Total—2

Malone

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

**HOUSE BILL NO. 1896—**

BY REPRESENTATIVE PRATT  
AN ACT

To enact R.S. 17:7(22), relative to the powers and duties of the State Board of Elementary and Secondary Education; to provide for the development, adoption, and implementation of a pilot program in eight elementary schools to departmentalize grades one through six; to provide relative to participation in such program, including the selection of schools; to require each participating school to study certain outcomes, create a strategic plan, and provide for a daily planning period; to provide for program implementation and evaluation; to provide for rules and regulations; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total—38

NAYS

Total—0

ABSENT

Campbell  
Total—1

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

**HOUSE BILL NO. 2520 (Substitute for House Bill No. 510 by**

**Representative Crane)—**  
BY REPRESENTATIVE CRANE

AN ACT

To enact R.S. 17:3386(C) and (D), relative to retention of surplus funds; to provide for limitations on surplus funds which may be retained from one fiscal year and carried forward to the next fiscal year; and to provide for related matters.

**Motion**

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

Senator Greene objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|          |         |           |
|----------|---------|-----------|
| Bagneris | Cravins | Jones     |
| Bajoie   | Fields  | Landry    |
| Bean     | Guidry  | Lentini   |
| Cain     | Hines   | Robichaux |
| Campbell | Irons   | Schedler  |
| Cox      | Johnson | Tarver    |
| Total—18 |         |           |

**NAYS**

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Ellington | Short      |
| Barham        | Greene    | Siracusa   |
| Branch        | Heitmeier | Smith      |
| Casanova      | Hollis    | Theunissen |
| Dardenne      | Jordan    | Ullo       |
| Dean          | Lambert   |            |
| Dyess         | Malone    |            |
| Total—19      |           |            |

**ABSENT**

|         |        |
|---------|--------|
| Hainkel | Romero |
| Total—2 |        |

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Dean      | Malone     |
| Barham        | Dyess     | Robichaux  |
| Bean          | Ellington | Schedler   |
| Branch        | Greene    | Short      |
| Cain          | Heitmeier | Siracusa   |
| Campbell      | Hines     | Smith      |
| Casanova      | Hollis    | Theunissen |
| Cox           | Jordan    | Ullo       |
| Cravins       | Lambert   |            |
| Dardenne      | Lentini   |            |
| Total—28      |           |            |

**NAYS**

|          |         |        |
|----------|---------|--------|
| Bagneris | Guidry  | Jones  |
| Bajoie   | Irons   | Landry |
| Fields   | Johnson |        |
| Total—8  |         |        |

**ABSENT**

|         |        |        |
|---------|--------|--------|
| Hainkel | Romero | Tarver |
| Total—3 |        |        |

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

**HOUSE BILL NO. 2435—**

BY REPRESENTATIVE FONTENOT  
AN ACT

To enact R.S. 46:460.4 and Part V of Chapter 14 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:1021, relative to testing certain persons for use of drugs; to provide for legislative policy; to direct the secretary of the Department of Social Services in consultation with the secretary of the Department of Health and Hospitals and the commissioner of administration to establish a mandatory drug testing program for certain adults in the Temporary Assistance for Needy Families Block Grant Program; to provide for the suspension of a program participant identified as an illegal drug user in certain circumstances; to provide for a program of education and rehabilitation; to provide for random drug tests for certain persons receiving something of value from the state; to provide for rules and regulations; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Bagneris sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Bagneris to Reengrossed House Bill No. 2435 by Representative Fontenot

AMENDMENT NO. 1

On page 7, line 18, between "by" and "this" insert "Section 1 of"

AMENDMENT NO. 2

On page 7, line 21, change "Sections 1 and 2" to "Sections 1, 2 and 3"

AMENDMENT NO. 3

On page 7, line 23, change "Section 1" to "Sections 1 and 2"

On motion of Senator Bagneris, the amendments were adopted.

**Point of Order**

Senator Fields asked for a ruling from the Chair regarding an extension of the twenty minute cloture to submit and amendment.

The Chair ruled there was no amendment at the desk and the twenty minute cloture was not extended.

Senator Guidry appealed the ruling of the Chair.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Dyess     | Malone     |
| Bagneris      | Ellington | Robichaux  |
| Barham        | Greene    | Romero     |
| Bean          | Hainkel   | Schedler   |
| Branch        | Heitmeier | Short      |
| Cain          | Hines     | Siracusa   |
| Casanova      | Hollis    | Smith      |
| Cox           | Jordan    | Theunissen |
| Dardenne      | Lambert   | Ullo       |
| Dean          | Lentini   |            |
| Total—29      |           |            |

**NAYS**

|         |         |       |
|---------|---------|-------|
| Cravins | Guidry  | Jones |
| Fields  | Johnson |       |
| Total—5 |         |       |

**ABSENT**

June 18, 1997

|          |        |        |
|----------|--------|--------|
| Bajoie   | Irons  | Tarver |
| Campbell | Landry |        |
| Total—5  |        |        |

The Chair declared the ruling of the Chair was upheld and the twenty minute cloture was not extended.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|           |           |            |
|-----------|-----------|------------|
| Bean      | Greene    | Malone     |
| Branch    | Guidry    | Romero     |
| Cain      | Hainkel   | Schedler   |
| Casanova  | Heitmeier | Short      |
| Cox       | Hines     | Siracusa   |
| Dardenne  | Hollis    | Smith      |
| Dean      | Irons     | Theunissen |
| Dyess     | Lambert   | Ullo       |
| Ellington | Lentini   |            |
| Total—26  |           |            |

**NAYS**

|               |         |           |
|---------------|---------|-----------|
| Mr. President | Cravins | Jordan    |
| Bagneris      | Fields  | Landry    |
| Bajoie        | Johnson | Robichaux |
| Barham        | Jones   |           |
| Total—11      |         |           |

**ABSENT**

|          |        |
|----------|--------|
| Campbell | Tarver |
| Total—2  |        |

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

**Personal Privilege**

Senator Cox asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 2435. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

**HOUSE BILL NO. 1977—**

BY REPRESENTATIVES BRUN, CRANE, AND MCDONALD  
AN ACT

To amend and reenact R.S. 17:3881(B), 3882(6), 3883(A)(3), (4), (6), and (7)(a) and (B)(3) and Subpart B of Part II of Chapter 39 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3891 through 3895, all relative to professional employee quality development; to rename the Teacher Assessment Program as the Teacher Assistance and Assessment Program; to provide relative to the definition of a teacher for program purposes; to provide for exemptions from the program; to provide relative to the assessment of participating teachers' qualifications for certification; to remove provisions relative to support teams and to provide instead for mentor teachers to perform certain duties and responsibilities; to remove provisions relative to support and assessment semesters, conferences, classroom observations, professional development plans, and assessment reports; to provide relative to the assessment process and assessment teams; to remove provisions relative to the selection and training of assessors; to provide relative to the issuance of teaching credentials; to provide an effective date; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

|         |
|---------|
| Cravins |
| Total—1 |

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

**HOUSE BILL NO. 945—**

BY REPRESENTATIVE MCCAIN  
AN ACT

To amend and reenact Code of Criminal Procedure Art. 880, relative to credit for prior custody; to delete the requirement that the court must give a defendant credit for prior custody in imposing sentence; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Cravins Dyess  
Total—2

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

**HOUSE BILL NO. 394—**

BY REPRESENTATIVE ALARIO  
AN ACT

To amend and reenact R.S. 27:91(A)(5) and (6) and to enact R.S. 27:91(A)(7) and (8), relative to riverboat gaming permit and license fees; to reduce the fee for gaming employee permit renewals; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|           |           |            |
|-----------|-----------|------------|
| Bagneris  | Fields    | Lentini    |
| Bajoie    | Guidry    | Malone     |
| Bean      | Hainkel   | Robichaux  |
| Branch    | Heitmeier | Romero     |
| Cain      | Hines     | Schedler   |
| Campbell  | Hollis    | Short      |
| Casanova  | Irons     | Siracusa   |
| Cox       | Johnson   | Tarver     |
| Dardenne  | Jones     | Theunissen |
| Dean      | Jordan    | Ullo       |
| Dyess     | Lambert   |            |
| Ellington | Landry    |            |
| Total—34  |           |            |

**NAYS**

|               |        |       |
|---------------|--------|-------|
| Mr. President | Greene | Smith |
| Total—3       |        |       |

**ABSENT**

|         |         |
|---------|---------|
| Barham  | Cravins |
| Total—2 |         |

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

**HOUSE BILL NO. 2372—**

BY REPRESENTATIVES KENNARD, BRUCE, CLARKSON, CRANE, DIEZ, DIMOS, DONELON, DUPRE, FLAVIN, FONTENOT, FRITH, GAUTREAUX, HILL, ILES, JOHNS, KENNEY, LANCASTER, LEBLANC, MCDONALD, MCMAINS, MORRISH, POWELL, QUEZAIRE, SCALISE, SCHNEIDER, JACK SMITH, JOHN SMITH, STELLY, STRAIN, THOMAS, THOMPSON, TRICHE, VITTER, WALSWORTH, WIGGINS, WILLARD-LEWIS, AND WRIGHT  
AN ACT

To amend and reenact R.S. 49:1015(C), (D), and (E) and to enact R.S. 49:1015(F), (G), and (H), relative to testing public employees for use of drugs; to provide relative to drug testing of public employees in safety-sensitive or security-sensitive positions; to authorize public employers to require samples from an employee for drug testing under certain circumstances; to provide with respect to testing for reasonable suspicion of drug use; to provide for disciplinary action only under certain circumstances; to provide under certain circumstances for the payment of certain costs by the public employer; to provide for certain exceptions; to provide for voluntary drug testing of public employees; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lentini sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lentini to Reengrossed House Bill No. 2372 by Representative Kennard

AMENDMENT NO. 1

On page 1, line 6, after "for" and before "drug" insert "alcohol or"

AMENDMENT NO. 2

On page 1, line 8, after "of" and before "drug" insert "alcohol or"

AMENDMENT NO. 3

On page 1, line 11, after "voluntary" and before "drug" insert "alcohol or"

AMENDMENT NO. 4

On page 2, delete Senate Committee Amendment No. 18, proposed by the Senate Committee on Judiciary, Section C, and adopted by the Senate on June 16, 1997 and on page 2, line 25, after "shall" delete "be required to" and delete line 26 and insert the following:

"have successfully completed alcohol or drug screening training certified by the Department of Health and Hospitals. The Department of Health and Hospitals shall promulgate rules and regulations for the implementation and administration of such certification. The agency head and his designee"

AMENDMENT NO. 5

On page 3, between lines 22 and 23, insert:

"(4) Notwithstanding the provisions of R.S. 49:1006(D)(7), if a public employee tests positive for alcohol or drugs and a confirmatory test is made, the cost of such a confirmatory test shall be paid by his public employer. The provisions of this Paragraph shall not apply to any public employer except the state."

AMENDMENT NO. 6

On page 4, delete Senate Committee Amendment No. 32, proposed by the Senate Committee on Judiciary, Section C, and adopted by the Senate on June 16, 1997, and on page 4, after line 10, and before Section 2 as added by Legislative Bureau Amendment No. 4, insert:

"I. For purposes of testing for the presence of alcohol:

(1) "Collection site" means a place designated by the employer where individuals present themselves for the purpose of providing a specimen for analysis for the presence of alcohol.

(2) "Collection site person" means a person who instructs and assists individuals at a collection site and who receives and makes a preliminary observation of the specimen provided by those individuals and performs alcohol screening tests in accordance with implemented methodology of the United States Department of Transportation. A collection site person shall have successfully completed training to carry out this function, and be certified by the state of Louisiana. Certification will be granted by the Department of Health and Hospital, Bureau of Health Standards. The department shall promulgate rules and regulations relative to certification of collection site personnel."

AMENDMENT NO. 7

On page 4, before Section 2 as added by Legislative Bureau Amendment No. 4, insert:

"J.(1) Notwithstanding any provision of this Section to the contrary and particularly the provisions of Paragraph (D)(3) and (F)(1) and Subsection I of this Section, for initial and screening tests only corrections services of the Department of Public Safety and Corrections shall be exempt from provisions which would otherwise require any of the following:

June 18, 1997

(a) Certification of training by the Department of Health and Hospitals.

(b) Alcohol testing to be performed in accordance with methodology of the United States Department of Transportation.

(c) Confirmatory testing of a pre-employment initial test or screening test.

(2) For purposes of initial or screening tests, corrections services of the Department of Public Safety and Corrections shall:

(a) Provide for training of personnel for whom training is required by this Section.

(b) Perform alcohol testing in accordance with a written department policy, duly promulgated which except as provided in this Subsection shall comply with the provisions of this Chapter."

AMENDMENT NO. 8

On page 4, after Section 2 as added by Legislative Bureau Amendment No. 4, add:

"Section 3. This Act shall become effective on January 1, 1998; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on January 1, 1998, or on the day following such approval by the legislature, whichever is later. However, the Department of Health and Hospitals shall adopt the rules provided for in this Act prior to that date in accordance with the Administrative Procedure Act."

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Reengrossed House Bill No. 2372 by Senator Kennard

AMENDMENT NO. 1

On page 1, at the end of line 11, add "to provide for confidentiality;"

AMENDMENT NO. 2

On page 4, after Senate Committee Amendment No. 32, proposed by the Senate Committee on Judiciary C and adopted by the Senate on June 16, 1997, add the following:

"J. Release of information relative to testing, the administration of the test, and the results of the test shall be considered confidential and shall be considered a violation of the provisions of this Section and shall be a misdemeanor punishable by a fine not to exceed \$10,000 or imprisonment for six months, or both."

On motion of Senator Jones, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Bagneris Barham Bean Greene Guidry Hainkel Heitmeier Robichaux Romero Schedler Short

Branch Cain Dardenne Dean Dyess Ellington Total—29 Hines Hollis Irons Lambert Lentini Malone Siracusa Smith Tarver Theunissen Ullo

NAYS

Bajoie Campbell Cox Total—8 Fields Johnson Jones Jordan Landry

ABSENT

Casanova Total—2 Cravins

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

Rules Suspended

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

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

The following House 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 Cain asked that House Bill No. 222 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 222— BY REPRESENTATIVE JOHN SMITH AN ACT

To amend and reenact R.S. 32:771(7) and (8), relative to used motor vehicle dealers and marine product dealers; to redefine the terms "marine dealer" and "marine product"; to provide for exceptions to the definitions; 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 Bagneris Bajoie Barham Bean Branch Cain Campbell Casanova Cox Cravins Dardenne Dean Dyess Ellington Fields Greene Guidry Hainkel Heitmeier Hollis Irons Johnson Jones Jordan Lambert Lentini Malone Robichaux Romero Schedler Short Siracusa Smith Tarver Theunissen Ullo

Total—37

NAYS

Total—0

ABSENT

Hines

Landry

Total—2

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.

Called from the Calendar

Senator Schedler asked that House Bill No. 506 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 506—

BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact R.S. 12:1301(A)(2), (10), and (16), 1303, and 1304(A), to enact R.S. 12:1301(B) and 1335.1 and to repeal R.S. 12:1334(3), relative to limited liability companies; to provide that professionals may operate through limited liability companies; to provide with respect to single-member limited liability companies; to provide for the rights and privileges of limited liability companies; to provide for the dissolution of limited liability companies; and to provide for related matters.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Reengrossed House Bill No. 506 by Representative Ansardi

AMENDMENT NO. 1

On page 2, line 14, after "any" delete the remainder of the line and insert: "written agreement between the member and the company"

On motion of Senator Schedler, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—0

ABSENT

Cravins

Hainkel

Total—2

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

Called from the Calendar

Senator Theunissen asked that House Bill No. 2295 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 2295—

BY REPRESENTATIVE DAMICO

AN ACT

To enact R.S. 40:1846(B)(3)(f), relative to liquefied petroleum gas; to provide for the commission; to provide for rules; to provide for mobile air conditioning systems; to provide for prohibitions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Dean, Total—1

ABSENT

Cain, Total—3

Hainkel, Malone

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

Called from the Calendar

Senator Bean asked that House Bill No. 1533 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1533—

BY REPRESENTATIVE CHAISSON

AN ACT

To repeal R.S. 47:1961.2, relative to ad valorem taxes on inventories; to repeal provisions providing for monthly collection on motor vehicles, boats, outboard motors, and boats with motors which are held for collection.

June 18, 1997

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

Table with 3 columns of names: Mr. President, Bagneris, Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Total—38; Dyess, Ellington, Fields, Greene, Guidry, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert; Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Hainkel Total—1

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.

Called from the Calendar

Senator Dardenne asked that House Bill No. 2068 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 2068—

BY REPRESENTATIVES DOWNER, BRUN, MCDONALD, LONG, DEWITT, ALARIO, CRANE, DANIEL, DUPRE, ILES, JOHNS, KENNEY, LEBLANC, MCCAIN, MCMAINS, MICHOT, POWELL, SALTER, SHAW, THOMAS, WALSWORTH, WIGGINS, DOERGE, R. ALEXANDER, BAUDOIN, BAYLOR, BOWLER, BRUCE, CLARKSON, DIMOS, DONELON, FLAVIN, FORSTER, FRITH, HEATON, HILL, KENNARD, LANCASTER, MITCHELL, MURRAY, PIERRE, RIDDLE, SCALISE, SCHNEIDER, JOHN SMITH, STRAIN, AND THOMPSON AND SENATORS DARDENNE, EWING, HAINKEL, BEAN, SCHEDLER, SMITH, AND THEUNISSEN

AN ACT

To enact R.S. 17:10.1 through 10.3 and R.S. 36:651(G)(3) and to repeal Subpart B of Part III of Chapter 39 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3917 through 3919, relative to school performance accountability; to provide for the development and implementation of a school and district accountability system; to provide for the implementation of such system to include both incentives and corrective actions to encourage excellent performance; to provide for the responsibilities and duties of the state Department of Education and the State Board of Elementary and Secondary Education; to create and provide for the School and District Accountability Advisory Commission; to establish and provide relative to a special fund for use in the program; to repeal the School Incentive Program established as part of the Children First Act; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 2068 by Representative Downer

AMENDMENT NO. 1

Delete Amendments No. 2 and 3 proposed by the Senate Committee on Education and adopted by the Senate on May 20, 1997.

AMENDMENT NO. 2

On page 3, line 19, after "Principals," delete the remainder of the line and delete lines 20 through 23 and insert the following:

"three school principals of which one is an elementary school principal, one is a middle school principal, and one is a high school principal, with one of these three principals being from a nationally recognized "Blue Ribbon" school."

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Reengrossed House Bill No. 2068 by Representative Downer

AMENDMENT NO. 1

On page 1, line 2, after "To" add "amend and reenact R.S. 17:3977(B)(3) and to" and after "10.3" add ", R.S. 17:3977(E),"

AMENDMENT NO. 2

On page 1, line 5, after "accountability" add "and to charter schools"

AMENDMENT NO. 3

On page 2, line 2, after the semicolon ";" add "to require compliance by charter schools with the public bid law: to provide that charter schools be subject to certain audits:"

AMENDMENT NO. 4

On page 2, line 5, after "1." add R.S. 17:3977(B)(3) is hereby amended and reenacted and" and after "10.3" add "and R.S. 17:3977(E)"

AMENDMENT NO. 5

On page 10, between lines 4 and 5, add the following:

"§3977. Charter schools; exemptions

\* \* \*

B. Notwithstanding any state law, rule, or regulation to the contrary and except as may be otherwise specifically provided for in an approved charter, a charter school established and operated in accordance with the provisions of this Chapter and its approved charter and the school's officers and employees shall be exempt from all statutory mandates or other statutory requirements that are applicable to public schools and to public school officers and employees except for the following:

\* \* \*

(3) Laws relative to open meetings and, public records, and public bids under Title 38 of the Louisiana Revised Statutes of 1950.

\* \* \*

R.S. 17:3977(E) is all proposed new law.

E. Notwithstanding any other provision of law to the contrary, a charter school established and operated in accordance with the

provisions of this Chapter shall be subject to audit in accordance with R.S. 24:513, et seq."

**Motion**

Senator Guidry moved to table the amendment.

Senator Landry objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|           |         |            |
|-----------|---------|------------|
| Bajoie    | Greene  | Robichaux  |
| Branch    | Guidry  | Romero     |
| Campbell  | Hollis  | Schedler   |
| Casanova  | Irons   | Short      |
| Cox       | Johnson | Siracusa   |
| Dardenne  | Jones   | Tarver     |
| Dyess     | Jordan  | Theunissen |
| Ellington | Malone  | Ullo       |
| Total—24  |         |            |

**NAYS**

|         |           |         |
|---------|-----------|---------|
| Barham  | Dean      | Landry  |
| Bean    | Heitmeier | Lentini |
| Cain    | Hines     | Smith   |
| Total—9 |           |         |

**ABSENT**

|               |         |         |
|---------------|---------|---------|
| Mr. President | Cravins | Hainkel |
| Bagneris      | Fields  | Lambert |
| Total—6       |         |         |

The Chair declared the amendment was tabled.

**Motion**

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

Senator Landry objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|          |           |            |
|----------|-----------|------------|
| Bagneris | Ellington | Lambert    |
| Barham   | Greene    | Lentini    |
| Bean     | Guidry    | Malone     |
| Branch   | Hainkel   | Robichaux  |
| Cain     | Heitmeier | Romero     |
| Campbell | Hines     | Schedler   |
| Casanova | Hollis    | Short      |
| Cox      | Irons     | Siracusa   |
| Dardenne | Johnson   | Smith      |
| Dean     | Jones     | Tarver     |
| Dyess    | Jordan    | Theunissen |
| Total—33 |           |            |

**NAYS**

|         |        |
|---------|--------|
| Fields  | Landry |
| Total—2 |        |

**ABSENT**

|               |         |
|---------------|---------|
| Mr. President | Cravins |
|---------------|---------|

|         |      |
|---------|------|
| Bajoie  | Ullo |
| Total—4 |      |

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

|         |
|---------|
| Cain    |
| Total—1 |

**ABSENT**

|         |
|---------|
| Cravins |
| Total—1 |

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

**Called from the Calendar**

Senator Hollis asked that House Bill No. 367 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 367—**  
BY REPRESENTATIVE TRAVIS  
AN ACT

To enact R.S. 32:535.1, relative to automobile repair facilities; to require repair facilities to provide a detailed invoice to consumers; 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     | Landry    |
| Bajoie        | Ellington | Lentini   |
| Barham        | Fields    | Robichaux |
| Bean          | Greene    | Romero    |
| Branch        | Guidry    | Schedler  |
| Cain          | Heitmeier | Short     |
| Campbell      | Hines     | Siracusa  |

June 18, 1997

|          |         |            |
|----------|---------|------------|
| Casanova | Hollis  | Smith      |
| Cox      | Irons   | Tarver     |
| Cravins  | Johnson | Theunissen |
| Dardenne | Jordan  | Ullo       |
| Dean     | Lambert |            |
| Total—35 |         |            |
|          | NAYS    |            |
| Total—0  |         |            |
|          | ABSENT  |            |
| Bagneris | Jones   |            |
| Hainkel  | Malone  |            |
| Total—4  |         |            |

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.

**Called from the Calendar**

Senator Jones asked that House Bill No. 2256 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 2256—**  
BY REPRESENTATIVE COPELIN  
AN ACT

To amend and reenact R.S. 27:18, relative to the Louisiana Gaming Control Board; to provide for venue for civil proceedings involving gaming licensees; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

|               |           |            |
|---------------|-----------|------------|
| YEAS          |           |            |
| Mr. President | Fields    | Malone     |
| Bajoie        | Greene    | Robichaux  |
| Barham        | Guidry    | Romero     |
| Bean          | Heitmeier | Schedler   |
| Branch        | Hines     | Short      |
| Cain          | Hollis    | Siracusa   |
| Campbell      | Irons     | Smith      |
| Casanova      | Johnson   | Tarver     |
| Cox           | Jones     | Theunissen |
| Cravins       | Lambert   | Ullo       |
| Dardenne      | Landry    |            |
| Ellington     | Lentini   |            |
| Total—34      |           |            |
|               | NAYS      |            |
| Total—0       |           |            |
|               | ABSENT    |            |
| Bagneris      | Dyess     | Jordan     |
| Dean          | Hainkel   |            |
| Total—5       |           |            |

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

**Called from the Calendar**

Senator Cravins asked that House Bill No. 1461 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 1461—**  
BY REPRESENTATIVES HEATON AND MURRAY  
AN ACT

To amend and reenact R.S. 15:85(7), relative to the enforcement and collection of bond forfeiture judgments; to provide for the time when judgments may be enforced and collected; to provide that such judgments may be collected in the same manner as civil judgments; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

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

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

**Called from the Calendar**

Senator Dean asked that House Bill No. 1230 be called from the Calendar at this time for its final passage.

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

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

**Floor Amendments Sent Up**

Senator Dardenne sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1230 by Representative McMains

AMENDMENT NO. 1

On page 2, delete lines 8 through 12 in their entirety and insert the following:

"point out to the court that there is an absence of factual support for one or more elements essential to the adverse party's claim, action, or defense. Thereafter, if the adverse party fails to produce factual support sufficient to establish that he will be able to satisfy his evidentiary burden of proof at trial, there is no genuine issue of material fact."

**AMENDMENT NO. 2**

On page 3, delete lines 16 through 26 in their entirety and insert the following:

"(B)(1) When a court renders a partial judgment or partial summary judgment or sustains an exception in part, as to one or more but less than all of the claims, demands, issues, theories, or parties, whether in an original demand, reconventional demand, cross-claim, third party claim, or intervention, the judgment shall not constitute a final judgment unless specifically agreed to by the parties or unless designated as a final judgment by the court after an express determination that there is no just reason for delay."

**AMENDMENT NO. 3**

On page 4, delete lines 1 through 8 in their entirety and insert the following:

(2) In the absence of such a determination and designation, any order or decision which adjudicates fewer than all claims or the rights and liabilities of fewer than all the parties, shall not terminate the action as to any of the claims or parties and shall not constitute a final judgment for the purpose of an immediate appeal. Any such order or decision issued may be revised at any time prior to rendition of the judgment adjudicating all the claims and the rights and liabilities of all the parties."

**Motion**

Senator Landry moved for a division of the question on the above floor amendments.

Without objection, the division of the question was ordered.

Senator Dardenne moved the adoption of Amendments No. 2 and 3.

Without objection, Amendments No. 2 and 3 were adopted.

Senator Dardenne moved the adoption of Amendment No. 1.

Senator Landry objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Landry  
Total—1

**ABSENT**

|          |          |        |
|----------|----------|--------|
| Bagneris | Casanova | Greene |
| Bajoie   | Cravins  |        |
| Total—5  |          |        |

The Chair declared Amendment No. 1 was adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Landry  
Total—1

**ABSENT**

|         |        |
|---------|--------|
| Cravins | Greene |
| Total—2 |        |

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

**Rules Suspended**

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

**House Bills and Joint Resolutions on Third Reading and Final Passage**

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

**HOUSE BILL NO. 1366—  
BY REPRESENTATIVE WESTON  
AN ACT**

To enact R.S. 33:2218.2(G), relative to supplemental pay; to clarify that persons employed by municipalities shall include employees of consolidated governments; and to provide for related matters.

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

June 18, 1997

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

|          |               |           |
|----------|---------------|-----------|
| Total—0  | <b>ABSENT</b> |           |
| Bagneris | Cox           | Robichaux |
| Total—3  |               |           |

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

**HOUSE BILL NO. 1911—**

BY REPRESENTATIVES DOWNER, BRUN, MCDONALD, LONG, DEWITT, ALARIO, DUPRE, ILES, KENNEY, MCCAIN, MCMAINS, MICHOT, POWELL, SALTER, THOMAS, WALSWORTH, WIGGINS, LEBLANC, RIDDLE, AND THOMPSON AND SENATORS DARDENNE, BEAN, SCHEDLER, SMITH, AND THEUNISSEN

**AN ACT**

To enact R.S. 17:3921.2, relative to state funds; to provide for creation of the Classroom-based Technology Fund within the state treasury; to provide for deposit of monies into the fund; to provide for use and distribution of monies in the fund; to provide for creation of the State Technology Advisory Committee; to provide for a grant program to help provide educational technologies for Louisiana's elementary and secondary school students; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Dyess     | Lambert    |
| Bagneris      | Ellington | Landry     |
| Bajoie        | Fields    | Lentini    |
| Barham        | Greene    | Malone     |
| Bean          | Guidry    | Robichaux  |
| Branch        | Hainkel   | Romero     |
| Cain          | Heitmeier | Schedler   |
| Campbell      | Hines     | Short      |
| Casanova      | Hollis    | Siracusa   |
| Cox           | Irons     | Smith      |
| Cravins       | Johnson   | Tarver     |
| Dardenne      | Jones     | Theunissen |
| Dean          | Jordan    | Ullo       |
| Total—39      |           |            |

**NAYS**

Total—0  
**ABSENT**

Total—0

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.

**Rules Suspended**

Senator Fields asked for a suspension of the rules for the purpose of reconsidering House Bill No. 1096 which failed to pass earlier today.

Senator Short objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|          |           |            |
|----------|-----------|------------|
| Bagneris | Dyess     | Lambert    |
| Bajoie   | Fields    | Landry     |
| Barham   | Guidry    | Lentini    |
| Bean     | Heitmeier | Robichaux  |
| Campbell | Hines     | Siracusa   |
| Cox      | Hollis    | Smith      |
| Cravins  | Irons     | Theunissen |
| Dardenne | Johnson   | Ullo       |
| Dean     | Jones     |            |
| Total—26 |           |            |

**NAYS**

|           |         |        |
|-----------|---------|--------|
| Branch    | Hainkel | Short  |
| Casanova  | Jordan  | Tarver |
| Ellington | Malone  |        |
| Greene    | Romero  |        |
| Total—10  |         |        |

**ABSENT**

|               |      |          |
|---------------|------|----------|
| Mr. President | Cain | Schedler |
| Total—3       |      |          |

The Chair declared the rules were suspended.

**Reconsideration**

On motion of Senator Fields, pursuant to the previous notice given, the vote by which the following bill failed to pass earlier today was reconsidered.

**HOUSE BILL NO. 1096—**

BY REPRESENTATIVES JETSON AND WELCH  
**AN ACT**

To enact R.S. 17:416(G), relative to pupil discipline; to prohibit the taking of any disciplinary action against a pupil by the governing authority of a public elementary or secondary school or by any public elementary or secondary school administrator, teacher, or other school employee for the use of force upon another person under specified circumstances involving self-defense of the pupil or the pupil's property; to provide for application; to provide for effectiveness; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Fields sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Fields to Reengrossed House Bill No. 1096 by Representative Jetson

**AMENDMENT NO. 1**

On page 2, line 4, after "offense" delete the remainder of the line and on line 5, delete "pupil's lawful possession;"

**AMENDMENT NO. 2**

On page 2, line 8, after "himself" delete the remainder of the line and delete lines 9 through 12 in their entirety and insert a period "."

On motion of Senator Fields, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|          |           |            |
|----------|-----------|------------|
| Bagneris | Fields    | Jones      |
| Bajoie   | Guidry    | Lambert    |
| Barham   | Heitmeier | Landry     |
| Bean     | Hines     | Lentini    |
| Cain     | Hollis    | Robichaux  |
| Cox      | Irons     | Tarver     |
| Cravins  | Johnson   | Theunissen |
| Total—21 |           |            |

**NAYS**

|               |           |          |
|---------------|-----------|----------|
| Mr. President | Dyess     | Romero   |
| Branch        | Ellington | Schedler |
| Campbell      | Greene    | Short    |
| Casanova      | Hainkel   | Smith    |
| Dardenne      | Jordan    | Ullo     |
| Dean          | Malone    |          |
| Total—17      |           |          |

**ABSENT**

Siracusa  
Total—1

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

**Recess**

On motion of Senator Bagneris, the Senate took a recess until 7:00 o'clock P.M.

**After Recess**

The Senate was called to order at 7:30 o'clock P.M. by the President of the Senate.

**ROLL CALL**

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

**PRESENT**

|               |           |           |
|---------------|-----------|-----------|
| Mr. President | Dyess     | Lambert   |
| Bagneris      | Ellington | Landry    |
| Bajoie        | Fields    | Lentini   |
| Barham        | Greene    | Malone    |
| Bean          | Guidry    | Robichaux |

|          |           |            |
|----------|-----------|------------|
| Branch   | Hainkel   | Romero     |
| Cain     | Heitmeier | Schedler   |
| Campbell | Hines     | Short      |
| Casanova | Hollis    | Siracusa   |
| Cox      | Irons     | Smith      |
| Cravins  | Johnson   | Tarver     |
| Dardenne | Jones     | Theunissen |
| Dean     | Jordan    | Ullo       |

Total—39

**ABSENT**

Total—0

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

**Senate Business Resumed**

**HOUSE BILL NO. 2495—**

BY REPRESENTATIVE WALSWORTH  
AN ACT

To amend and reenact R.S. 18:55(A)(2) and (3)(a) and (C) and 59(B)(2) and (3)(a), (C)(2) and (3)(a), and (E), relative to the compensation of certain registrars of voters, chief deputy registrars, and confidential assistants; to provide for a salary increase for certain registrars of voters, chief deputy registrars, and confidential assistants; to provide for changes to the pay schedule for each; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |           |           |
|---------------|-----------|-----------|
| Mr. President | Dean      | Jordan    |
| Bagneris      | Dyess     | Lambert   |
| Bajoie        | Ellington | Lentini   |
| Barham        | Fields    | Malone    |
| Bean          | Greene    | Robichaux |
| Cain          | Guidry    | Romero    |
| Campbell      | Heitmeier | Schedler  |
| Casanova      | Hollis    | Short     |
| Cox           | Irons     | Smith     |
| Cravins       | Johnson   | Tarver    |
| Dardenne      | Jones     | Ullo      |
| Total—33      |           |           |

**NAYS**

Branch  
Total—1

**ABSENT**

|         |          |            |
|---------|----------|------------|
| Hainkel | Landry   | Theunissen |
| Hines   | Siracusa |            |
| Total—5 |          |            |

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

**HOUSE BILL NO. 62—**

BY REPRESENTATIVES FAUCHEUX, FRITH, HEBERT, MICHOT, AND ROUSSELLE

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for Fiscal Year 1997-1998 to the Department of Public Safety and

June 18, 1997

Corrections to be used to pay back supplemental pay to certain constables and justices of the peace.

Floor Amendments Sent Up

Senator Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Engrossed House Bill No. 62 by Representative Fauchoux

AMENDMENT NO. 1

On page 1, line 5, after "peace" delete the period "." and insert "; to pay legal fees and expenses incurred in the defense of Sammy Davis, Jr."

AMENDMENT NO. 2

On page 2, between lines 33 and 34, insert the following:

"Section 3. The sum of One Hundred Twenty-Nine Thousand Forty Seven (\$129,647.00) Dollars is hereby appropriated out of the State General Fund (Direct) of the State of Louisiana for Fiscal Year 1997-1998 for payment of legal fees and expenses incurred in the defense of Sammy Davis, Jr., which amount was appropriated in Fiscal Year 1994-1995 for this purpose, but not expended."

AMENDMENT NO. 3

On page 2, line 34, change "Section 3" to "Section 4"

On motion of Senator Jones, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators voting YEAS: Mr. President, Bagneris, Bajoie, Barham, Bean, Branch, Cain, Campbell, Dardenne, Dean, Dyess, Ellington, Fields, Greene, Guidry, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen.

NAYS

Ullo
Total—1

ABSENT

Table listing names of senators who were ABSENT: Casanova, Cox, Cravins, Hainkel. Total—4

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

HOUSE BILL NO. 2490—
BY REPRESENTATIVE WILLARD-LEWIS
AN ACT

To enact R.S. 46:460.4, relative to Temporary Assistance for Needy Families Block Grant benefits; to require the Department of Social Services to provide for a six-month income disregard for recipients of Temporary Assistance for Needy Families Block Grant benefits; to require the department to promulgate rules and regulations relative to the earned income disregard program; to provide relative to exceptions to the state time limitations imposed upon the receipt of TANF benefits; 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

Table listing names of senators voting YEAS: Mr. President, Bagneris, Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Dardenne, Dean, Dyess, Fields, Greene, Guidry, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo. Total—36

NAYS

Total—0

ABSENT

Table listing names of senators who were ABSENT: Cravins, Ellington, Hainkel. Total—3

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.

Rules Suspended

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

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

The following House 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 Lentini asked that House Bill No. 1810 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1810—
BY REPRESENTATIVES DONELON, ANSARDI, CHAISSON, JOHNS, MARTINY, MCMAINS, MICHOT, MONTGOMERY, PIERRE, JACK SMITH, STELLY, WINDHORST, AND BAYLOR AND SENATORS LENTINI, BEAN, CRAVINS, HEITMEIER, HINES, AND TARVER
AN ACT

To enact Part XVII-A of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:820 and 821 and R.S. 22:1004.1 through 1004.8, relative to domestic mutual insurance companies; to permit the conversion of the corporate status of domestic insurers; to provide certain criteria, including the prior approval of the commissioner of insurance and certain policyholders; to permit the domestic mutual company to convert to an intermediate holding company and mutual insurance holding company; to provide delineated authority of the commissioner for the intermediate and mutual holding companies; to provide that the mutual insurance holding company and the intermediate holding company not to be considered engaging in the business of insurance; to provide certain definitions; to provide certain participation by the holding company in certain insurer's delinquency proceedings; to provide that a majority of the voting shares of the capital stock of the reorganized companies will be held by the mutual insurance holding company; to exempt membership interests in the domestic mutual insurance holding company from the requirements of securities law; to provide majority ownership of the mutual insurance holding company to the intermediate holding company; to provide that a good faith lack of compliance with the notice requirements would not impair the conversion; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Cravins sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Cravins to Engrossed House Bill No. 1810 by Representative Donelon

AMENDMENT NO. 1

On page 12, after line 11, insert the following:

"Section 2. The provisions of this Act shall not apply to any association subject to R.S. 22:1661."

**Rules Suspended**

Senator Ellington asked for a suspension of the rules for the purpose of granting the speaker additional time.

Senator Bajoie objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|          |         |           |
|----------|---------|-----------|
| Bean     | Greene  | Robichaux |
| Branch   | Hines   | Romero    |
| Cain     | Hollis  | Schedler  |
| Campbell | Jordan  | Short     |
| Casanova | Lambert | Smith     |
| Cravins  | Landry  | Tarver    |
| Dyess    | Lentini |           |
| Total—20 |         |           |

**NAYS**

|          |           |            |
|----------|-----------|------------|
| Bagneris | Dean      | Malone     |
| Bajoie   | Guidry    | Siracusa   |
| Barham   | Heitmeier | Theunissen |
| Cox      | Irons     | Ullo       |
| Dardenne | Johnson   |            |
| Total—14 |           |            |

**ABSENT**

|               |         |       |
|---------------|---------|-------|
| Mr. President | Fields  | Jones |
| Ellington     | Hainkel |       |
| Total—5       |         |       |

The Chair declared the rules were suspended and the speaker was granted additional time.

Senator Cravins moved adoption of the amendments.

Senator Heitmeier objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |         |            |
|---------------|---------|------------|
| Mr. President | Dean    | Landry     |
| Bajoie        | Dyess   | Lentini    |
| Barham        | Hines   | Malone     |
| Bean          | Hollis  | Robichaux  |
| Cain          | Johnson | Romero     |
| Cox           | Jones   | Schedler   |
| Cravins       | Jordan  | Tarver     |
| Dardenne      | Lambert | Theunissen |
| Total—24      |         |            |

**NAYS**

|           |           |          |
|-----------|-----------|----------|
| Branch    | Fields    | Irons    |
| Campbell  | Greene    | Siracusa |
| Casanova  | Guidry    | Smith    |
| Ellington | Heitmeier | Ullo     |
| Total—12  |           |          |

**ABSENT**

|          |         |       |
|----------|---------|-------|
| Bagneris | Hainkel | Short |
| Total—3  |         |       |

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Dyess     | Landry     |
| Bajoie        | Fields    | Lentini    |
| Barham        | Greene    | Malone     |
| Bean          | Guidry    | Robichaux  |
| Branch        | Heitmeier | Romero     |
| Cain          | Hines     | Schedler   |
| Campbell      | Hollis    | Short      |
| Casanova      | Irons     | Tarver     |
| Cox           | Johnson   | Theunissen |
| Cravins       | Jones     | Ullo       |
| Dardenne      | Jordan    |            |
| Dean          | Lambert   |            |
| Total—34      |           |            |

**NAYS**

|           |       |  |
|-----------|-------|--|
| Ellington | Smith |  |
| Total—2   |       |  |

**ABSENT**

|          |         |          |
|----------|---------|----------|
| Bagneris | Hainkel | Siracusa |
| Total—3  |         |          |

June 18, 1997

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

Called from the Calendar

Senator Ullo asked that House Bill No. 2297 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 2297—
BY REPRESENTATIVE MCCALLUM
AN ACT

To amend and reenact R.S. 40:1849(C), relative to the Liquefied Petroleum Gas Commission; to provide for rules; to provide for reciprocal agreements; to provide for examination requirements; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bagneris, Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dyess, Total—37; Ellington, Fields, Greene, Guidry, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry; Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Dean
Total—1

ABSENT

Hainkel
Total—1

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

Called from the Calendar

Senator Hainkel asked that House Bill No. 1453 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1453 (Duplicate of Senate Bill No. 1245)—
BY REPRESENTATIVE FORSTER AND SENATOR ELLINGTON AND
COAUTHORED BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact R.S. 46:2252, 2253(2) and (4) and 2254(A) and R.S. 51:2231, 2232(3), 2235(16)(a), 2236(A), 2237(2), 2246, and 2257(H)(2)(b), to enact Chapter 3-A of Title 23 of the Louisiana Revised Statutes of 1950, comprised of R.S. 23:301 through 354, and R.S. 51:2232(12) and (13), to repeal R.S. 23:892 and 893 and Parts IV, VII and VIII of Chapter 9 of Title 23 of the Louisiana Revised Statutes of 1950, comprised of R.S. 23:971 through 975, 1001 through 1004, and 1006 through 1008, R.S. 46:2253(7), (8), (9), and (19), and 2254(B), (C), (D), and (E), and R.S.

51:2232(4), (5), and (7), and 2242, 2243, 2244, and 2245, relative to employment discrimination; to consolidate employment discrimination provisions of law into one Chapter of law; to provide relative to age discrimination; to provide relative to disability discrimination; to provide relative to race, color, religion, sex, and national origin discrimination; to provide relative to pregnancy, childbirth, and related medical conditions discrimination; to provide relative to sickle cell trait discrimination; to remove references to employment discrimination in other Sections of law; and to provide for related matters.

Floor Amendments Sent Up

Senator Guidry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Guidry, Hainkel, and Johnson to Reengrossed House Bill No. 1453 by Representative Forster

AMENDMENT NO. 1

On page 28, between lines 2 and 3, insert the following:

"C. The Louisiana Commission on Human Rights shall have enforcement powers including adjudication of claims of discrimination prohibited by R.S. 23:312, 323, and 332, sickle cell trait discrimination prohibited by R.S. 23:352, and discrimination because of pregnancy prohibited by R.S. 23:341 et seq."

On motion of Senator Guidry, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bagneris, Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Dardenne, Dean, Dyess, Total—37; Ellington, Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Lambert, Landry; Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Jordan
Total—1

ABSENT

Cravins
Total—1

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

Rules Suspended

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

**Special Order of the Day**

The following House Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

**HOUSE BILL NO. 863—**

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 24:31, 31.1(A) and (C)(1), 502, 503, 504, 506, and 507 and to enact R.S. 24:651(E), relative to the compensation of members of the legislature; to provide for the salary of members of the legislature; to provide for the salaries of certain officers of the legislature; to provide relative to the salaries of certain officers of the Joint Legislative Committee on the Budget; to change the per diem payments to members of the legislature; to change the mileage allowance to members of the legislature; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Ewing sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Bagneris to Reengrossed House Bill No. 863 by Representative Murray

AMENDMENT NO. 1

Delete Senate Committee Amendments Nos. 1 through 9 proposed by the Senate Committee and Senate and Governmental Affairs and adopted by the Senate on June 5, 1997.

AMENDMENT NO. 2

On page 1, delete lines 2 through 10, and insert the following:

"To amend and reenact R.S. 24:31, 31.1(A) and (C)(1), 31.4(A) and (C), 503, 504, and 507 and to enact R.S. 24:31.1(E) and 651(E), relative to the compensation of members of the legislature; to provide for the salary of members of the legislature; to provide for the salaries of certain officers of the legislature; to provide relative to the salaries of certain officers of the Joint Legislative Committee on the Budget; to change the per diem payments to members of the legislature; to change the mileage allowance to members of the legislature; to provide for member's expense allowance; and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 12, after "Section 1." delete the remainder of the line and delete lines 13 and 14, delete pages 2 through 7 in their entirety and insert the following:

"R.S. 24:31, 31.1(A) and (C)(1), 31.4(A) and (C), 503, 504, and 507 are hereby amended and reenacted and R.S. 24:31.1(E) and 651(E) are hereby enacted to read as follows:

§31. Compensation of members

Effective April 21, 1980 the compensation of the members of the legislature shall be seventy-five dollars per day equal to the rate allowable for per diem deduction under Section 162(h)(1)(B)(ii) of Title 26 of the United States Code for the location of the state capital during their attendance on that body.

§31.1. Salary for members; expense allowance; mileage allowance

A. In addition to the per diem and all other allowances provided by law for members of the Legislature of Louisiana, each member of the legislature, except the president and the speaker pro tempore of the Senate and the speaker and the speaker pro tempore of the House of Representatives, shall be paid a salary in the full sum of sixteen thousand eight hundred dollars per annum, payable monthly.

\* \* \*

C.(1) In addition to the per diem and salary and all other allowances provided by law for members of the Legislature of Louisiana, each member, ~~except the president of the Senate and the speaker of the House~~, shall be paid a mileage allowance for trips to and from the capitol during sessions of the legislature, regardless of the method of transportation, equal to the rate established ~~for travel by automobile of state officers and employees on official state business~~ as the standard mileage rate for business travel for purposes of Section 162(a) of Title 26 of the United States Code. Such mileage allowance shall be paid for a number of trips not to exceed the number of calendar weeks, or fraction thereof, of the session.

\* \* \*

E. In addition to the salary, compensation, and all other allowances provided by law for members of the legislature, each member of the legislature shall be paid a monthly expense allowance, as referred to in R.S. 11:403(10), in the amount of five hundred dollars per month for expenses in connection with the holding or conduct of their office. Warrants for the payment of such allowance shall be in accordance with, and subject to, Subsection B.

\* \* \*

§31.4. Members' allowance for district office

A. In addition to the salary, per diem, and all other allowances provided by law for members of the legislature, each member of the legislature shall be paid a monthly expense allowance in the amount of ~~six five hundred twenty-five~~ six five hundred dollars per month, or so much thereof as may be necessary, for payment of rent for office space in a parish or parishes which he represents, and for payment of the cost of maintaining utilities in said office or offices and for other expenses related to ~~said office or offices~~ the holding or conduct of their office.

\* \* \*

C. The allowance provided in Subsection A shall be withdrawn from the treasury and paid to the persons entitled thereto in the same manner as is provided by law for the salary provided in R.S. 24:31.1. Each member shall be required to file with the presiding officer, prior to payment of the allowance each month, an itemized statement of expenses, and appropriate invoices or receipts supporting the same. The amount of the allowance paid to each member each month shall be equal to the total amount of the itemized statement, provided that in no case shall the total reimbursement exceed ~~six five hundred twenty-five~~ six five hundred dollars.

\* \* \*

§503. Expenses

A. The president of the Senate and the speaker of the House of Representatives shall be entitled to be reimbursed for actual expenses, including but not limited to travel, lodging expenses, and for attendance at meetings, conferences, and appearances in connection with their official duties, in an amount not to exceed ten thousand dollars per annum, to be paid monthly on their own warrants and drawn on the general fund of the state.

B. The president of the Senate and speaker of the House of Representatives shall be entitled to be reimbursed for expenses incurred in maintaining a residence in the capital city, in an amount not to exceed one thousand dollars per month, upon filing an itemized statement of expenses and appropriate invoices or receipts supporting the same with the chief clerical officer of their respective house of the legislature.

§504. Speaker pro tempore; assumption of duties of speaker; salary

A. The speaker pro tempore of the House of Representatives shall, upon the death of the speaker of the House of Representatives, assume the powers, duties, responsibilities, and emoluments of the speaker of the House until the first regular or special session of the legislature thereafter, at which time a new speaker shall be elected. The speaker pro tempore, in the event of the disability or absence of the speaker of the House of Representatives as certified by the speaker of the House or a majority of the members of the House of Representatives by roll call vote or mail ballot, shall assume the powers, duties, and responsibilities of the speaker until the termination of such disability or absence, and the House of Representatives shall make appropriate financial recompense for such service.

B. The salary of the speaker pro tempore of the House of Representatives shall be twenty-four thousand five hundred dollars per

June 18, 1997

annum. This salary shall be compensation to the speaker pro tempore for service to the House of Representatives, including that rendered during regular and extraordinary sessions of the legislature and during the interim between sessions. The salary provided for in this Section shall be payable in the same manner as provided in R.S. 24:31.1(B). The speaker pro tempore shall be entitled to the per diem and all other allowances provided by law for members of the Legislature of Louisiana.

\* \* \*

§507. President pro tempore; assumption of duties of president; salary  
A. The president pro tempore of the Senate shall, upon the death of the president of the Senate, assume the powers, duties, responsibilities, and emoluments of the president of the Senate until the first regular or extraordinary session of the legislature thereafter, at which time a new president shall be elected. The president pro tempore, in the event of the disability or absence of the president of the Senate as certified by the president of the Senate or by a majority of the members of the Senate by roll call vote or mail ballot, shall assume the powers, duties, and responsibilities of the president until the termination of such disability or absence, and the Senate shall make appropriate financial recompense for such service.

B. The salary of the president pro tempore of the Senate shall be twenty-four thousand five hundred dollars per annum. This salary shall be compensation to the president pro tempore for service to the Senate, including that rendered during regular and extraordinary sessions of the legislature and during the interim between sessions. The salary provided for in this Section shall be payable in the same manner as provided in R.S. 24:31.1(B). The president pro tempore shall be entitled to the per diem and all other allowances provided by law for members of the Legislature of Louisiana.

\* \* \*

§651. Committee created; membership and composition

\* \* \*

E. The committee may set additional compensation for the chairman and vice chairman of the committee for service on the committee, except that the amount of such additional compensation shall not cause the total compensation of such officers to exceed the total of the salary under R.S. 24:502 or R.S. 24:506, per diem under R.S. 24:31 and R.S. 24:502 or R.S. 24:506, and expense allowances under R.S. 24:31.1 and R.S. 24:503 authorized and available to the presiding officers of the legislature. In addition, if such officers receive additional compensation as provided in this Subsection, such officers shall not be entitled to receive per diem as provided in Subsection D of this Section for the performance of their duties for the committee.

Section 2. Any additional compensation paid to the officers of the Joint Legislative Committee on the Budget prior to July 1, 1997, authorized pursuant to Act No. 538 of 1976 or any other provision of law is hereby ratified, validated, and confirmed.

Section 3. This Act shall become effective on July 1, 1997; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 1997, or on the day following such approval by the legislature, whichever is later."

Senator Ewing moved adoption of the amendments.

Senator Dean objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Dyess     | Jones      |
| Bagneris      | Ellington | Jordan     |
| Bajoie        | Fields    | Landry     |
| Bean          | Greene    | Malone     |
| Cain          | Hainkel   | Robichaux  |
| Casanova      | Hines     | Smith      |
| Cravins       | Irons     | Tarver     |
| Dardenne      | Johnson   | Theunissen |

Total—24

NAYS

|          |         |          |
|----------|---------|----------|
| Barham   | Guidry  | Schedler |
| Branch   | Hollis  | Short    |
| Campbell | Lambert | Ullo     |
| Cox      | Lentini |          |
| Dean     | Romero  |          |

Total—13

ABSENT

|           |          |
|-----------|----------|
| Heitmeier | Siracusa |
| Total—2   |          |

The Chair declared the amendments were adopted.

**Personal Privilege**

Senator Heitmeier asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on the amendment by Senator Bagneris to House Bill No. 863. He had intended to vote yea on the amendment. He asked that the Official Journal so state.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Fields    | Jordan     |
| Bagneris      | Hainkel   | Landry     |
| Bajoie        | Heitmeier | Malone     |
| Bean          | Hines     | Robichaux  |
| Casanova      | Irons     | Siracusa   |
| Cravins       | Johnson   | Tarver     |
| Dyess         | Jones     | Theunissen |
| Total—21      |           |            |

NAYS

|          |           |          |
|----------|-----------|----------|
| Barham   | Dean      | Lentini  |
| Branch   | Ellington | Romero   |
| Cain     | Greene    | Schedler |
| Campbell | Guidry    | Short    |
| Cox      | Hollis    | Ullo     |
| Dardenne | Lambert   |          |
| Total—17 |           |          |

ABSENT

|         |
|---------|
| Smith   |
| Total—1 |

The Chair declared the amended 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.

**Personal Privilege**

Senator Smith asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on House Bill No. 863. He had intended to vote nay on the bill. He asked that the Official Journal so state.

**Rules Suspended**

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

**House Bills and Joint Resolutions on  
Third Reading  
and Final Passage**

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

**Rules Suspended**

Senator Dean asked for a suspension of the rules to provide an opportunity for proponents and opponents to speak alternately on each instrument.

Senator Guidry objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|          |         |        |
|----------|---------|--------|
| Branch   | Hainkel | Short  |
| Casanova | Hollis  | Tarver |
| Dardenne | Lambert |        |
| Dean     | Lentini |        |
| Total—10 |         |        |

**NAYS**

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Ellington | Landry     |
| Bajoie        | Fields    | Malone     |
| Barham        | Guidry    | Robichaux  |
| Bean          | Heitmeier | Romero     |
| Cain          | Hines     | Schedler   |
| Campbell      | Johnson   | Siracusa   |
| Cravins       | Jones     | Smith      |
| Dyess         | Jordan    | Theunissen |
| Total—24      |           |            |

**ABSENT**

|          |        |      |
|----------|--------|------|
| Bagneris | Greene | Ullo |
| Cox      | Irons  |      |
| Total—5  |        |      |

The Chair declared the Senate refused to suspend the rules.

**Rules Suspended**

Senator Guidry asked for a suspension of the rules for the purpose of invoking 10 minute debate on each instrument.

Senator Dean objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|          |           |          |
|----------|-----------|----------|
| Bajoie   | Guidry    | Romero   |
| Bean     | Heitmeier | Schedler |
| Branch   | Irons     | Short    |
| Cain     | Johnson   | Siracusa |
| Campbell | Jones     | Smith    |
| Cravins  | Lambert   | Tarver   |
| Dyess    | Lentini   |          |
| Fields   | Robichaux |          |
| Total—22 |           |          |

**NAYS**

|          |           |            |
|----------|-----------|------------|
| Barham   | Ellington | Jordan     |
| Casanova | Hainkel   | Landry     |
| Dardenne | Hines     | Malone     |
| Dean     | Hollis    | Theunissen |
| Total—12 |           |            |

**ABSENT**

|               |        |      |
|---------------|--------|------|
| Mr. President | Cox    | Ullo |
| Bagneris      | Greene |      |
| Total—5       |        |      |

The Chair declared the rules were suspended and 10 minute debate was implemented.

**Rules Suspended**

Senator Guidry asked for a suspension of the rules for the purpose of invoking 3 minute cloture.

Senator Landry objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|          |           |            |
|----------|-----------|------------|
| Bagneris | Dyess     | Lambert    |
| Bajoie   | Ellington | Malone     |
| Barham   | Fields    | Romero     |
| Cain     | Guidry    | Short      |
| Casanova | Hainkel   | Siracusa   |
| Cravins  | Heitmeier | Smith      |
| Dardenne | Jones     | Tarver     |
| Dean     | Jordan    | Theunissen |
| Total—24 |           |            |

**NAYS**

|         |         |          |
|---------|---------|----------|
| Branch  | Irons   | Lentini  |
| Hines   | Johnson | Schedler |
| Hollis  | Landry  | Ullo     |
| Total—9 |         |          |

**ABSENT**

|               |          |           |
|---------------|----------|-----------|
| Mr. President | Campbell | Greene    |
| Bean          | Cox      | Robichaux |
| Total—6       |          |           |

The Chair declared the rules were suspended and 3 minute cloture was invoked.

**HOUSE BILL NO. 2111—  
BY REPRESENTATIVE DONELON  
AN ACT**

To enact R.S. 22:15, relative to automobile insurance; to create the Council on Automobile Insurance Rates and Enforcement; to provide for the membership, authority, quorum, public hearings and records, employment, supervision, and compensation of personnel, duties, obligations, and report of the council; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

June 18, 1997

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

NAYS

Total—0

ABSENT

Siracusa  
Total—1

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

**HOUSE BILL NO. 2289—**

BY REPRESENTATIVES R. ALEXANDER AND DEWITT  
AN ACT

To enact Subpart I of Part XI of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1105 through 1105.7, relative to juvenile detention facilities; to create and provide with respect to the Central Louisiana Juvenile Detention Facility Authority for certain parishes; to provide for a board of commissioners of the authority and for the composition, administration, powers, and duties of the board, including the power to incur debt, issue bonds, and levy taxes; 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     | Lambert    |
| Bagneris      | Ellington | Landry     |
| Bajoie        | Fields    | Lentini    |
| Barham        | Greene    | Malone     |
| Bean          | Guidry    | Robichaux  |
| Branch        | Hainkel   | Romero     |
| Cain          | Heitmeier | Schedler   |
| Campbell      | Hines     | Short      |
| Casanova      | Hollis    | Smith      |
| Cox           | Irons     | Tarver     |
| Cravins       | Johnson   | Theunissen |
| Dardenne      | Jones     | Ullo       |
| Dean          | Jordan    |            |
| Total—38      |           |            |

NAYS

Total—0

ABSENT

Siracusa  
Total—1

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.

**HOUSE BILL NO. 2386—**

BY REPRESENTATIVES LONG, ALARIO, BOWLER, BRUN, CRANE, DAMICO, DEWITT, DIEZ, DIMOS, DONELON, DUPRE, DURAND, FAUCHEUX, FONTENOT, FRITH, GAUTREUX, HEBERT, JOHNS, KENNARD, LANCASTER, LEBLANC, MARTINY, MCCALLUM, MCDONALD, MCMAINS, MORRISH, PINAC, POWELL, QUEZAIRE, SALTER, SCALISE, JOHN SMITH, STELLY, THOMAS, TRICHE, WIGGINS, AND WINSTON AND SENATORS BEAN, HINES, LANDRY, AND SIRACUSA

AN ACT

To amend and reenact R.S. 46:450.1(C), (D), and (E) and to enact R.S. 46:450.1(F) and (G), relative to the system for electronic distribution of certain public entitlement benefits; to require the contract program for such distribution system to provide merchants the option to utilize commercial automated teller machines and point of sale terminals to interface with the electronic benefits transfer provider; to require the contract program to provide for reimbursement by the electronic benefits transfer provider of certain costs incurred by merchants in the processing of benefits under the electronic issuance system; to require the contract program to provide that the cash back provisions of the electronic issuance system allow the merchant to charge the recipient reasonable and customary charges and contain a schedule of fees and charges for the provision of cash back services; to provide that participation in the program not cause or require any merchant to incur any expense or cost; to require that the statewide expansion and implementation of the electronic issuance program shall include and incorporate the provisions hereof and contracts with merchants and providers not be required for participation in the program until certain acts occur; 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 | Fields    | Malone    |
| Bean          | Guidry    | Robichaux |
| Branch        | Heitmeier | Romero    |
| Cain          | Hines     | Schedler  |
| Campbell      | Jones     | Siracusa  |
| Casanova      | Jordan    | Smith     |
| Cravins       | Lambert   | Tarver    |
| Dyess         | Landry    | Ullo      |
| Total—24      |           |           |

NAYS

|          |         |            |
|----------|---------|------------|
| Bagneris | Dean    | Lentini    |
| Bajoie   | Greene  | Short      |
| Barham   | Hainkel | Theunissen |
| Cox      | Hollis  |            |
| Dardenne | Johnson |            |
| Total—13 |         |            |

ABSENT

|           |       |
|-----------|-------|
| Ellington | Irons |
| Total—2   |       |

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

**HOUSE BILL NO. 1890—**  
BY REPRESENTATIVES SHAW AND DEWITT  
AN ACT

To enact R.S. 28:26 and R.S. 39:82(I), relative to budgetary controls; to establish within the state treasury the Mental Health Trust Fund; to provide for administration of the fund by the office of mental health, Department of Health and Hospitals; to provide for deposit and use of monies in the fund; to provide for definition of overcollections; to provide for legislative oversight of the administration of the Mental Health Trust Fund; to authorize the office of mental health, Department of Health and Hospitals to retain their year-end balances; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

|          |       |       |
|----------|-------|-------|
| Casanova | Irons | Short |
| Total—3  |       |       |

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

**HOUSE BILL NO. 2476—**  
BY REPRESENTATIVE LEBLANC  
AN ACT

To amend and reenact R.S. 24:603(1), 653(F), and 655 and R.S. 39:2, 36 (introductory paragraph), and 73(B) and (C)(2) and (3) and to enact R.S. 24:522(C)(10) and (I) and R.S. 39:31, 32(I) and (J), and 51(C) and Subpart D of Part II of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:87.1 through 87.4, relative to operating budgets; to provide for the duties of the legislative auditor and the legislative fiscal officer; to provide for the duties and powers of the Joint Legislative Committee on the Budget; to provide for definitions; to provide for a strategic planning process for certain agencies; to require production and submission of certain planning and budgeting documents; to provide relative to transfers of funds and the impacts of same on performance; to provide for contents of executive budget and the General Appropriation Bill; to provide for performance budgeting requirements and procedures; to provide for performance measures within appropriations; to require reporting of performance data by certain agencies; to provide for provisions for rewards and penalties associated with performance of certain agencies; to authorize the granting of rewards or imposition of penalties by Joint Legislative Committee on the Budget; to provide for inclusion of provisions granting rewards or

imposing penalties within certain instruments; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Dyess     | Lambert    |
| Bagneris      | Ellington | Landry     |
| Bajoie        | Fields    | Lentini    |
| Barham        | Greene    | Malone     |
| Bean          | Guidry    | Robichaux  |
| Branch        | Hainkel   | Romero     |
| Cain          | Heitmeier | Schedler   |
| Campbell      | Hines     | Short      |
| Casanova      | Hollis    | Siracusa   |
| Cox           | Irons     | Smith      |
| Cravins       | Johnson   | Tarver     |
| Dardenne      | Jones     | Theunissen |
| Dean          | Jordan    | Ullo       |
| Total—39      |           |            |

NAYS

Total—0

ABSENT

Total—0

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

**HOUSE BILL NO. 235—**  
BY REPRESENTATIVE FLAVIN  
AN ACT

To amend and reenact R.S. 30:2205(A)(1), relative to the hazardous waste tax; to provide for the uses of the tax funds; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Dean  
Total—1

June 18, 1997

ABSENT

Fields  
Total—1

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

HOUSE BILL NO. 2300—  
BY REPRESENTATIVE DOWNER  
AN ACT

To amend and reenact R.S. 9:3861(A)(introductory paragraph) and (1), relative to a military power of attorney; to provide with respect to those who may execute a military power of attorney; 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     | Landry     |
| Bagneris      | Ellington | Lentini    |
| Bajoie        | Fields    | Malone     |
| Barham        | Greene    | Robichaux  |
| Branch        | Guidry    | Romero     |
| Cain          | Hainkel   | Schedler   |
| Campbell      | Hines     | Short      |
| Casanova      | Hollis    | Siracusa   |
| Cox           | Johnson   | Smith      |
| Cravins       | Jones     | Tarver     |
| Dardenne      | Jordan    | Theunissen |
| Dean          | Lambert   | Ullo       |
| Total—36      |           |            |

NAYS

Total—0

ABSENT

|         |           |       |
|---------|-----------|-------|
| Bean    | Heitmeier | Irons |
| Total—3 |           |       |

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

HOUSE BILL NO. 2471—  
BY REPRESENTATIVE POWELL  
AN ACT

To amend and reenact R.S. 37:2809(A)(2) and (8), to enact R.S. 37:2809(A)(11), and to repeal Part II of Chapter 36 of Title 37 of the Louisiana Revised Statutes of 1950, comprised of R.S. 37:2830.1 through 2830.7, relative to the Louisiana Board of Chiropractic Examiners; to increase maximum fees for a certificate of internship and a certificate of chiropractic assistant to perform chiropractic X-rays; to add a fee for annual X-ray certificate registration; to repeal provisions relative to chiropractic management consultants; and to provide for related matters.

Floor Amendments Sent Up

Senator Jordan sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jordan to Reengrossed House Bill No. 2471 by Representative Powell

AMENDMENT NO. 1

On page 1, line 2, after "R.S.37:" insert "2802(A) and (C), and"

AMENDMENT NO. 2

On page 1, line 6, after the semicolon ";" insert "to provide for the qualifications of board members; to provide for the procedure for the filing of vacancies on the board;"

AMENDMENT NO. 3

On page 2, after line 10, add the following:

"Section 3. R.S. 37:3802(A) and (C) are hereby amended and reenacted to read as follows:

§2802. Board of chiropractic examiners

A. (1) The Louisiana Board of Chiropractic Examiners is hereby created within the Department of Health and ~~Human Resources Hospitals~~ and is subject to the provisions of R.S. 36:803. The board shall be composed of seven members who shall each be appointed by the governor from a list of three names submitted to him by the board as provided in R.S. 37:2801(C). All seven members shall be chiropractors licensed under the provisions of this Chapter, and at no time shall more than two of the seven chiropractors be from the same congressional district, who have been continuously engaged in the practice of chiropractic in this state for at least five years; however, the initial members required to be chiropractors shall be persons who are eligible to be licensed under the provisions of this Chapter.

(2) To be eligible for appointment to the board, a chiropractor shall:

(a) Be actively engaged in the practice of chiropractic.

(b) Have practiced in this state for a minimum of five consecutive years.

(3) The initial members shall be appointed within thirty days after July 31, 1974, to serve for terms of one, two, three, and four years, as designated by the governor at the time of appointment. Thereafter, the terms of member shall be four years each or until the successor of each member takes office.

\* \* \*

C.(1) Any vacancy occurring in the membership of the board, except by expiration of the term, shall be filled for the unexpired term in the manner provided in Subsection A of this Section. Whenever a vacancy shall occur among the members of the board, the chiropractors who are licensed by this state and bona fide residents of the state, shall select from among their number three eligible nominees whose names shall be submitted to the governor. From this list of names, the governor shall select and appoint one eligible person to fill the vacancy in question.

(2)(a) For the purpose of preparing the list of nominees, the board shall properly forward to each chiropractor licensed by the state of Louisiana, and residing in the state, an appropriate ballot bearing his or her individual chiropractic license number. The ballot, or accompanying communication, shall indicate the purpose of the ballot, notify the doctor of his right to nominate three persons for consideration by the governor, and provide sufficient instructions for completion and submission of the ballot. The ballot shall also indicate the date, time, and place for the counting of the ballots. Ballots shall be counted at a gathering open to the public and the board shall certify to the governor the names of the three nominees receiving the greatest number of votes.

(b) Each licensee must list three nominees in order for his ballot to be valid, and any ballot indicating votes for more or less than three

nominees shall be null and void. A separate ballot shall be issued for each individual vacancy occurring on the board.

(c) Nominations shall be made by mail ballot at least sixty days prior to the occurrence of a vacancy by reason of the expiration of a term, or within thirty days following a vacancy occurring by any other cause.

Section 4. The members of the Louisiana Board of Chiropractic Examiners in office on the effective date of this Act shall remain in office until the expiration of their terms; however, their successors shall be appointed as provided in this Act. Notwithstanding the provisions of R.S. 37:2802(C)(2)(c) to the contrary, nominations by mail ballot for the successor of the member whose term expires on July 31, 1997, shall be made no later than sixty days after the effective date of this Act.

Section 5. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

Senator Jordan moved adoption of the amendments.

Senator Guidry objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

|          |          |           |
|----------|----------|-----------|
| Branch   | Dardenne | Jones     |
| Campbell | Greene   | Jordan    |
| Casanova | Hainkel  | Landry    |
| Cravins  | Hollis   | Robichaux |
| Total—12 |          |           |

NAYS

|           |           |            |
|-----------|-----------|------------|
| Bean      | Guidry    | Short      |
| Cain      | Heitmeier | Siracusa   |
| Cox       | Hines     | Smith      |
| Dean      | Johnson   | Tarver     |
| Dyess     | Lambert   | Theunissen |
| Ellington | Lentini   | Ullo       |
| Fields    | Malone    |            |
| Total—20  |           |            |

ABSENT

|               |        |          |
|---------------|--------|----------|
| Mr. President | Barham | Schedler |
| Bagneris      | Irons  |          |
| Bajoie        | Romero |          |
| Total—7       |        |          |

The Chair declared the amendments were rejected.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

|               |           |         |
|---------------|-----------|---------|
| Mr. President | Dyess     | Lambert |
| Bagneris      | Ellington | Landry  |
| Bajoie        | Fields    | Lentini |
| Barham        | Greene    | Malone  |

|          |           |            |
|----------|-----------|------------|
| Bean     | Guidry    | Robichaux  |
| Branch   | Hainkel   | Romero     |
| Cain     | Heitmeier | Schedler   |
| Campbell | Hines     | Short      |
| Casanova | Hollis    | Siracusa   |
| Cox      | Irons     | Smith      |
| Cravins  | Johnson   | Tarver     |
| Dardenne | Jones     | Theunissen |
| Dean     | Jordan    | Ullo       |

Total—39

NAYS

Total—0

ABSENT

Total—0

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

**HOUSE BILL NO. 1959—**

BY REPRESENTATIVES LONG, CLARKSON, CRANE, DEVILLE, DEWITT, HEBERT, HOPKINS, LEBLANC, MCDONALD, PRATT, RIDDLE, SCALISE, THOMPSON, THORNHILL, TRICHE, AND WINDHORST AND SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 39:1489, 1497(introductory paragraph), and 1500 and to enact R.S. 39:1496(C) and 1497(5) through (8), relative to state procurement of professional, personal, consulting, and social services; to provide for additional certification, monitoring, and reporting requirements relative to professional, personal, consulting, and social service contracts; to authorize establishment of procurement support teams for consulting services; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Ullo sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Smith to Reengrossed House Bill No. 1959 by Representative Long, et al

AMENDMENT NO. 1

On page 5, between lines 7 and 8, insert the following:

"\* \* \*

§1502.1 Exemptions

Contracts awarded by an agency for the benefit of an industry, payment of which comes from self-generated funds received from that industry, are exempt from the requirements of this part provided that any such contract is awarded through a competitive process."

On motion of Senator Ullo, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

|          |           |           |
|----------|-----------|-----------|
| Bagneris | Fields    | Lentini   |
| Bajoie   | Greene    | Malone    |
| Barham   | Guidry    | Robichaux |
| Bean     | Heitmeier | Romero    |

June 18, 1997

|          |         |            |
|----------|---------|------------|
| Branch   | Hines   | Schedler   |
| Cain     | Hollis  | Short      |
| Campbell | Irons   | Siracusa   |
| Casanova | Johnson | Smith      |
| Cox      | Jones   | Tarver     |
| Dardenne | Jordan  | Theunissen |
| Dean     | Lambert | Ullo       |
| Dyess    | Landry  |            |

Total—35

NAYS

Total—0

ABSENT

|               |           |
|---------------|-----------|
| Mr. President | Ellington |
| Cravins       | Hainkel   |

Total—4

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

**HOUSE BILL NO. 1948—**  
BY REPRESENTATIVE WIGGINS  
AN ACT

To amend and reenact R.S. 37:1106, relative to the Louisiana Licensed Professional Counselors Board of Examiners; to provide for fees and the amount of such fees to be collected by the Louisiana Licensed Professional Counselors Board of Examiners; to provide for late fees; to provide for the method of payment for such fees; to authorize the board to assess costs connected with disciplinary actions; to authorize the board to collect fines not to exceed a certain amount; 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

|           |           |            |
|-----------|-----------|------------|
| Bagneris  | Fields    | Landry     |
| Bajoie    | Greene    | Lentini    |
| Barham    | Guidry    | Malone     |
| Bean      | Hainkel   | Robichaux  |
| Branch    | Heitmeier | Romero     |
| Cain      | Hines     | Schedler   |
| Campbell  | Hollis    | Short      |
| Casanova  | Irons     | Siracusa   |
| Cox       | Johnson   | Smith      |
| Dardenne  | Jones     | Tarver     |
| Dyess     | Jordan    | Theunissen |
| Ellington | Lambert   | Ullo       |

Total—36

NAYS

Dean  
Total—1

ABSENT

|               |         |
|---------------|---------|
| Mr. President | Cravins |
|---------------|---------|

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.

**HOUSE BILL NO. 1975—**  
BY REPRESENTATIVE MONTGOMERY  
AN ACT

To amend and reenact R.S. 11:2175(E)(1), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to reemployment after retirement; to provide income limits during reemployment on a part-time basis; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

|          |           |            |
|----------|-----------|------------|
| Bagneris | Ellington | Landry     |
| Bajoie   | Fields    | Lentini    |
| Barham   | Greene    | Malone     |
| Bean     | Guidry    | Robichaux  |
| Branch   | Hainkel   | Romero     |
| Cain     | Heitmeier | Schedler   |
| Casanova | Hines     | Short      |
| Cox      | Hollis    | Siracusa   |
| Cravins  | Johnson   | Smith      |
| Dardenne | Jones     | Tarver     |
| Dean     | Jordan    | Theunissen |
| Dyess    | Lambert   | Ullo       |

Total—36

NAYS

Total—0

ABSENT

|               |          |       |
|---------------|----------|-------|
| Mr. President | Campbell | Irons |
|---------------|----------|-------|

Total—3

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

**HOUSE BILL NO. 1915—**  
BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact R.S. 15:571.3(A)(1), relative to the diminution of prison sentences for good behavior; to provide for the rate of good time for certain prisoners in parish prisons; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Dean Jordan Ullo  
 Total—39  
 NAYS  
 Total—0  
 ABSENT  
 Total—0

Dyess Lambert  
 Total—38  
 NAYS  
 Total—0  
 ABSENT  
 Cravins  
 Total—1

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

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

**HOUSE BILL NO. 1707—**

BY REPRESENTATIVE RIDDLE

AN ACT

To enact Part VII of Chapter 12 of Title 40 of the Louisiana Revised Statutes of 1950, to consist of R.S. 40:2254.1 through 2254.12, relative to certificates of public advantage; to authorize certain health care facilities and providers to enter into cooperative, merger, joint venture, and consolidation agreements; to authorize the Department of Justice to provide immunity to health care providers to enter agreements that might otherwise be considered violations of antitrust laws through certificates of public advantage; to specify the agreements eligible for such certificates; to provide for the types of health care providers eligible; to provide for an application process; to provide for grounds for approval, denial, or revocation of a certificate; to provide for denial, appeal of denial, and amendment of such certificate; to provide for powers and duties of the Department of Justice and the attorney general related to certificates, including recordkeeping, rulemaking, enforcement of terms and conditions of agreements, and the imposition of fees; and to provide for related matters.

**HOUSE BILL NO. 1932—**

BY REPRESENTATIVES MCDONALD, DOWNER, BARTON, BAUDOIN, CRANE, DOERGE, HILL, KENNEY, LONG, POWELL, PRATT, AND SHAW AND SENATOR EWING

AN ACT

To amend and reenact R.S. 17:3042.1(A)(3) and (4), (B), (C), and (D) and 3042.2(A) and (B) and to enact R.S. 17:3042.1(A)(5), relative to loans for students enrolled in collegiate teacher preparation programs; to provide relative to eligibility requirements including certain test scores and grade point averages; to provide relative to the authority of the commission to make such loans; to remove a provision relative to grade point average requirement exceptions; to provide relative to loan amounts for certain applicants; to remove provisions relative to loans for graduate school students; and to provide for related matters.

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

**Floor Amendments Sent Up**

Senator Schedler sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Schedler to Reengrossed House Bill No. 1707 by Senator Riddle

**AMENDMENT NO. 1**

Delete Senate Committee Amendment Nos. 2 and 3 proposed by the Senate committee on Health and Welfare and adopted by the Senate on June 5, 1997, in its entirety.

On motion of Senator Schedler, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total—39  
 NAYS

Total—0  
 ABSENT

Total—0

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

**HOUSE BILL NO. 1187—**

BY REPRESENTATIVE PRATT

AN ACT

To enact R.S. 17:436(D), relative to performing noncomplex health procedures; to require city and parish school boards to provide safety equipment, materials, and supplies to employees performing noncomplex health procedures; to specify such safety equipment,

June 18, 1997

materials, and supplies to be provided; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fields, Lentini, Bagneris, Greene, Malone, Bajoie, Guidry, Robichaux, Bean, Hainkel, Romero, Branch, Heitmeier, Schedler, Cain, Hines, Short, Campbell, Hollis, Siracusa, Casanova, Irons, Smith, Cox, Johnson, Tarver, Dardenne, Jones, Theunissen, Dean, Jordan, Ullo, Dyess, Lambert, Ellington, Landry, Total—37

NAYS

Total—0

ABSENT

Table with 2 columns: Barham, Cravins, Total—2

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

HOUSE BILL NO. 429— BY REPRESENTATIVE WARNER A JOINT RESOLUTION

Proposing to add Article VIII, Section 16 of the Constitution of Louisiana, to authorize the legislature to provide for the creation, governance, management, and control of a community college system and for the transfer of the supervision and control of certain educational institutions and programs; to provide certain preconditions for enacting legislation creating a community college system; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—36

NAYS

Total—0

ABSENT

Table with 3 columns: Mr. President, Cravins, Hainkel, Total—3

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

Rules Suspended

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

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

The following House 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 Bagneris asked that House Bill No. 1173 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1173 (Duplicate of Senate Bill No. 669)— BY REPRESENTATIVE FORSTER AND SENATOR BAGNERIS AND COAUTHORED BY REPRESENTATIVE MURRAY AN ACT

To amend and reenact R.S. 38:336(B)(2), relative to levee districts; to provide for two exceptions to the requirement that the Board of Commissioners of the Orleans Levee District reserve and dedicate forever a continuous strip of land for public parks, parkways, boulevards, playgrounds, aviation fields, and places of amusement along the entire frontage of Lake Pontchartrain; to provide which areas will be the subject of the exceptions; 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

Table with 3 columns: Mr. President, Fields, Lentini, Bagneris, Greene, Malone, Bajoie, Guidry, Robichaux, Barham, Hainkel, Romero, Bean, Heitmeier, Schedler, Branch, Hines, Short, Cain, Hollis, Siracusa, Campbell, Irons, Smith, Cox, Johnson, Tarver, Cravins, Jones, Theunissen, Dardenne, Jordan, Ullo, Dean, Lambert, Dyess, Landry, Total—37

NAYS

Total—0

ABSENT

Casanova Ellington  
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.

**Called from the Calendar**

Senator Dardenne asked that House Bill No. 635 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 635—**  
BY REPRESENTATIVES BRUNEAU, DOWNER, LANCASTER, MICHOT, AND SCALISE

AN ACT

To amend and reenact R.S. 18:562 and R.S. 40:1321(C), relative to elections; to require an applicant to vote to present a picture identification card; to provide that a person not having a picture identification card may sign an affidavit; to provide for the procedure commissioners are to follow for identifying applicants to vote; to provide special identification cards free of charge to certain registered voters; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Dyess     | Malone     |
| Bagneris      | Ellington | Robichaux  |
| Barham        | Greene    | Romero     |
| Bean          | Hainkel   | Schedler   |
| Branch        | Heitmeier | Short      |
| Cain          | Hines     | Siracusa   |
| Casanova      | Hollis    | Smith      |
| Cox           | Jordan    | Tarver     |
| Cravins       | Lambert   | Theunissen |
| Dardenne      | Landry    | Ullo       |
| Dean          | Lentini   |            |
| Total—32      |           |            |

NAYS

|         |         |       |
|---------|---------|-------|
| Bajoie  | Irons   | Jones |
| Guidry  | Johnson |       |
| Total—5 |         |       |

ABSENT

Campbell Fields  
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.

**Called from the Calendar**

Senator Siracusa asked that House Bill No. 2037 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 2037—**  
BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 40:1846(D) and (E) and to enact R.S. 40:1842(10), (11), and (12) and 1846(G), relative to the Liquefied Petroleum Gas Commission; to provide relative to manufacturers, dealers, and resellers of liquefied petroleum gas; to provide definitions, requirements, and exclusions; to provide for the obtaining of a permit and payment of a permit fee by certain persons; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

|         |        |
|---------|--------|
| Dean    | Guidry |
| Total—2 |        |

ABSENT

Total—0

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

**Called from the Calendar**

Senator Dardenne asked that House Bill No. 1564 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 1564—**  
BY REPRESENTATIVES DOWNER, R. ALEXANDER, BARTON, COPELIN, DEVILLE, DIMOS, DUPRE, FLAVIN, FONTENOT, FORSTER, HUNTER, JOHNS, LANCASTER, LEBLANC, MCCAIN, MCDONALD, MCMAINS, MICHOT, PIERRE, SCALISE, JOHN SMITH, STELLY, TRICHE, WALSWORTH, WELCH, WIGGINS, WINDHORST, WINSTON, ANSARDI, BAUDOIN, BAYLOR, BRUCE, CARTER, CLARKSON, CRANE, DAMICO, DOERGE, DONELON, DURAND, FARVE, FAUCHEUX, FRITH, FRUGE, GUILLORY, HAMMETT, HEBERT, HILL, HOLDEN, JETSON, KENNARD, KENNEY, LANDRIEU, LONG, MARIONNEAUX, MARTINY, MCCALLUM, MITCHELL, MONTGOMERY, MORRELL, ODINET, PERKINS, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, ROUSSELLE, SALTER, SHAW, THOMAS, THOMPSON, THORNHILL, TRAVIS, VITTER, WARNER, WILLARD-LEWIS, AND WRIGHT

AN ACT

To enact R.S. 24:15, relative to the legislature; to create the Broadcast Education Network; to provide for the responsibilities and functions of the legislature and the Louisiana Educational Television Authority in relation thereto; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ewing to Reengrossed House Bill No. 1564 by Representative Downer

AMENDMENT NO. 1

On page 1, line 4, between "legislature" and "and" insert ", the Legislative Budgetary Control Council,"

AMENDMENT NO. 2

On page 2, line 3, between "legislature" and the period "." insert ", the development and implementation thereof being consistent with, and pursuant to, policy adopted by the Legislative Budgetary Control Council"

AMENDMENT NO. 3

On page 2, line 9, between "possible" and the comma "," insert "and consistent with, and pursuant to, policy adopted by the Legislative Budgetary Control Council"

AMENDMENT NO. 4

On page 2, line 20, between "legislature" and the period "." insert "consistent with, and pursuant to, policy adopted by the Legislative Budgetary Control Council"

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

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

ROLL CALL

The roll was called with the following result:

|               |           |            |
|---------------|-----------|------------|
|               | YEAS      |            |
| Mr. President | Ellington | Landry     |
| Bagneris      | Fields    | Lentini    |
| Bajoie        | Greene    | Malone     |
| Barham        | Guidry    | Robichaux  |
| Bean          | Hainkel   | Romero     |
| Branch        | Heitmeier | Schedler   |
| Cain          | Hines     | Short      |
| Campbell      | Hollis    | Siracusa   |
| Casanova      | Irons     | Smith      |
| Cox           | Johnson   | Tarver     |
| Dardenne      | Jones     | Theunissen |
| Dean          | Jordan    | Ullo       |
| Dyess         | Lambert   |            |
| Total—38      |           |            |
|               | NAYS      |            |
| Total—0       |           |            |
|               | ABSENT    |            |
| Cravins       |           |            |
| Total—1       |           |            |

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

Called from the Calendar

Senator Cravins asked that House Bill No. 785 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 785—

BY REPRESENTATIVES HUDSON AND MURRAY  
AN ACT

To amend and reenact R.S. 22:657(A), (D), and (F)(2) and to enact R.S. 22:2027(E), relative to health maintenance organizations; to provide for payment of claims within a certain time period; to provide for prospective review; to provide for penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Reengrossed House Bill No. 785 by Representative Hudson

AMENDMENT NO. 1

On page 1, at the end of line 2, insert "22:2004.1,"

AMENDMENT NO. 2

On page 1, line 3, after "(E)," insert "and R.S. 40:2207"

AMENDMENT NO. 3

On page 1, line 3, after "organizations;" insert "to require health organizations and preferred provider organizations to provide coverage for the expenses of interpreters for hearing impaired enrollees and covered patients;"

AMENDMENT NO. 4

On page 1, line 9, after "R.S." insert "22:2004.1," and after "(E)" insert "and R.S. 40:2207"

AMENDMENT NO. 5

On page 6, after line 25, insert the following:

"§2004.1. Hearing impaired interpreter expenses; requirement

As a requirement for authorization to do business in this state pursuant to R.S. 22:2004, all health maintenance organizations shall provide coverage for expenses incurred by any hearing impaired enrollee for services performed by a qualified interpreter/transliterater, other than a family member of the enrollee, when such services are used by the enrollee in connection with medical treatment or diagnostic consultations performed by a health care provider.

\* \* \*

AMENDMENT NO. 6

On page 7, after line 16, insert the following:

"§2207. Hearing impaired interpreter expenses; coverage

**R.S. 40:2207 is all proposed new law.**

As a requirement for authorization to do business in this state pursuant to R.S. 40:2203, all preferred provider organizations shall provide coverage for expenses incurred by any hearing impaired covered patient for services performed by a qualified interpreter/transliterater, other than a family member of the covered patient, when such services are used by the covered patient in connection with medical treatment or diagnostic consultations performed by a health care provider."

On motion of Senator Landry, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Dyess     | Lambert    |
| Bagneris      | Ellington | Landry     |
| Bajoie        | Fields    | Lentini    |
| Barham        | Greene    | Malone     |
| Bean          | Guidry    | Robichaux  |
| Branch        | Hainkel   | Romero     |
| Cain          | Heitmeier | Schedler   |
| Campbell      | Hines     | Short      |
| Casanova      | Hollis    | Siracusa   |
| Cox           | Irons     | Smith      |
| Cravins       | Johnson   | Tarver     |
| Dardenne      | Jones     | Theunissen |
| Dean          | Jordan    | Ullo       |
| Total—39      |           |            |

**NAYS**

Total—0

**ABSENT**

Total—0

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

**Called from the Calendar**

Senator Robichaux asked that House Bill No. 1316 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 1316—**

BY REPRESENTATIVE KENNEY  
AN ACT

To enact R.S. 56:108, relative to hunting; to provide relative to the taking of deer; to prohibit the taking of doe for three years under certain circumstances; to provide penalties; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Hines sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hines to Reengrossed House Bill No. 1316 by Representative Kenney

**AMENDMENT NO. 1**

On page 1, line 15, between "DMAP" and the period ".", insert ", or within any wildlife management area located within or adjacent to the parishes or precincts described herein"

On motion of Senator Hines, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Barham Ellington

Total—2

**ABSENT**

Theunissen

Total—1

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

**Called from the Calendar**

Senator Romero asked that House Bill No. 1987 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 1987—**

BY REPRESENTATIVE JOHN SMITH  
AN ACT

To amend and reenact R.S. 56:326(A)(introductory paragraph), relative to fishing; to provide relative to size and possession limits for commercial fish; to delete references to certain repealed sections of law; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Dyess     | Lambert    |
| Bagneris      | Ellington | Landry     |
| Bajoie        | Fields    | Lentini    |
| Barham        | Greene    | Malone     |
| Bean          | Guidry    | Robichaux  |
| Branch        | Hainkel   | Romero     |
| Cain          | Heitmeier | Schedler   |
| Campbell      | Hines     | Short      |
| Casanova      | Hollis    | Siracusa   |
| Cox           | Irons     | Smith      |
| Cravins       | Johnson   | Tarver     |
| Dardenne      | Jones     | Theunissen |
| Dean          | Jordan    | Ullo       |
| Total—39      |           |            |

**NAYS**

June 18, 1997

Total—0

ABSENT

Total—0

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

Called from the Calendar

Senator Dardenne asked that House Bill No. 2456 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 2456— BY REPRESENTATIVE WINDHORST AN ACT

To amend and reenact R.S. 49:969, relative to the Administrative Procedure Act; to provide relative to the publication of concurrent resolutions adopted by the legislature affecting rules, regulations, or fees adopted by an agency; to provide for the effectiveness of such changes; to change the time period for the proposal of rules similar to disapproved rules; and to provide for related matters.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed House Bill No. 2456 by Representative Windhorst

AMENDMENT NO. 1 On page 2, line 11, delete "the provisions of"

AMENDMENT NO. 2 On page 2, line 13, change "rules" to "any rule"

On motion of Senator Heitmeier, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Greene

Total—1

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

HOUSE BILL NO. 2098— BY REPRESENTATIVE DEWITT AN ACT

To amend and reenact R.S. 40:1379.3(H), relative to concealed handgun permits; to provide for the issuance of concealed handgun permits for up to four years; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—39

NAYS

Total—0

ABSENT

Total—0

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

HOUSE BILL NO. 715— BY REPRESENTATIVES DAMICO AND MURRAY AN ACT

To amend and reenact R.S. 4:169(A)(1) and (B), relative to license fees charged by the racing commission; to increase certain fees; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bean Heitmeier Johnson
Fields Hines Malone
Guidry Irons Ullo

Total—9

NAYS

Bagneris Dean Robichaux
Bajoie Dyess Romero

|               |           |            |
|---------------|-----------|------------|
| Barham        | Ellington | Schedler   |
| Branch        | Greene    | Short      |
| Cain          | Hollis    | Siracusa   |
| Campbell      | Jones     | Smith      |
| Casanova      | Jordan    | Tarver     |
| Cox           | Lambert   | Theunissen |
| Cravins       | Landry    |            |
| Dardenne      | Lentini   |            |
| Total—28      |           |            |
|               | ABSENT    |            |
| Mr. President | Hainkel   |            |
| Total—2       |           |            |

The Chair declared the bill failed to pass.

**Notice of Reconsideration**

Senator Heitmeier, pursuant to Senate Rule Number 11.12, gave notice that before the expiration of the Morning Hour of the next succeeding legislative day of the Senate, he would move to reconsider the vote by which the bill failed to pass.

**HOUSE BILL NO. 521—**

BY REPRESENTATIVE DUPRE

AN ACT

To amend and reenact R.S. 32:661(A) and (C)(1), 661.1(A) and (C)(1), 662, 666(A)(3), 667(B)(1), and 668(A)(1) and (4) and (B)(1)(a)(introductory paragraph) and (b), and to enact R.S. 32:667(B)(5) and 668(B)(1)(d), relative to the Implied Consent Law; to provide for substances for which tests may be administered; to provide for the consequences, including driver's license suspensions, of submitting to or refusing to submit to such tests; to provide for the method of measuring blood alcohol concentration or level; to provide for the levels of blood alcohol concentration; to provide for administrative hearing procedures; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lentini sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lentini to Reengrossed House Bill No. 521 by Senator Dupre

AMENDMENT NO. 1

On page 9, line 9, delete "until he"

AMENDMENT NO. 2

On page 9, line 10, delete "reaches the age of eighteen or" and change "one hundred eighty" to "ninety"

AMENDMENT NO. 3

On page 9, line 11, after "suspension" delete the remainder of the line and insert a period "."

On motion of Senator Lentini, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

|          |           |        |
|----------|-----------|--------|
| Bagneris | Ellington | Landry |
|----------|-----------|--------|

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

NAYS

Total—0

ABSENT

|               |
|---------------|
| Mr. President |
| Total—1       |

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

**HOUSE BILL NO. 1905—**

BY REPRESENTATIVE WESTON

AN ACT

To amend and reenact R.S. 17:202(D) and 204, relative to the In-School Intervention Pilot Program; to extend the termination date of the program; to provide for participation of additional schools; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Dyess     | Lambert    |
| Bagneris      | Ellington | Landry     |
| Bajoie        | Fields    | Lentini    |
| Barham        | Greene    | Malone     |
| Bean          | Guidry    | Robichaux  |
| Branch        | Hainkel   | Romero     |
| Cain          | Heitmeier | Schedler   |
| Campbell      | Hines     | Short      |
| Casanova      | Hollis    | Siracusa   |
| Cox           | Irons     | Smith      |
| Cravins       | Johnson   | Tarver     |
| Dardenne      | Jones     | Theunissen |
| Dean          | Jordan    | Ullo       |
| Total—39      |           |            |

NAYS

Total—0

ABSENT

Total—0

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

June 18, 1997

**HOUSE BILL NO. 1644—**

BY REPRESENTATIVE VIITTE  
AN ACT

To amend and reenact R.S. 15:571.4(B)(2) and 574.4(I)(2), relative to forfeiture of diminution of sentence and parole; to remove maximum amount of good time forfeited if a condition of parole is violated; to provide that good time diminution of sentence which would have been earned if parole had not been granted is also forfeited for parole violations; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Fields    | Robichaux  |
| Barham        | Greene    | Romero     |
| Bean          | Guidry    | Schedler   |
| Branch        | Hainkel   | Short      |
| Cain          | Heitmeier | Siracusa   |
| Casanova      | Hines     | Smith      |
| Dardenne      | Hollis    | Tarver     |
| Dean          | Lambert   | Theunissen |
| Dyess         | Lentini   | Ullo       |
| Ellington     | Malone    |            |
| Total—29      |           |            |

**NAYS**

|          |         |        |
|----------|---------|--------|
| Bagneris | Johnson | Landry |
| Bajoie   | Jones   |        |
| Cravins  | Jordan  |        |
| Total—7  |         |        |

**ABSENT**

|          |     |       |
|----------|-----|-------|
| Campbell | Cox | Irons |
| Total—3  |     |       |

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

**HOUSE BILL NO. 2361—**

BY REPRESENTATIVES LANDRIEU AND WELCH  
AN ACT

To amend and reenact R.S. 33:2002(A), relative to extra compensation for firefighters; to clarify the application of certain training standards for supplemental pay eligibility; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

|          |         |            |
|----------|---------|------------|
| Cox      | Irons   | Smith      |
| Cravins  | Johnson | Tarver     |
| Dardenne | Jones   | Theunissen |
| Dean     | Jordan  | Ullo       |

Total—39

NAYS

Total—0

ABSENT

Total—0

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

**HOUSE BILL NO. 2365—**

BY REPRESENTATIVE GLOVER  
AN ACT

To enact R.S. 36:109(E)(4) and Chapter 16-A of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:1391 through 1401, relative to licensing and regulation of locksmiths; to create the State Licensing Board for Locksmiths; to provide for membership, terms, powers, and duties of the board; to provide for licensing of locksmiths; to provide for licensing fees; to provide for exemptions and exceptions to licensing requirements; to provide for license renewal, inactive status, denial, suspension, and revocation of licenses; to provide for an implementation period; to provide for prohibited activities and penalties for violations; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Fields sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Fields to Reengrossed House Bill No. 2365 by Representative Glover

AMENDMENT NO. 1

On page 1, line 2, after "To enact R.S." delete "36:109(E)(4)" and insert "36:409(C)(8)"

AMENDMENT NO. 2

On page 1, line 14, after "Section 1. R.S." delete "36:109(E)(4)" and insert "36:409(C)(8)"

AMENDMENT NO. 3

On page 1, delete lines 15 through 17 in their entirety, and on page 2, delete lines 1 through 6 in their entirety and insert the following:

"§409. Transfer of agencies to Department of Public Safety and Corrections

\* \* \*

C. The following agencies, as defined by R.S. 36:3, are transferred to and hereafter shall be within the Department of Public Safety and Corrections, as provided in R.S. 36:802:

\* \* \*

(8) State Licensing Board for Locksmiths (R.S. 37:1391 through 1401)"

AMENDMENT NO. 4

On page 4, line 16, after "Department of" delete "Economic Development," and insert "Public Safety and Corrections."

On motion of Senator Fields, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Smith sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Smith to Reengrossed House Bill No. 2365 by Representative Glover

AMENDMENT NO. 1

On page 3, line 21, delete "electronic, or electrically controlled"

AMENDMENT NO. 2

On page 3, line 24, after "blanks." delete the remainder of the line and delete lines 25 and 26 in their entirety

AMENDMENT NO. 3

On page 4, delete lines 1 through 4 in their entirety

On motion of Senator Smith, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|          |           |            |
|----------|-----------|------------|
| Bagneris | Dyess     | Jordan     |
| Bajoie   | Ellington | Landry     |
| Barham   | Fields    | Lentini    |
| Bean     | Greene    | Malone     |
| Branch   | Guidry    | Robichaux  |
| Cain     | Heitmeier | Romero     |
| Campbell | Hines     | Schedler   |
| Casanova | Hollis    | Short      |
| Cox      | Irons     | Siracusa   |
| Cravins  | Johnson   | Tarver     |
| Dardenne | Jones     | Theunissen |
| Total—33 |           |            |

**NAYS**

|         |       |
|---------|-------|
| Dean    | Smith |
| Lambert | Ullo  |
| Total—4 |       |

**ABSENT**

|               |         |
|---------------|---------|
| Mr. President | Hainkel |
| Total—2       |         |

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

**HOUSE BILL NO. 2391—**

BY REPRESENTATIVE WIGGINS  
AN ACT

To enact R.S. 13:1000 and 1908, relative to certain district and city courts; to provide for the assessment of additional costs in criminal matters for the support of court-appointed special advocate (CASA) programs; to provide for applicability to parishes with a population within a certain range; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

|          |          |
|----------|----------|
| Casanova | Schedler |
| Total—2  |          |

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

**HOUSE BILL NO. 1530—**

BY REPRESENTATIVE WINDHORST  
AN ACT

To amend and reenact R.S. 47:820.5(B)(2), relative to the uses of toll revenues from the Greater New Orleans Mississippi River Bridges; to provide for additional projects that may be funded by excess revenues; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

|          |
|----------|
| Siracusa |
| Total—1  |

June 18, 1997

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

**HOUSE BILL NO. 2466—**  
BY REPRESENTATIVE CLARKSON  
AN ACT

To amend and reenact R.S. 46:56(F)(4)(c) and to enact R.S. 46:1425, relative to child care facilities; to require the Department of Social Services to provide certain information related to child care facilities; to provide for the release of confidential information pertaining to child abuse investigations; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Bagneris sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Bagneris to Engrossed House Bill No. 2466 by Representative Clarkson

AMENDMENT NO. 1

On page 2, line 23, between "pled" and "nolo" insert "guilty or"

On motion of Senator Bagneris, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total—38

**NAYS**

Total—0

**ABSENT**

Short  
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Bajoie 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 taking up at this time.

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

The following House 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 Schedler asked that House Bill No. 1088 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 1088—**  
BY REPRESENTATIVE WIGGINS  
AN ACT

To amend and reenact R.S. 9:2799.5(A), (B), and (D), relative to offenses and quasi offenses; to limit liability of health care providers, who gratuitously render services in or for community health care clinics, if prior notice of the limitation of liability is given to the person receiving services; to delete obsolete reference to certain health care providers; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Jordan sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Jordan to Reengrossed House Bill No. 1088 by Representative Wiggins

AMENDMENT NO. 1

On page 2, line 6, after "care clinic" delete the remainder of the line and delete line 7 in its entirety and on line 8, delete "care clinic"

AMENDMENT NO. 2

On page 2, line 16, after "care clinic" delete "or health care provider" and on line 18 delete "(a)"

AMENDMENT NO. 3

On page 3, delete lines 1 through 12 in their entirety

On motion of Senator Jordan, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total—39

**NAYS**

Total—0

ABSENT

Total—0

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

Called from the Calendar

Senator Cravins asked that House Bill No. 2219 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 2219— BY REPRESENTATIVES LANDRIEU, MURRAY, AND HOLDEN AN ACT

To amend and reenact R.S. 22:215.11, relative to health and accident insurance; to provide coverage for mammography examinations by health plans; to require certain diagnostic screening for prostate cancer; and to provide for related matters.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Reengrossed House Bill No. 2219 by Representative Landrieu, et a3

AMENDMENT NO. 1 On page 1, line 2, after "R.S. 22:215.11" insert "and 2029(1)"

AMENDMENT NO. 2 On page 1, line 3, after "insurance" insert "and dental referral plans"

AMENDMENT NO. 3 On page 1, line 4, after "cancer;" insert "to provide relative to dental care providers;"

AMENDMENT NO. 4 On page 1, line 7, after "R.S. 22:215.11" delete "is" and insert "and 2029(1) are"

AMENDMENT NO. 5 On page 4, between lines 21 and 22, insert the following:

§2029. Definitions As used in this Part, the following terms shall have the following meaning ascribed to them in this Section unless the context clearly indicates otherwise: (1) A "dental referral plan" shall be defined as a contractual plan that provides a list of dental care providers who have agreed to render treatment to enrollees at specific discounted fees. The plans may collect fees from enrollees, the dental care providers, or both employers, insurers, or health maintenance organizations. The plans shall not be deemed insurance, except as otherwise indicated by law.

On motion of Senator Cravins, the amendments were adopted.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 2219 by Representative Landrieu

AMENDMENT NO. 1 Delete Senate Committee Amendment No. 1 proposed by the Senate Committee on Insurance and approved by the Senate on Wednesday, June 4, 1997.

Senator Heitmeier moved adoption of the amendments.

Senator Cravins objected.

ROLL CALL

The roll was called with the following result:

Table with 3 columns: Branch, YEAS, NAYS. Lists names of members and their counts for various amendments.

Table with 3 columns: Branch, YEAS, NAYS. Lists names of members and their counts for various amendments.

Table with 2 columns: Mr. President, NAYS. Lists names of members and their counts.

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

Table with 3 columns: Branch, YEAS, NAYS. Lists names of members and their counts for various amendments.

Table with 3 columns: Branch, YEAS, NAYS. Lists names of members and their counts for various amendments.

Table with 2 columns: Branch, NAYS. Lists names of members and their counts.

June 18, 1997

Mr. President  
Total—1

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

**Called from the Calendar**

Senator Johnson asked that House Bill No. 1928 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 1928—**  
BY REPRESENTATIVE ODINET  
AN ACT

To enact R.S. 47:322.1, relative to the state sales tax on hotel occupancy in parishes with a population of over four hundred seventy-five thousand; to establish a special fund in the state treasury; to provide for deposit of monies into the fund and allowable uses of monies in the fund; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Johnson sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Johnson to Re-reengrossed House Bill No. 1928 by Representative Odinet

AMENDMENT NO. 1

On page 2, line 3 after "New Orleans" delete the remainder of the line and delete line 4 and insert "Area Tourism and Economic Development Fund."

AMENDMENT NO. 2

On page 2, line 5, after "New Orleans" delete the remainder of the line and delete lines 7 through 10 and insert:

"Area Tourism and Economic Development Fund shall be appropriated and distributed each fiscal year only for the following purposes and in the following amounts:

- (a) To the New Orleans Sports Foundation, \$530,000.00.
- (b) To the secretary of the Department of Culture, Recreation, and Tourism for tourism and economic development in New Orleans, \$600,000
- (c) To the University of New Orleans, Metropolitan College, for tourism and economic development in New Orleans, especially training and education in tourism and state and municipal economics, \$600,000.
- (d) To the Downtown Development District of the City of New Orleans, \$400,000.
- (e) To the Audubon Park Commission, \$100,000.
- (f) To the office of the lieutenant governor for the New Orleans Visitor and Information Center, \$500,000.
- (g) To the board of commissioners of the New Orleans City Park Improvement Association, \$200,000.
- (h) To the secretary of the Department of Culture, Recreation, and Tourism for tourism and economic development in New Orleans, \$200,000
- (i) To the Algiers Economic Development Foundation, \$200,000.

(j) To the New Orleans Business and Industrial District, the remainder of the money in the fund after the other distributions provided for in this Paragraph (B)(1).

AMENDMENT NO. 3

On page 2, at the beginning of line 11, insert "C."

AMENDMENT NO. 4

On page 2, line 15, delete "state general"

On motion of Senator Johnson, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Dyess     | Lambert    |
| Bagneris      | Ellington | Landry     |
| Bajoie        | Fields    | Lentini    |
| Barham        | Greene    | Malone     |
| Bean          | Guidry    | Robichaux  |
| Branch        | Hainkel   | Romero     |
| Cain          | Heitmeier | Schedler   |
| Campbell      | Hines     | Short      |
| Casanova      | Hollis    | Siracusa   |
| Cox           | Irons     | Smith      |
| Cravins       | Johnson   | Tarver     |
| Dardenne      | Jones     | Theunissen |
| Dean          | Jordan    | Ullo       |
| Total—39      |           |            |

**NAYS**

Total—0

**ABSENT**

Total—0

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

**Called from the Calendar**

Senator Landry asked that House Bill No. 2073 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 2073—**  
BY REPRESENTATIVE FAUCHEUX  
AN ACT

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

**Floor Amendments Sent Up**

Senator Landry sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Landry to Reengrossed House Bill No. 2073 by Representative Fauchaux

AMENDMENT NO. 1

On page 1, line 13, after "than" change "ten thousand five" to "thirty-nine thousand three"

AMENDMENT NO. 2

On page 1, line 14, after "than" change "forty-nine" to "forty-one"

On motion of Senator Landry, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Lambert Total—1

ABSENT

Siracusa Total—1

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

Called from the Calendar

Senator Cox asked that House Bill No. 935 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 935—

BY REPRESENTATIVE JOHNS

AN ACT

To enact R.S. 22:229.2, relative to health insurance; to prohibit discrimination against recovered or rehabilitated alcoholics; and to provide for related matters.

Floor Amendments Sent Up

Senator Cox sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cox to Reengrossed House Bill No. 935 by Representative Johns

AMENDMENT NO. 1

On page 1, line 2, after "229.2" insert "and 229.3"

AMENDMENT NO. 2

On page 1, line 3, after "alcoholics;" insert the following:

"to require that an impact report be prepared by the legislative auditor and be attached to proposed legislation which provides for certain mandated health insurance coverage prior to any committee hearing on the legislation;"

AMENDMENT NO. 3

On page 1, line 6, after "229.2" delete "is" and insert in lieu thereof "and 229.3 are"

AMENDMENT NO. 4

On page 1, after line 17, insert the following:

"§523. Mandated health insurance benefits; impact reports

A. Every bill, joint resolution, or simple or concurrent resolution proposing any mandated health insurance coverage for health services, diseases, disabilities, or for certain providers of health care services, including but not limited to the State Employees' Group Benefits Program, shall have attached to it at the time of its consideration by any committee of either house of the legislature an impact report that assesses the social and financial effects of the proposed mandated coverage. For the purposes of this Section, mandated health insurance coverage shall include but not be limited to any legislative proposal which either mandates the inclusion of certain benefits, coverage, or reimbursement for covered health care services in accident and health insurance policies or provides for the mandatory offering of such benefits, coverage, or reimbursements in accident and health insurance policies. This report shall be attached to the original of each proposed bill or resolution which is reported favorably by any committee of either house of the legislature, but shall be separate therefrom, shall be clearly designated as an impact report, and shall not constitute a part of the law or other provisions or expression of legislative intent proposed by the bill or resolution.

B. The report required in Subsection A of this Section shall include, at the minimum and to the extent that information is available, the following:

(1) The extent to which such insurance coverage is already generally available.

(2) If coverage is not generally available, the extent to which the lack of coverage results in persons being unable to obtain the necessary health care treatment.

(3) If the coverage is not generally available, the extent to which the lack of coverage results in an unreasonable financial hardship on the persons needing treatment.

(4) The impact of indirect costs which are costs other than premiums and administrative costs on the question of the costs and benefits of coverage.

(5) The financial impact, including:

(a) The extent to which insurance coverage of the kind proposed would increase the cost of the treatment or service.

(b) The extent to which insurance coverage of health care service or provider can be reasonably expected to increase or decrease the insurance premium and administrative expenses of policyholders.

(c) The impact of this coverage on the total cost of health care.

(6) The effects of balancing the social and economic considerations, including:

(a) The extent to which the need for coverage outweighs the cost of mandating the benefit for all insured.

(b) The extent to which the problem of coverage may be solved by mandating the availability of the coverage as an option for the insured.

C.(1) The author of each bill or resolution shall present a copy of the bill or resolution, with his request for an impact report, to the legislative auditor who shall have the duty to prepare the report as promptly as possible. Impact reports

June 18, 1997

shall be prepared in the order of receipt of request for such reports.

(2) Preparing any report required by this Section shall not be the basis for any increase in money appropriated or staff employed by the legislative auditor.

D. The subject matter of bills or resolutions submitted to the legislative auditor for preparation of the required information for said impact report shall be kept in strict confidence, and no information relating thereto or relating to the fiscal or actuarial effect of any such measure shall be divulged by the legislative auditor or any of his employees prior to its consideration by any committee of either house of the legislature, except to the author or authors of the bill or resolution listed thereon at the time of receipt by the legislative auditor. Copies of the report may be furnished to the staff and to the chairman of the insurance committee of the house of origin of the bill or resolution, all of whom shall be subject to the provisions of this Subsection."

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

Total—37

NAYS

Hainkel Short
Total—2

ABSENT

Total—0

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.

Called from the Calendar

Senator Hollis asked that House Bill No. 1592 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1592—

BY REPRESENTATIVE TRAVIS

AN ACT

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

bond requirements; to provide relative to licensing procedure; to provide relative to records and examination by the commissioner; to provide relative to violations; and to provide for related matters.

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

Total—38

NAYS

Total—0

ABSENT

Hainkel
Total—1

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.

Called from the Calendar

Senator Cox asked that House Bill No. 872 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 872—

BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS

AN ACT

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

Floor Amendments Sent Up

Senator Cox sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cox to Engrossed House Bill No. 872 by Representative Dimos, et al

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact Civil Code Arts. 2315.1(D) and 2315.2(D), to enact Civil Code Arts. 2315.1(A)(4) and (E) and 2315.2(A)(4) and (E), and to"

AMENDMENT NO. 2

On page 1, line 3, after "relative to" insert "civil obligations, to provide for survival and wrongful death actions by grandparents; to provide for certain specific definitions; to provide for"

AMENDMENT NO. 3

On page 1, between lines 10 and 11 insert the following"

"Section 1. Civil Code Arts. 2315.1(D) and 2315.2(D) are hereby amended and reenacted and Civil Code Arts. 2315.1(A)(4) and (E) and 2315.2(A)(4) and (E) are hereby enacted to read as follows: Art. 2315.1 Survival action

A. If a person who has been injured by an offense or quasi offense dies, the right to recover all damages for injury to that person, his property or otherwise, caused by the offense or quasi offense, shall survive for a period of one year from the death of the deceased in favor of:

(4) The surviving grandfather and grandmother of the deceased, or either of them, if he left no spouse, child, parent, or sibling surviving.

D. As used in this Article, the words "child", "brother", "sister", "father" and "mother", "grandfather", and "grandmother" include a child, brother, sister, father, and mother, grandfather, and grandmother by adoption, respectively.

E. Notwithstanding the provisions of Paragraph A(2), if the deceased is a minor who has been abandoned by his surviving father or mother, or by both father and mother, if both survive him, then the other survivors enumerated in Paragraph A shall be entitled to the right to bring a survival action in lieu of the surviving father or mother.

Art. 2315.2 Wrongful death action

A. If a person dies due to the fault of another, suit may be brought by the following persons to recover damages which they sustained as a result of the death:

(4) The surviving grandfather and grandmother of the deceased, or either of them, if he left no spouse, child, parent, or sibling surviving.

D. As used in this Article, the words "child", "brother", "sister", "father" and "mother", "grandfather", and "grandmother" include a child, brother, sister, father, and mother, grandfather, and grandmother by adoption, respectively.

E. Notwithstanding the provisions of Paragraph A(2), if the deceased is a minor who has been abandoned by his surviving father or mother, or by both father and mother, if both survive him, then the other survivors enumerated in Paragraph A shall be entitled to the right to bring a survival action in lieu of the surviving father or mother.

AMENDMENT NO. 4

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

AMENDMENT NO. 5

On page 1, after line 12, insert the following:

"Section 3. The provisions of Section 1 of this Act shall apply only to a cause or right of action arising on or after its effective date."

On motion of Senator Cox, the amendments were adopted.

Floor Amendments Sent Up

Senator Cox sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cox to Engrossed House Bill No. 872 by Representative Dimos, et al

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and insert "amend and reenact Civil Code Arts. 2315.1(D) and 2315.2(D), to enact Civil Code Arts. 2315.1(A)(4) and (E) and 2315.2(A)(4) and (E), relative to the civil code, to provide for survival and wrongful death actions by grandparents; to provide for certain specific definitions; to provide for related matters"

AMENDMENT NO. 2

On page 1, delete lines 3 through 9 and insert the following:

"Section 1. Civil Code Arts. 2315.1(D) and 2315.2(D) are hereby amended and reenacted and Civil Code Arts. 2315.1(A)(4) and (E) and 2315.2(A)(4) and (E) are hereby enacted to read as follows: Art. 2315.1 Survival action

A. If a person who has been injured by an offense or quasi offense dies, the right to recover all damages for injury to that person, his property or otherwise, caused by the offense or quasi offense, shall survive for a period of one year from the death of the deceased in favor of:

(4) The surviving grandfather and grandmother of the deceased, or either of them, if he left no spouse, child, parent, or sibling surviving.

D. As used in this Article, the words "child", "brother", "sister", "father" and "mother", "grandfather", and "grandmother" include a child, brother, sister, father, and mother, grandfather, and grandmother by adoption, respectively.

E. Notwithstanding the provisions of Paragraph A(2), if the surviving father and mother, or either of them, abandoned the decedent when the decedent was a minor, then the abandoning parent or parents shall not be entitled to the right to bring a survival action. Instead, the other survivors shall be entitled to bring a survival action pursuant to Paragraph A.

Art. 2315.2 Wrongful death action

A. If a person dies due to the fault of another, suit may be brought by the following persons to recover damages which they sustained as a result of the death:

(4) The surviving grandfather and grandmother of the deceased, or either of them, if he left no spouse, child, parent, or sibling surviving.

D. As used in this Article, the words "child", "brother", "sister", "father" and "mother", "grandfather", and "grandmother" include a child, brother, sister, father, and mother, grandfather, and grandmother by adoption, respectively.

E. Notwithstanding the provisions of Paragraph A(2), if the surviving father and mother, or either of them, abandoned the decedent when the decedent was a minor, then the abandoning parent or parents shall not be entitled to the right to bring a survival action. Instead, the other survivors shall be entitled to bring a survival action pursuant to Paragraph A.

AMENDMENT NO. 3

On page 1, delete lines 11 and 12, insert the following:

"Section 2. The provisions of Section 1 of this Act shall apply only to a cause or right of action arising on or after its effective date."

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

June 18, 1997

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

Total—36

NAYS

Casanova

Hainkel

Total—2

ABSENT

Cravins

Total—1

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.

**Called from the Calendar**

Senator Dardenne asked that House Bill No. 1597 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 1597—**

BY REPRESENTATIVES BRUNEAU, LANCASTER, COPELIN, MURRAY, ROUSSELLE, SCALISE, WELCH, WINSTON, AND HUNTER

**AN ACT**

To amend and reenact R. S. 18:3(A)(3), 59(I)(2), 110(B)(1), 171, 171.1(A)(1), 176, 193(A), (B), (C), (E), and (F), 196(B)(3), 198(A), 402(F)(5), 431(A)(1)(a), 433(A)(1), (2), and (3) and (D), 434(B)(6), 467(2), 469(A), 532(B)(1) and (E), 532.1(B), (C)(1), (2)(a) and (3)(a), and (D), 551(B)(2) and (E), 553(B), 573(A)(3), 574(E)(1), 575(B), 591, 601, 602(E)(2)(a) and (d), 604(B)(2)(a) and (c), 621(B), 652(A), 654, 1278(B), 1279, 1280.22, 1285(B)(1), 1300(C)(2)(a), 1300.7(B), 1306(B), 1309(A)(2) and (D), 1313(B) and (I), 1314(C) and (D), 1402(C), 1495(B)(19) and (C), 1505.2(C)(1), 1903, and 1904, to enact R.S. 18:177, 401.1, 1307(E), and 1463(D) and (E), and to repeal R.S. 18:532.1(H) and 1399(A), relative to the election code; to make technical changes to the elections code; to require the date of birth to be included on petitions submitted to the registrar; to allow the use of temporary personnel to conduct absentee voting; to allow a change of registration or address between the primary and general elections for certain persons; to provide that a person moving within the parish will not be placed on the inactive list; to provide for procedures for notification of registrars of persons under an order of imprisonment; to provide a procedure for suspension of registration; to provide for a procedure for reinstatement of the registration of a person whose registration has been suspended; to provide with respect to the conduct of elections in the event of a state of emergency; to change the period of time that the clerk of court can conduct the annual course of instruction for commissioners; to require that during his term of office a commissioner-in-charge must remain a certified commissioner; to provide that a commissioner affiliated with each recognized political party will be assigned to each precinct in the parish provided there are such commissioners available; to provide with respect to the reopening of qualifying due to the death of a candidate; to provide for two separate ballots when the special election to fill a vacancy and the regularly scheduled election cover different geographic areas; to provide procedures for inspection and preparation of voting machines at the polling places; to allow for reinspection of voting machines and inspection of absentee

ballot flaps upon a candidate's written request; to provide for procedures for promulgation of election returns for candidates; to require inclusion of the qualifying dates in the proclamation calling an election to fill a vacancy; to eliminate the requirement to send certain notices by certified or registered mail; to clarify certain issues and procedures with respect to the presidential preference primary; to provide the deadline for submission of the notice and changes thereto for proposition elections; to provide with respect to certain procedures regarding absentee voting; to provide for the counting of absentee ballots; to provide that for informational purposes the registrar may assist the clerk of court in conducting the course of instruction for commissioners; to allow extension of absentee voting hours under certain circumstances; to allow the secretary of state and the commissioner of elections to present evidence in a contested election; to make technical changes relating to the candidate's reports under the Campaign Finance Disclosure Act; to remove references to repealed provisions; to provide for precinct freezes and other areas with respect to reapportionment; to provide the procedure for notice of challenge and cancellation of registration; to change the qualifying dates for congressional elections; to provide with respect to printing of ballots in uniform type; to provide penalties for distributing false political material; to provide with respect to filling of vacancies; to provide when resignations become effective; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Dardenne sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1597 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 2, after "110(B)(1)," and before "171," insert "154(C),"

AMENDMENT NO. 2

On page 2, line 2, after "list;" and before "to" insert "to prohibit the disclosure of a voter's social security number;"

AMENDMENT NO. 3

On page 3, line 18, after "110(B)(1)," and before "171," insert "154(C),"

AMENDMENT NO. 4

On page 5, between lines 4 and 5 insert the following:

"§154. Records open to inspection; copying; exception

\* \* \*

C. However, Notwithstanding the provisions of this Section, neither the registrar nor the Department of Elections and Registration shall disclose the social security number of a registered voter or circulate the social security numbers of registered voters on commercial lists.

\* \* \*

On motion of Senator Dardenne, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Ellington sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Ellington to Reengrossed House Bill No. 1597 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 11, between "401.1," and "1307(E)" insert "402(E)(4),"

AMENDMENT NO. 2

On page 3, line 25, between "401.1," and "1307(E)" insert "402(E)(4),"

AMENDMENT NO. 3

On page 16, between lines 18 and 19, insert the following:

"E. Special elections to fill newly created office or vacancy in office. An election to fill a newly created office or a vacancy in an existing office, except the office of state legislator or representative in congress, shall be held on the dates fixed by the appropriate authority in the proclamation ordering a special election as follows:
\* \* \*

(4) In order to reduce election expenses, the appropriate authority may issue a proclamation ordering a special election to be held on the same date as any regularly scheduled election that is to be held in any local governmental subdivision located within or encompassing the geographical area within which the election will occur, provided that the regularly scheduled election will be held within one year of the date on which the newly created office or vacancy in an existing office arises."

AMENDMENT NO. 4

On page 56, line 10, between "Section 1" and "and" insert ", except as provided in hereinafter,"

AMENDMENT NO. 5

On page 56, line 11, between "Section" and "and" add ", of R.S. 18:402(E)(4),"

On motion of Senator Ellington, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris Campbell Hainkel
Total—3

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

Called from the Calendar

Senator Hainkel asked that House Bill No. 667 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 667—

BY REPRESENTATIVES BRUNEAU AND WINDHORST
A JOINT RESOLUTION

Proposing to amend Article I, Section 18 of the Constitution of Louisiana, relative to right to bail; to provide that a defendant is not bailable if after a hearing a judge determines that he may flee or poses an imminent danger to others; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dyess Lambert
Bagneris Ellington Landry
Bajoie Fields Lentini
Barham Greene Malone
Bean Guidry Robichaux
Branch Hainkel Romero
Cain Heitmeier Schedler
Campbell Hines Short
Casanova Hollis Siracusa
Cox Irons Smith
Cravins Johnson Tarver
Dardenne Jones Theunissen
Dean Jordan Ullo
Total—39

NAYS

Total—0

ABSENT

Total—0

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

Called from the Calendar

Senator Hainkel asked that House Bill No. 1287 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1287—

BY REPRESENTATIVES GAUTREUX AND ROUSSELLE
AN ACT

To amend and reenact R.S. 23:634 and 897(A) and to enact R.S. 23:897(K), relative to employment; to allow reimbursement from an employee for certain examinations if the employee terminates the employment relationship within ninety days; to allow reimbursement from wages payable; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bagneris Ellington Landry
Bajoie Fields Lentini
Barham Greene Malone

June 18, 1997

|          |           |            |
|----------|-----------|------------|
| Bean     | Guidry    | Robichaux  |
| Branch   | Hainkel   | Romero     |
| Cain     | Heitmeier | Schedler   |
| Campbell | Hines     | Short      |
| Casanova | Hollis    | Siracusa   |
| Cox      | Irons     | Smith      |
| Cravins  | Johnson   | Tarver     |
| Dardenne | Jones     | Theunissen |
| Dean     | Jordan    | Ullo       |
| Dyess    | Lambert   |            |
| Total—38 |           |            |

NAYS

Total—0

ABSENT

Mr. President  
Total—1

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

**Called from the Calendar**

Senator Hainkel asked that House Bill No. 668 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 668—**  
BY REPRESENTATIVES BRUNEAU AND WINDHORST  
AN ACT

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

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

**ROLL CALL**

The roll was called with the following result:

YEAS

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Dyess     | Lambert    |
| 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     | Tarver     |
| Cravins       | Johnson   | Theunissen |
| Dardenne      | Jones     | Ullo       |
| Dean          | Jordan    |            |
| Total—38      |           |            |

NAYS

Total—0

ABSENT

Robichaux  
Total—1

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

**Called from the Calendar**

Senator Jordan asked that House Bill No. 269 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 269—**  
BY REPRESENTATIVES DURAND, BRUCE, KENNEY, AND ROMERO  
AN ACT

To enact R.S. 14:42(A)(6) and (D) and 43.4(A)(6) and (D), relative to the crimes of aggravated rape and aggravated oral sexual battery; to provide when offense is committed against a physically or mentally infirm victim the offense is aggravated; to provide definitions; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris  
Total—1

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

**Called from the Calendar**

Senator Dardenne asked that House Bill No. 1951 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 1951—**  
BY REPRESENTATIVES DOWNER, R. ALEXANDER, BARTON, DEVILLE, DIMOS, DUPRE, FLAVIN, FORSTER, JOHNS, LEBLANC, MCDONALD, MCMAINS, MICHOT, SCALISE, JOHN SMITH, AND STELLY  
AN ACT

To enact Chapter 23 of Title 36 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 36:931 through 937, to provide for the reorganization of the executive branch of state government; to provide for further reorganization and consolidation within the executive branch of state government by creating and providing for the Joint Legislative Committee on Reorganization of the Executive Branch, including its membership, powers, and duties; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Dyess  
Total—1

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.

**Called from the Calendar**

Senator Robichaux asked that House Bill No. 292 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 292—**  
BY REPRESENTATIVE THERIOT  
AN ACT

To amend and reenact R.S. 38:291(P)(2), relative to the South Lafourche Levee District; to provide for the composition of the members of the board of commissioners; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Robichaux sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Robichaux to Reengrossed House Bill No. 292 by Representative Theriot

AMENDMENT NO. 1  
On page 1, line 2, after "(2)" and before "relative" delete the comma "," and insert in lieu thereof "and (F)(1)(d) and to repeal R.S. 38:333,"

AMENDMENT NO. 2  
On page 1, line 4, after "commissioners;" and before "and" insert the following:

"to prohibit the levy, assessment, or collection of any certain tax or taxes by the Lafourche Basin Levee District; to repeal certain contributions to the South Lafourche Levee District and the North Lafourche Conservation, Levee and Drainage District; and to repeal certain revenue utilization provisions;"

AMENDMENT NO. 3  
On page 1, line 9, after "(2)" and before "is" insert "and(F)(1)(d)"

AMENDMENT NO. 4

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

"F. Lafourche Basin Levee District (1)

(d) There shall be shared jurisdiction for flood protection between the South Lafourche Levee District, the North Lafourche Conservation, Levee and Drainage District, and the Lafourche Basin Levee District. Any and all property, mineral rights, and revenues derived therefrom belonging to the Lafourche Basin Levee District located within the the boundaries of the South Lafourche Levee District and the North Lafourche Conservation, Levee and Drainage District shall remain the property of the Lafourche Basin Levee District. ~~These lands and all property thereon situated, not exempt from taxation, shall be subject to the provisions of this Chapter. The Lafourche Basin Levee District shall not levy, assess, or collect any tax or taxes within the territorial jurisdiction of the South Lafourche Levee District.~~

Section 2. R.S. 38:333 is hereby repealed in its entirety."

AMENDMENT NO. 5

On page 2, after line 3, insert the following:

Section 3. This Act shall become effective July 1, 1998."

On motion of Senator Robichaux, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Dyess     | Lambert    |
| Bagneris      | Ellington | Landry     |
| Bajoie        | Fields    | Lentini    |
| Barham        | Greene    | Malone     |
| Bean          | Guidry    | Robichaux  |
| Branch        | Hainkel   | Romero     |
| Cain          | Heitmeier | Schedler   |
| Campbell      | Hines     | Short      |
| Casanova      | Hollis    | Siracusa   |
| Cox           | Irons     | Smith      |
| Cravins       | Johnson   | Tarver     |
| Dardenne      | Jones     | Theunissen |
| Dean          | Jordan    | Ullo       |
| Total—39      |           |            |

**NAYS**

Total—0

**ABSENT**

Total—0

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

**Called from the Calendar**

Senator Hollis asked that House Bill No. 1107 be called from the Calendar at this time for its final passage.

June 18, 1997

HOUSE BILL NO. 1107—
BY REPRESENTATIVES TRAVIS AND MURRAY
AN ACT

To repeal Part XVII of Chapter 2 of Code Title XII of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:3575.1 through 3575.10, relative to refund anticipation loans; to repeal the Refund Anticipation Loan Act.

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

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

NAYS

Total—0

ABSENT

Total—0

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.

Called from the Calendar

Senator Bajoie asked that House Bill No. 932 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 932—
BY REPRESENTATIVE GREEN
AN ACT

To amend and reenact R.S. 22:2021, relative to health maintenance organizations (HMOs); to require HMOs to approve or disapprove a request for certain medical testing or treatment within forty-eight hours of receipt of the request; and to provide for related matters.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Reengrossed House Bill No. 932 by Representative Green

AMENDMENT NO. 1
On page 1, line 2, after "22:2021" add "and to enact R.S. 22:2004.1 and 2207"

AMENDMENT NO. 2
On page 1, line 5, after the semicolon ";" add "to require health maintenance organizations and preferred provider organizations to

provide coverage for the expenses of interpreters for hearing impaired enrollees and covered patients;"

AMENDMENT NO. 3
On page 1, line 7, after "reenacted" add "and R.S. 22:2004.1 and 2207 are hereby enacted"

AMENDMENT NO. 4
On page 1, between lines 8 and 9 add the following:

"§22:2004.1. Hearing impaired interpreter expenses; requirement

As a requirement for authorization to do business in this state pursuant to R.S. 22:2004, all health maintenance organizations shall provide coverage for expenses incurred by any hearing impaired enrollee for services performed by a qualified interpreter/transliterater, other than a family member of the enrollee, when such services are used by the enrollee in connection with medical treatment or diagnostic consultations performed by a health care provider.

\* \* \*

§2207. Hearing impaired interpreter expenses; coverage

As a requirement for authorization to do business in this state pursuant to R.S. 40:2203, all preferred provider organizations shall provide coverage for expenses incurred by any hearing impaired covered patient for services performed by a qualified interpreter/transliterater, other than a family member of the covered patient, when such services are used by the covered patient in connection with medical treatment or diagnostic consultations performed by a health care provider."

On motion of Senator Landry, the amendments were adopted.

Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Reengrossed House Bill No. 932 by Representative Green

AMENDMENT NO. 1
Delete Senate Committee Amendment No. 3 proposed by the Senate Committee on Insurance and adopted by the Senate on May 29, 1997.

AMENDMENT NO. 2
On page 2, at the end of line 15, delete "provider," and insert in lieu thereof "provider that is of an urgent need."

AMENDMENT NO. 3
On page 3, between lines 3 and 4, insert the following:

"(4) For purposes of this Subsection, "managed care plan" or "plan" shall mean a plan operated by a managed care entity which provides for the financing and delivery of health care and treatment services to individuals enrolled in the plan by its own employed health care providers or by contracting with selected specific providers that conform to explicit selection standards, or both. A "managed care plan" shall also mean a formal organizational structure for continual quality assurance, a certified utilization review program, dispute resolution, or financial incentives for individual enrollees to use the participating providers and procedures of the plan."

AMENDMENT NO. 4
On page 3, line 4, delete "(4)" and insert in lieu thereof "(5)"

AMENDMENT NO. 5
On page 3, line 5, after "entity" insert "pursuant to (B)(1) and (2)."

On motion of Senator Bajoie, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Total—0

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

Called from the Calendar

Senator Landry asked that House Bill No. 1194 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1194— BY REPRESENTATIVE TRICHE AN ACT

To amend and reenact R.S. 23:531, 534(2) and (6), 535, 540, 543(A), and 544(A), relative to regulations affecting boilers; to delete exceptions made for New Orleans; to provide for special inspectors for the city of New Orleans; to provide for authority of the state fire marshal; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bagneris, Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dyess, Ellington, Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver.

Dardenne Dean Total—39

Jones Jordan NAYS

Theunissen Ullo

Total—0

ABSENT

Total—0

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.

Called from the Calendar

Senator Bagneris asked that House Bill No. 735 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 735 (Duplicate of Senate Bill No. 308)— BY REPRESENTATIVE FORSTER AND SENATOR HAINKEL AND COAUTHORED BY REPRESENTATIVE MURRAY AN ACT

To enact R.S. 14:403.5, relative to the reporting of gunshot wounds; to require medical professionals, medical practitioners, and associated personnel to report the treatment of gunshot wounds; to provide for information to be included in the report; to provide for certain immunity; and to provide for related matters.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Reengrossed House Bill No. 735 by Representative Forster

AMENDMENT NO. 1

In Senate Floor Amendment No. 9 proposed by Senator Hainkel and adopted by the Senate on May 13, 1997, on line 30, after "emergencies" insert "and before the wounded person is released from the hospital. A written notation of this action shall be made on the emergency record."

AMENDMENT NO. 2

Delete Amendments Nos. 11 through 14 in Senate Floor Amendments proposed by Senator Hainkel and adopted by the Senate on May 13, 1997.

AMENDMENT NO. 3

On page 2, delete lines 5 through 17

On motion of Senator Hines, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bagneris, Bajoie, Barham, Bean, Branch, Cain, Campbell, Dyess, Ellington, Fields, Greene, Guidry, Hainkel, Hines, Hollis, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa.

June 18, 1997

|           |         |            |
|-----------|---------|------------|
| Casanova  | Irons   | Smith      |
| Cox       | Johnson | Tarver     |
| Cravins   | Jones   | Theunissen |
| Dardenne  | Jordan  | Ullo       |
| Dean      | Lambert |            |
| Total—38  |         |            |
|           | NAYS    |            |
| Total—0   |         |            |
|           | ABSENT  |            |
| Heitmeier |         |            |
| Total—1   |         |            |

The Chair declared the amended 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.

**Rules Suspended**

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

**House Bills and Joint Resolutions on Third Reading and Final Passage**

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

**HOUSE BILL NO. 1874—**  
 BY REPRESENTATIVES PERKINS, A. ALEXANDER, BAUDOIN, CARTER, CRANE, DANIEL, DURAND, FLAVIN, FONTENOT, GUILLORY, HOLDEN, JENKINS, JETSON, KENNARD, KENNEY, MCMAINS, MORRISH, RIDDLE, ROMERO, TRAVIS, WELCH, AND WESTON AND SENATORS BRANCH, DARDENNE, FIELDS, AND GUIDRY  
 AN ACT

To enact R.S. 30:2282, relative to waste sites; to provide for certain lakes; to provide for remediation; to provide for legal proceedings; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

|               |           |            |
|---------------|-----------|------------|
|               | YEAS      |            |
| Mr. President | Dyess     | Lambert    |
| Bagneris      | Ellington | Landry     |
| Bajoie        | Fields    | Lentini    |
| Barham        | Greene    | Malone     |
| Bean          | Guidry    | Robichaux  |
| Branch        | Hainkel   | Romero     |
| Cain          | Heitmeier | Schedler   |
| Campbell      | Hines     | Short      |
| Casanova      | Hollis    | Siracusa   |
| Cox           | Irons     | Smith      |
| Cravins       | Johnson   | Tarver     |
| Dardenne      | Jones     | Theunissen |
| Dean          | Jordan    | Ullo       |
| Total—39      |           |            |
|               | NAYS      |            |
| Total—0       |           |            |
|               | ABSENT    |            |
| Total—0       |           |            |

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

**HOUSE BILL NO. 1285—**  
 BY REPRESENTATIVE FORSTER  
 AN ACT

To enact R.S. 40:2009.44, relative to residents of nursing home facilities; to require the Department of Health and Hospitals to promulgate rules and regulations which provide for a specified minimum number of leave days per spell of illness for which Medicaid payments will be made on behalf of Medicaid eligible residents when said residents are admitted as inpatients to other licensed health care facilities; to require the department to promulgate rules and regulations which provide for a specified minimum number of leave days per year for which Medicaid payments will be made on behalf of Medicaid eligible residents when said residents are absent from the facility on home leave; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Hines sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Hines to Engrossed House Bill No. 1285 by Representative Forster

AMENDMENT NO. 1

On page 1, line 11, after "leave;" and before "and" insert "to provide an effective date;"

AMENDMENT NO. 2

On page 2, after line 6, add the following:

"Section 2. The provisions of the Act shall become effective July 1, 1998."

On motion of Senator Hines, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

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

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

**HOUSE BILL NO. 2346—**  
BY REPRESENTATIVE BRUCE  
AN ACT

To amend and reenact Code of Criminal Procedure Arts. 871(B) and (C), relative to the affixing of fingerprints to the bill of indictment; to require that the fingerprints of persons convicted of certain misdemeanor crimes must be affixed to the bill of indictment; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—39

ABSENT

Total—0

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

**HOUSE BILL NO. 1904—**  
BY REPRESENTATIVES LONG, CLARKSON, CRANE, DEVILLE, DEWITT, HEBERT, HOPKINS, LEBLANC, McDONALD, PRATT, SCALISE, THOMPSON, THORNHILL, TRICHE, WINDHORST, RIDDLE, AND WALSWORTH AND SENATOR HAINKEL  
AN ACT

To enact Subpart F of Part I of Chapter 16 of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:1493.1 through 1493.3, relative to public contracts; to provide for creation of the Commission for the Review and Improvement of Services Procurement to review the procurement of services by the departments of the executive branch of state government; to provide for its membership and duration; to provide for review teams within each department of the executive branch of government; to provide for reporting by the commission and the review teams; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total—39

NAYS

Total—0

ABSENT

Total—0

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

**HOUSE BILL NO. 2284—**  
BY REPRESENTATIVE HEBERT  
AN ACT

To enact R.S. 42:1123(24), relative to the ethics code; to provide that the ethics code shall not prohibit clients of certain charitable organizations from serving on the boards of such organizations; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total—37

NAYS

Landry  
Total—1

ABSENT

Schedler  
Total—1

June 18, 1997

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

HOUSE BILL NO. 2162— BY REPRESENTATIVE STRAIN AN ACT

To enact R.S. 15:571.22, relative to certain immunities from liability for probation and parole officers; to provide that such officers are immune from civil and criminal liability for release of information necessary for public protection; to provide for limitation of immunity; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoue, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Total—37

NAYS

Total—0

ABSENT

Table with 2 columns: Bagneris, Total—2

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

HOUSE BILL NO. 2426— BY REPRESENTATIVE HOLDEN AN ACT

To enact R.S. 17:1855, relative to public higher education tuition and attendance fees; to authorize the Board of Supervisors of Southern University and Agricultural and Mechanical College to impose certain specified tuition and attendance fee amounts; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bagneris, Bajoue, Barham, Bean, Dyess, Ellington, Fields, Greene, Guidry, Lambert, Landry, Lentini, Maloni, Robichaux

Table with 3 columns of names: Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo

Total—39

NAYS

Total—0

ABSENT

Total—0

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

HOUSE BILL NO. 2521 (Substitute for House Bill No. 2244 By Representative Downer, et al.)—

BY REPRESENTATIVE DOWNER AND SENATOR EWING AND REPRESENTATIVES BRUNEAU, R. ALEXANDER, DIEZ, DIMOS, DUPRE, FORSTER, LEBLANC, MCCAIN, MCDONALD, MCMAINS, PIERRE, JOHN SMITH, STELLY, AND TRICHE

AN ACT

To amend and reenact R.S. 47:6011(A)(2), to enact R.S. 24:38(D), (E), and (F) and Part II-A of Chapter 1 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:41 through 48, and to repeal R.S. 49:135 and 150.1, relative to the state capitol complex; to define the state capitol complex boundaries; to provide for the authority of the Legislative Budgetary Control Council relative to the state capitol complex; to provide for the composition, duties, and powers of the commission; to create the office of capitol complex facility management; to provide for its duties and responsibilities with respect to the state capitol complex; to provide relative to security for the state capitol complex; to provide for the allocation of space within the state capitol complex; and to provide for related matters.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Reengrossed House Bill No. 2521 by Representative Downer

AMENDMENT NO. 1

Delete Senate Committee Amendment Nos. 3, 4 and 5 proposed by the Senate Committee on Senate and Governmental Affairs and adopted by the Senate on June 16, 1997

AMENDMENT NO. 2

On page 2, delete lines 13 through 17

AMENDMENT NO. 3

On page 2, line 18, delete "(3)"

On motion of Senator Barham, the amendments were adopted.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris to Reengrossed House Bill No. 2521 by Representative Downer, et al

AMENDMENT NO. 1

On page 2, line 25, between "vote" and "thereof" insert "of the members of each house"

AMENDMENT NO. 2

On page 5, at the end of line 14, add "of the members of each house"

AMENDMENT NO. 3

On page 5, line 18, between "vote" and "of" insert "of the members of each house"

AMENDMENT NO. 4

On page 7, at the end of line 9, add "members of each house of the"

AMENDMENT NO. 5

On page 8, line 13, between "by" and "the" insert "a majority vote of the members of each house of"

AMENDMENT NO. 6

On page 8, at the end of line 26, add "of the members of each house"

AMENDMENT NO. 7

On page 9, line 15, between "vote" and "of" insert "of the members of each house"

AMENDMENT NO. 8

On page 11, line 25, between "by" and "the" insert "a majority vote of the members of each house of"

AMENDMENT NO. 9

On page 12, at the end of line 16, add "members of each house of the"

On motion of Senator Bagneris, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Ewing sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Ewing to Reengrossed House Bill No. 2521 by Representative Downer

AMENDMENT NO. 1

On page 12, line 7, delete "Capitol Press" and delete line 8 and insert "capitol press corps"

On motion of Senator Ewing, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Dyess     | Lambert    |
| Bagneris      | Ellington | Landry     |
| Bajoie        | Fields    | Lentini    |
| Barham        | Greene    | Robichaux  |
| Bean          | Guidry    | Romero     |
| Branch        | Hainkel   | Short      |
| Cain          | Heitmeier | Siracusa   |
| Campbell      | Hines     | Smith      |
| Cox           | Hollis    | Tarver     |
| Cravins       | Johnson   | Theunissen |
| Dardenne      | Jones     | Ullo       |
| Dean          | Jordan    |            |

Total—35

NAYS

Malone  
Total—1

ABSENT

Casanova  
Total—3

Irons Schedler

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

**HOUSE BILL NO. 726—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To enact Chapter 26 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2021 through 2026, relative to the South Central Regional Transportation Authority; to create the South Central Regional Transportation Authority and to establish the boundaries thereof; to provide for a board of commissioners; to provide for the membership of such board and its powers, duties, and functions; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

NAYS

Hainkel  
Total—1

ABSENT

Barham  
Total—3

Irons Landry

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

**HOUSE BILL NO. 2335—**

BY REPRESENTATIVE GREEN  
AN ACT

To enact R.S. 9:196, relative to the care of minor children; to authorize a natural tutor to act on behalf of a minor in matters involving less than seven thousand five hundred dollars without qualifying for the office of tutor; and to provide for related matters.

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

June 18, 1997

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     | Tarver     |
| Cravins       | Johnson   | Theunissen |
| Dardenne      | Jones     | Ullo       |
| Dean          | Jordan    |            |
| Total—38      |           |            |

NAYS

Total—0

ABSENT

Robichaux  
Total—1

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

HOUSE BILL NO. 1002—  
BY REPRESENTATIVE JACK SMITH  
AN ACT

To enact R.S. 15:834.1, relative to the housing of persons employed and living at state correctional institutions; to provide that the secretary of the Department of Public Safety and Corrections shall promulgate rules and regulations regarding the allowance of free housing for such persons; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Campbell  
Total—1

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

HOUSE BILL NO. 2463—  
BY REPRESENTATIVE TOOMY  
AN ACT

To enact R.S. 48:1104.1, relative to roads, bridges, and ferries; to provide relative to high occupancy lanes; to authorize the establishment of certain high occupancy toll lanes; to provide terms, conditions, definitions, requirements, and procedures; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Campbell  
Total—3

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

HOUSE BILL NO. 2325—  
BY REPRESENTATIVE TOOMY  
AN ACT

To amend and reenact R.S. 46:1844(A)(2), (C)(2), (H), (K)(2)(a) and (3)(b), (M)(1), and (Y), relative to rights of crime victims; to provide for rights of victims; to provide for the establishment of a crime victim's assistance information phone line; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

|               |           |           |
|---------------|-----------|-----------|
| Mr. President | Dyess     | Lambert   |
| Bagneris      | Ellington | Landry    |
| Bajoie        | Fields    | Lentini   |
| Barham        | Greene    | Malone    |
| Bean          | Guidry    | Robichaux |

|          |           |            |
|----------|-----------|------------|
| Branch   | Hainkel   | Romero     |
| Cain     | Heitmeier | Short      |
| Casanova | Hines     | Siracusa   |
| Cox      | Irons     | Smith      |
| Cravins  | Johnson   | Tarver     |
| Dardenne | Jones     | Theunissen |
| Dean     | Jordan    | Ullo       |
| Total—36 |           |            |

NAYS

Total—0

ABSENT

|          |        |          |
|----------|--------|----------|
| Campbell | Hollis | Schedler |
| Total—3  |        |          |

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

**HOUSE BILL NO. 2100—**  
BY REPRESENTATIVE DEWITT  
AN ACT

To amend and reenact R.S. 40:1379.3(I)(3)(introductory paragraph) and (M), relative to the concealed handgun permit law; to change references to "weapon" to "handgun"; and to provide for related matters.

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

**HOUSE BILL NO. 2120—**  
BY REPRESENTATIVE TRAVIS  
AN ACT

To amend and reenact R.S. 37:3503(2) through (8)(a), (9), and (10), 3504(B), 3505(A)(1) and (5), (B)(6), (C), and (D), 3506, 3514(A)(2) and (F)(1), and 3516(A)(2)(introductory paragraph), to enact R.S. 37:3503(11), and 3507(A)(7), and to repeal R.S. 37:3503(8)(b)(vii), relative to private investigators; to provide for definitions; to provide relative to the membership of the Louisiana State Board of Private Investigator Examiners; to provide for the powers, duties, and responsibilities of the board; to provide for position of executive director and his duties; to provide for qualifications of licensee; to provide for investigator registration cards; to provide for fees; and to provide for related matters.

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

**HOUSE BILL NO. 2132—**  
BY REPRESENTATIVES WINDHORST AND DEWITT  
AN ACT

To amend and reenact R.S. 40:1379.3.1(A), to establish a fee for the issuance of duplicate concealed handgun permits; and to provide for related matters.

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

**HOUSE BILL NO. 2134—**  
BY REPRESENTATIVES WINDHORST AND DEWITT  
AN ACT

To enact R.S. 40:1379(D), relative to the office of state police, public safety services, of the Department of Public Safety and Corrections; to provide for personnel who are commissioned police employees of the office; and to provide for related matters.

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

**HOUSE BILL NO. 2136—**  
BY REPRESENTATIVES WINDHORST AND DEWITT  
AN ACT

To amend and reenact R.S. 40:1379.3(C)(1), to provide for penalties of a fine or suspension of the permit if a holder of a concealed handgun permit fails to notify the proper authorities of a change of the name or address of the permit holder; and to provide for related matters.

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

**HOUSE BILL NO. 2512 (Substitute For House Bill No. 2081 by Representative Hunter)—**

BY REPRESENTATIVE HUNTER  
AN ACT

To enact R.S. 9:4814, relative to the Private Works Act; to provide for assessment of civil penalties against contractors for failure to pay materialmen and laborers; to provide for recovery of funds owed, including costs and attorney fees; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

|           |           |            |
|-----------|-----------|------------|
| Bajoie    | Fields    | Landry     |
| Bean      | Guidry    | Lentini    |
| Cox       | Heitmeier | Robichaux  |
| Cravins   | Hines     | Siracusa   |
| Dean      | Johnson   | Tarver     |
| Dyess     | Jones     | Theunissen |
| Ellington | Jordan    |            |
| Total—20  |           |            |

NAYS

|               |         |          |
|---------------|---------|----------|
| Mr. President | Greene  | Schedler |
| Bagneris      | Hainkel | Short    |
| Barham        | Hollis  | Smith    |
| Branch        | Irons   | Ullo     |
| Casanova      | Malone  |          |
| Dardenne      | Romero  |          |
| Total—16      |         |          |

ABSENT

|         |          |         |
|---------|----------|---------|
| Cain    | Campbell | Lambert |
| Total—3 |          |         |

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

**HOUSE BILL NO. 670—**  
BY REPRESENTATIVE GAUTREUX  
AN ACT

To amend and reenact R.S. 32:364, relative to motor vehicles; to require that passenger cars be equipped with fenders, covers, or other devices so as to minimize the spray of water or other materials; and to provide for related matters.

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

June 18, 1997

**HOUSE BILL NO. 1640—**

BY REPRESENTATIVE STELLY  
AN ACT

To amend and reenact R.S. 17:154.1(B), 154.2(B)(1), 225, 236, 346.1, 421.3(A)(introductory paragraph), 496.1, and 497(A)(2), relative to the school year; to provide for an incremental increase in the number of instructional days and the minimum session of attendance; to provide relative to the effectiveness of such increases; and to provide for related matters.

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

**HOUSE BILL NO. 2042—**

BY REPRESENTATIVE DEWITT  
AN ACT

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

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

**HOUSE BILL NO. 916—**

BY REPRESENTATIVES DIEZ, DEWITT, AND BRUCE  
AN ACT

To amend and reenact R.S. 36:501(C)(1), 502(A)(1) and (B), 508(A), (B), (C), and (F) and to enact R.S. 36:510, relative to the reorganization of the Department of Transportation and Development; to create the offices of highway engineering and public works and intermodal transportation; and to provide for related matters.

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

**HOUSE BILL NO. 2033—**

BY REPRESENTATIVES DOWNER, R. ALEXANDER, DEVILLE, DIMOS, LEBLANC, McDONALD, McMAINS, JOHN SMITH, STELLY, AND TRICHE  
AN ACT

To amend and reenact R.S. 27:270(A)(3) and (B) and to enact R.S. 39:127.2, relative to the disposition of net revenues received from casino gaming proceeds; to provide for the disposition of such proceeds including the deposit into certain funds within the state treasury; to establish the Capitol Complex Master Plan Fund within the state treasury; to provide that monies in the fund shall be expended for capital improvements pursuant to the Capitol Complex Master Plan; and to provide for related matters.

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

**HOUSE BILL NO. 2046—**

BY REPRESENTATIVE DEWITT  
AN ACT

To amend and reenact R.S. 47:463(A)(1), relative to the motor vehicle registration license fee; to increase the license fee for commercial motor vehicles; and to provide for related matters.

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

**HOUSE BILL NO. 2498—**

BY REPRESENTATIVE HUNTER  
AN ACT

To enact R.S. 46:450.1(F), relative to electronic issuance of certain public assistance program benefits; to require that the system for electronic issuance of food stamps provide for identification of nonallowable items; to require photo identification; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Campbell  
Total—1

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

**Rules Suspended**

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

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

The following House 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 Schedler asked that House Bill No. 2486 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 2486—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To amend and reenact Section 4 of Act No. 762 of the 1986 Regular Session as amended by Act No. 875 of the 1988 Regular Session and Act No. 1227 of the 1995 Regular Session of the Legislature, relative to the Greater New Orleans Expressway Commission; to provide for the collection of tolls; to provide for the vote necessary to increase tolls; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total—33

**NAYS**

Lentini  
Total—1

**ABSENT**

|          |         |       |
|----------|---------|-------|
| Campbell | Hainkel | Irons |
| Cravins  | Hines   |       |

Total—5

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

**Called from the Calendar**

Senator Cravins asked that House Bill No. 1517 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 1517—**  
BY REPRESENTATIVE HEATON  
AN ACT

To amend and reenact R.S. 15:85(11)(a) and (b)(introductory paragraph), relative to hearings to prohibit certain commercial sureties from executing criminal bail bonds; to allow non-district courts to conduct such hearings; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Fields    | Lentini    |
| Bajoie        | Greene    | Robichaux  |
| Barham        | Guidry    | Romero     |
| Bean          | Heitmeier | Schedler   |
| Cain          | Hines     | Short      |
| Cox           | Irons     | Siracusa   |
| Cravins       | Johnson   | Smith      |
| Dardenne      | Jones     | Tarver     |
| Dean          | Jordan    | Theunissen |
| Dyess         | Lambert   | Ullo       |
| Ellington     | Landry    |            |

Total—32

**NAYS**

|          |         |
|----------|---------|
| Branch   | Hainkel |
| Casanova | Malone  |

Total—4

**ABSENT**

|          |          |        |
|----------|----------|--------|
| Bagneris | Campbell | Hollis |
|----------|----------|--------|

Total—3

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

**Called from the Calendar**

Senator Hainkel asked that House Bill No. 1526 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 1526—**  
BY REPRESENTATIVE TOOMY  
AN ACT

To amend and reenact R.S. 37:2558(A), relative to certified shorthand reporters; to establish fees to be paid to the Board of Examiners of Certified Shorthand Reporters; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total—37

**NAYS**

Total—0

**ABSENT**

|          |       |
|----------|-------|
| Campbell | Irons |
|----------|-------|

Total—2

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

**Called from the Calendar**

Senator Fields asked that House Bill No. 2233 be called from the Calendar at this time for its final passage.

**HOUSE BILL NO. 2233—**  
BY REPRESENTATIVES LONG, BARTON, BAUDOIN, CRANE, DOERGE, FARVE, MCDONALD, POWELL, PRATT, SALTER, SHAW, THOMPSON, WRIGHT, DOWNER, ALARIO, BAYLOR, BRUCE, BRUN, BRUNEAU, CARTER, CLARKSON, COPELIN, CURTIS, DEWITT, DIEZ, DONELON, DUPRE, DURAND, FONTENOT, FORSTER, FRITH, FRUGE, GLOVER, GUILLORY, HEBERT, HILL, HUDSON, HUNTER, ILES, KENNARD, KENNEY, LANDRIEU, MARTINY, MCCAIN, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MURRAY, PERKINS, PIERRE, PINAC, QUEZAIRE, RIDDLE, ROUSSELLE, SCALISE, SCHNEIDER, JACK SMITH,

June 18, 1997

STRAIN, THOMAS, TRAVIS, VITTER, WALSWORTH, WARNER, WELCH, WIGGINS, WILKERSON, AND WILLARD-LEWIS  
AN ACT

To enact R.S. 17:24.9, relative to the Quality Early Reading Initiative; to provide for the development and implementation of the Quality Early Reading Initiative; to provide for legislative findings; to provide for criteria and evaluation of the initiative; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Campbell  
Total—1

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

**Rules Suspended**

Senator Greene asked for and obtained a suspension of the rules for the purpose of reconsidering House Bill No. 2424 which failed to pass earlier today.

Senator Guidry objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|          |           |            |
|----------|-----------|------------|
| Bean     | Hainkel   | Romero     |
| Branch   | Heitmeier | Schedler   |
| Cain     | Hines     | Short      |
| Casanova | Hollis    | Siracusa   |
| Cox      | Johnson   | Smith      |
| Cravins  | Jordan    | Tarver     |
| Dardenne | Landry    | Theunissen |
| Dean     | Lentini   | Ullo       |
| Dyess    | Malone    |            |
| Greene   | Robichaux |            |
| Total—28 |           |            |

**NAYS**

Bajoie  
Barham  
Total—6

Fields  
Guidry  
Irons  
Jones

ABSENT

Mr. President  
Bagneris  
Total—5

Campbell  
Ellington  
Lambert

The Chair declared the rules were suspended.

**Reconsideration**

On motion of Senator Greene, pursuant to the previous notice given, the vote by which the following bill failed to pass earlier today was reconsidered.

**HOUSE BILL NO. 2424—**

BY REPRESENTATIVES CRANE, BRUN, R. ALEXANDER, BARTON, BAUDOIN, BOWLER, BRUCE, BRUNEAU, DEVILLE, DIEZ, DIMOS, DONELON, DUPRE, FLAVIN, FONTENOT, FORSTER, FRITH, FRUGE, GAUTREAUX, HAMMETT, HEBERT, HILL, HOPKINS, JOHNS, KENNARD, KENNEY, LANCASTER, MARTINY, MCCALLUM, MCDONALD, MCMAINS, MORRISH, PINAC, ROUSELLE, SALTER, SCALISE, SHAW, STELLY, THORNHILL, TRICHE, VITTER, WALSWORTH, WIGGINS, AND WRIGHT  
AN ACT

To amend and reenact R.S. 17:3351(A)(5), relative to tuition and attendance fees at public colleges and universities; to provide for the powers, duties, and responsibilities of public higher education management boards; to grant authority to the management boards to establish in accordance with certain guidelines tuition and attendance fees applicable to nonresident students; and to provide for related matters.

**Motion**

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

Senator Jones objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|          |           |            |
|----------|-----------|------------|
| Barham   | Dyess     | Romero     |
| Bean     | Ellington | Schedler   |
| Branch   | Greene    | Short      |
| Cain     | Hainkel   | Siracusa   |
| Casanova | Hines     | Smith      |
| Cox      | Hollis    | Tarver     |
| Cravins  | Jordan    | Theunissen |
| Dardenne | Malone    | Ullo       |
| Dean     | Robichaux |            |
| Total—26 |           |            |

**NAYS**

|         |         |         |
|---------|---------|---------|
| Bajoie  | Irons   | Landry  |
| Fields  | Johnson | Lentini |
| Guidry  | Jones   |         |
| Total—8 |         |         |

ABSENT

Mr. President  
Bagneris  
Total—5

Campbell  
Heitmeier  
Lambert

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

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

|               |           |            |
|---------------|-----------|------------|
| Mr. President | Greene    | Robichaux  |
| Barham        | Hainkel   | Romero     |
| Bean          | Heitmeier | Schedler   |
| Branch        | Hines     | Short      |
| Casanova      | Hollis    | Siracusa   |
| Cravins       | Johnson   | Smith      |
| Dardenne      | Jordan    | Theunissen |
| Dean          | Landry    | Ullo       |
| Dyess         | Lentini   |            |
| Ellington     | Malone    |            |
| Total—28      |           |            |

**NAYS**

|         |        |        |
|---------|--------|--------|
| Bajoie  | Guidry | Tarver |
| Fields  | Jones  |        |
| Total—5 |        |        |

**ABSENT**

|          |          |         |
|----------|----------|---------|
| Bagneris | Campbell | Irons   |
| Cain     | Cox      | Lambert |
| Total—6  |          |         |

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

**Messages from the House**

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

**Message from the House**

**PASSED SENATE BILLS AND JOINT RESOLUTIONS**

June 18, 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 the following Senate Bills and Joint Resolutions:

**SENATE BILL NO. 553—**  
BY SENATORS HAINKEL, DARDENNE, EWING AND ROMERO  
AN ACT

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

Reported without amendments.

**SENATE BILL NO. 864—**  
BY SENATOR HEITMEIER  
AN ACT

To amend and reenact R.S. 11:1921(A)(3)(b) and to repeal R.S. 11:1925(G) and 1940, relative to the Parochial Employees' Retirement System; to repeal provisions authorizing the purchase of service by members of school boards, certain elected parish

officials, and certain persons employed by a community action agency; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 706—**  
BY SENATOR LANDRY  
AN ACT

To enact R.S. 42:1123(24), relative to the Code of Governmental Ethics; to provide an exception from the code for certain gifts to public servants; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 1063—**  
BY SENATOR DEAN  
AN ACT

To amend and reenact the introductory paragraph of R.S. 25:671(B) and (B)(4) and to enact R.S. 25:671(B)(5), relative to the composition of the Council for Development of Spanish in Louisiana; to add a member from the Canary Island Descendants Association; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 788—**  
BY SENATOR HEITMEIER  
AN ACT

To amend and reenact R.S. 11:2223(B)(2) and (C) and to enact R.S. 11:2221(M) and 2223(B)(3), (4), and (5), relative to the Municipal Police Employees' Retirement System; to provide for determination of disability benefits; to provide for benefit options upon attaining normal retirement age; to provide for eligibility of a child of a police officer for purposes of educational benefits; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 1362—**  
BY SENATOR COX  
AN ACT

To amend and reenact R.S. 15:542(A) and the introductory paragraph of 542(B), relative to registration of sex offenders; to require certain juvenile sex offenders to register with law enforcement authorities; and to provide for related matters.

Reported without amendments.

**SENATE BILL NO. 424—**  
BY SENATOR HEITMEIER  
AN ACT

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

Reported without amendments.

**SENATE BILL NO. 227—**  
BY SENATOR HEITMEIER  
AN ACT

To amend and reenact R.S. 11:42(B)(8), 62(8), 1901(C), 1903(H), 1904, the heading of Part II of Chapter 5 of Subtitle III of Title 11 of the Louisiana Revised Statutes of 1950, 1921(A)(2), 1925(E), 1931(B) and (D)(10)(a), 1934(A), 1936(A)(1), 1938(A), 2011, and 2012(A), (B),(B)(1), (C), and (E), 2014(A) and (B), to enact R.S. 11:22(B)(9)(c), 209(C), 1902(22.1), Part IV-A of Chapter 5 of Subtitle III of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:1971 through 1977, and to repeal R.S. 11:2013, relative to the Parochial Employees' Retirement System; to create and define a new Plan C; to provide

for actuarial funding; to provide for enrollment of members; to provide for retirement eligibility, average compensation, benefits, retirement computation, contributions, vesting, funds to which assets credited, and collection and payment of contributions; to provide for applicability of general provisions governing the system; to provide for employee contributions to Plan B; to repeal obsolete provisions on allocation of assets and liabilities; to provide for Deferred Retirement Option Funds; to provide for an effective date; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1492—  
BY SENATOR DEAN

AN ACT

To declare that the public and necessary purpose which may have originally supported the expropriation of certain property in the parish of Plaquemines, known as Cheniere Ronquillo, located in Sections 9, 10, 15, and 16 of Township 21 South, Range 26 East, has been called into question; to authorize certain heirs to assert their rights of ownership; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1489—  
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 27:15(B)(2) and to enact R.S. 27:15(B)(10), relative to the Louisiana Gaming Control Board; to provide for compulsory meetings; to provide relative to meeting locations; and to provide for related matters.

Reported without amendments.

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

June 18, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 247—

BY REPRESENTATIVES TRAVIS, ALARIO, A. ALEXANDER, R. ALEXANDER, ANSARDI, BARTON, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUN, BRUNEAU, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DEWITT, DIEZ, DIMOS, DOERGE, DONELON, DOWNER, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FORSTER, FRITH, FRUGE, GAUTREAUX, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, ROUSSELLE, SALTER, SCALISE, SCHNEIDER, SHAW, JACK SMITH, JOHN SMITH, STELLY, STRAIN, THERIOT, THOMAS, THOMPSON, THORNHILL, TOOMY, TRICHE, VITTER, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD-LEWIS, WINDHORST, WINSTON, AND WRIGHT AND SENATORS BAGNERIS, BAJOIE, BARHAM, BEAN, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, EWING, FIELDS, GREENE, GUIDRY, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SHORT, SIRACUSA, SMITH, TARVER, THEUNISSEN, AND ULLO

A CONCURRENT RESOLUTION

To remember Warren Davis Folkes and to reflect on his lifetime of contributions to the state, its people, and its future.

HOUSE CONCURRENT RESOLUTION NO. 191—

BY REPRESENTATIVE GUILLORY  
A CONCURRENT RESOLUTION

To memorialize congress to allow Louisiana to impose requirements on the storage and transportation of hazardous materials by rail car that are more stringent than federal requirements.

and asked that the President of the Senate affix his signature to the same.

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

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

Message from the House

SIGNED HOUSE BILLS AND JOINT RESOLUTIONS

June 18, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

HOUSE BILL NO. 133—

BY REPRESENTATIVE FONTENOT AND SENATOR LAMBERT  
AN ACT

To amend and reenact R.S. 47:1907(M)(2)(b), relative to the assessors' professional certification program; to provide that four years experience as a certified Louisiana deputy assessor shall meet the experience requirements for certification; and to provide for related matters.

HOUSE BILL NO. 183—

BY REPRESENTATIVE DEWITT  
AN ACT

To amend and reenact R.S. 45:1162, relative to the Public Service Commission; to provide for an increase in the salaries of members; and to provide for related matters.

HOUSE BILL NO. 996—

BY REPRESENTATIVES PERKINS AND MURRAY AND SENATOR LANDRY  
AN ACT

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

HOUSE BILL NO. 1011—

BY REPRESENTATIVE PINAC  
AN ACT

To amend and reenact R.S. 11:143(A), relative to state and statewide retirement systems; to allow a member of any public retirement system to transfer service credit from another public retirement system to the system where such member is an active contributing member; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 1072—**  
BY REPRESENTATIVES MCCALLUM, JOHNS, AND DEWITT AND  
SENATOR BARHAM

AN ACT

To amend and reenact Children's Code Arts. 1103(5), 1137, 1138, and 1143 and to enact Children's Code Art. 1103(6), all relative to the surrender of parental rights; to provide a definition of "parental fitness"; to provide for the opposition to an adoption by the alleged or adjudicated father and notice; to delete provisions on proof of establishment of parental relationship; to provide for representation of the child, a contradictory hearing and notice thereof, testing to determine paternity, the hearing on an alleged or adjudicated father's opposition to an adoption, the father's establishment of parental rights, acknowledgment, proof of substantial commitment, the termination of rights of the unsuccessfully opposing father, the award of custody to the successfully opposing father, and the costs of medical treatment; to provide an expedited time within which to request a rehearing or file an application for certiorari to the supreme court and to provide with respect to the time that a judgment becomes final and definitive for purposes of appeal; and to provide for related matters.

**HOUSE BILL NO. 1081—**  
BY REPRESENTATIVE TRAVIS

AN ACT

To enact R.S. 15:867.1, relative to search teams appointed by the wardens of state correctional facilities; to allow for the appointment of such teams by the warden; to provide for composition and duties of search teams; to provide for training; and to provide for related matters.

**HOUSE BILL NO. 1159—**  
BY REPRESENTATIVE WELCH

AN ACT

To amend and reenact R.S. 40:2116.34(A)(10), relative to minimum standards for home health agencies; to provide for qualifications of administrators of home health agencies; and to provide for related matters.

**HOUSE BILL NO. 1210—**

BY REPRESENTATIVES LANCASTER, BRUNEAU, CRANE, DONELON, FRUGE, MARTINY, MCMAINS, POWELL, SCALISE, SHAW, WALSWORTH, WIGGINS, WINDHORST, AND JENKINS AND SENATORS DARDENNE, DEAN, HAINKEL, ROMERO, AND SHORT

AN ACT

To amend and reenact R.S. 18:1461(B), relative to elections; to provide with respect to election offenses; to increase the penalties for certain election offenses; and to provide for related matters.

**HOUSE BILL NO. 1257—**  
BY REPRESENTATIVE WINSTON

AN ACT

To repeal R.S. 49:251.1(C), relative to justice of the peace training course; to repeal provisions permitting a hardship one-day training session.

**HOUSE BILL NO. 1325—**  
BY REPRESENTATIVE THOMPSON AND SENATOR SCHEDLER

AN ACT

To amend and reenact Code of Criminal Procedure Art. 895(A)(2), relative to conditions of probation imposed by a court; to provide that child support obligations are included in the requirement to meet family responsibilities; and to provide for related matters.

**HOUSE BILL NO. 1328—**  
BY REPRESENTATIVE THOMPSON AND SENATOR SCHEDLER

AN ACT

To enact Code of Evidence Art. 902(10) and R.S. 13:3712.1, relative to the introduction of labor reports in a child or spousal support proceeding; to provide for admissibility and for self-authentication of copies of such reports; to provide prima facie proof of their contents; and to provide for related matters.

**HOUSE BILL NO. 1329—**

BY REPRESENTATIVE THOMPSON AND SENATOR SCHEDLER  
AN ACT

To amend and reenact Civil Code Art. 3497.1 and to enact Civil Code Art. 3501.1, relative to liberative prescription; to change the prescriptive period in which to bring an action for arrearages in child support from five to ten years; and to provide for related matters.

**HOUSE BILL NO. 1362—**

BY REPRESENTATIVE TRAVIS  
AN ACT

To amend and reenact R.S. 6:242(A)(6)(a) and to enact R.S. 6:506(D), relative to the sale of insurance by banks; to permit state-chartered banks to charge fees and commissions for acting as insurance agents; to provide relative to certificates of authority for branch offices; and to provide for related matters.

**HOUSE BILL NO. 1372—**

BY REPRESENTATIVE DONELON  
AN ACT

To enact R.S. 37:222, relative to attorneys; to provide for a limitation of liability for loss or damages sustained as a result of negotiating or recommending certain structured settlements and the funding thereof; to provide for a presumption of "good faith" when recommending or negotiating certain structured settlements; and to provide for related matters.

**HOUSE BILL NO. 1375—**

BY REPRESENTATIVE DONELON  
AN ACT

To amend and reenact R.S. 12:804 and to enact R.S. 22:1113(B)(4), relative to professional law corporations; to provide that a professional law corporation or any limited liability company, limited liability partnership, or partnership may be licensed as a title insurance agency; and to provide for related matters.

**HOUSE BILL NO. 1418—**

BY REPRESENTATIVE R. ALEXANDER  
AN ACT

To amend and reenact R.S. 46:450.2, relative to nonemergency, non-ambulance transportation for Medicaid recipients; to delete the requirement that the Department of Health and Hospitals collect an annual licensure fee from providers of nonemergency, non-ambulance transportation for Medicaid recipients; and to provide for related matters.

**HOUSE BILL NO. 1684—**

BY REPRESENTATIVE ALARIO AND SENATOR CAIN  
AN ACT

To amend and reenact R.S. 47:1702(3), relative to the definition of personal or movable property subject to ad valorem taxation; to define personal or movable property as such terms are defined; and to provide for related matters.

**HOUSE BILL NO. 1863—**

BY REPRESENTATIVE ANSARDI  
AN ACT

To amend and reenact R.S. 13:3732, relative to statements by an injured person; to provide that a copy of any written, recorded, or transcribed statement be furnished to the person making the statement; to provide with respect to the admissibility of such statements; and to provide for related matters.

**HOUSE BILL NO. 1864—**

BY REPRESENTATIVE ANSARDI  
AN ACT

To amend and reenact R.S. 40:1299.47(A)(2)(a), relative to the Medical Malpractice Act; to provide that the filing of a request for review of a claim with the medical review panel suspends the running of prescription against all solidary obligors and joint tortfeasors; and to provide for related matters.

June 18, 1997

**HOUSE BILL NO. 2085—**

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 15:832(C), relative to work by inmates in the custody of the Department of Public Safety and Corrections; to delete the prohibition against assigning inmates convicted of certain controlled dangerous substances offenses to maintenance work at public facilities; and to provide for related matters.

**HOUSE BILL NO. 2229—**

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 28:22.7(B), R.S. 36:259(C)(23), and R.S. 40:2002.4 and 2142, relative to state institutions; to change the name of Villa Feliciana Chronic Disease Hospital and Rehabilitation Center to Villa Feliciana Medical Complex; to provide that all laws and documents which refer to Villa Feliciana Chronic Disease Hospital and Rehabilitation Center shall be deemed to refer to Villa Feliciana Medical Complex; and to provide for related matters.

**HOUSE BILL NO. 2292—**

BY REPRESENTATIVES POWELL, ALARIO, BARTON, BAUDOIN, BAYLOR, BRUCE, CARTER, DAMICO, DEVILLE, DEWITT, DIEZ, DIMOS, DOERGE, DONELON, DOWNER, DURAND, FAUCHEUX, FONTENOT, FRITH, FRUGE, GAUTREAU, HAMMETT, HEBERT, HILL, HOLDEN, HOPKINS, ILES, JETSON, KENNEY, LONG, MARTINY, MCCALLUM, MCDONALD, MCMAINS, MICHOT, MONTGOMERY, MORRISH, ROMERO, ROUSSELLE, SALTER, SCHNEIDER, SHAW, JACK SMITH, STRAIN, THOMAS, THORNHILL, TRICHE, VITTER, WALSWORTH, WESTON, WIGGINS, WILKERSON, WILLARD-LEWIS, WINDHORST, AND WRIGHT AND SENATOR SHORT

AN ACT

To enact Chapter 21 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:2101, relative to procurement of certain certified products; to provide for requirements for the utilization of Louisiana-certified meat, poultry, and seafood products; and to provide for related matters.

**HOUSE BILL NO. 2304—**

BY REPRESENTATIVES WELCH, CLARKSON, AND WALSWORTH

AN ACT

To amend and reenact Code of Evidence Art. 510(A)(2), relative to privileged communications between health care providers and patients; to make changes in the definition of a health care provider; and to provide for related matters.

**HOUSE BILL NO. 2337—**

BY REPRESENTATIVE THOMAS

AN ACT

To amend and reenact R.S. 40:1299.41(A)(1) and 1299.45(A)(2), relative to the Medical Malpractice Act; to include certain corporations, partnerships, limited liability partnerships, and limited liability companies within the definition of "health care provider"; to provide for malpractice coverage; and to provide for related matters.

**HOUSE BILL NO. 2342—**

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 51:1791, relative to rural enterprise zones; to provide for rural enterprise zones in certain parishes; to increase the parish population threshold to meet certain criteria; and to provide for related matters.

**HOUSE BILL NO. 2373—**

BY REPRESENTATIVE HILL

AN ACT

To enact R.S. 33:2711.14, relative to municipal sales and use taxes; to authorize the governing body of the town of Merryville to levy and collect an additional one-half of one percent sales and use tax, subject to voter approval; and to provide for related matters.

**HOUSE BILL NO. 2377—**

BY REPRESENTATIVE WILKERSON

AN ACT

To enact R.S. 47:322.1 and 332.25, relative to the state sales and use tax; to dedicate a portion of the state tax on hotel occupancy in Lincoln Parish; to create the Lincoln Parish Municipalities Fund in the state treasury; to provide for deposit of monies into the fund; to provide for use of monies in the fund; and to provide for related matters.

**HOUSE BILL NO. 2419—**

BY REPRESENTATIVE WIGGINS

AN ACT

To authorize and provide for the lease of certain state property by the Department of Health and Hospitals to the Family Counseling Agency, Incorporated; and to provide for related matters.

**HOUSE BILL NO. 2427—**

BY REPRESENTATIVES VITTER, ALARIO, BOWLER, DAMICO, DONELON, GREEN, HEATON, LANCASTER, MARTINY, ROUSSELLE, SCALISE, TOOMY, AND WINDHORST AND SENATORS DEAN, HOLLIS, LENTINI, AND ULLO

AN ACT

To designate certain portions of U.S. Highway 61 as "Airline Drive", and to provide for related matters.

**HOUSE BILL NO. 48—**

BY REPRESENTATIVES MURRAY, A. ALEXANDER, WELCH, DOWNER, R. ALEXANDER, BARTON, BAUDOIN, BAYLOR, BRUCE, CHAISSON, COPELIN, CURTIS, DANIEL, DIEZ, DOERGE, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GREEN, HAMMETT, HOLDEN, HOPKINS, HUDSON, HUNTER, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LONG, MICHOT, MONTGOMERY, MORRISH, ODINET, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, ROMERO, ROUSSELLE, SALTER, SCALISE, SHAW, JOHN SMITH, STELLY, THOMAS, THOMPSON, THORNHILL, TOOMY, WARNER, WESTON, WIGGINS, AND WILLARD-LEWIS AND SENATOR BAGNERIS

AN ACT

To enact R.S. 15:1204(12), relative to the Louisiana Commission on Law Enforcement and Administration of Criminal Justice; to require the commission to develop and implement a state medal of honor program for law enforcement officers killed in the line of duty; and to provide for related matters.

**HOUSE BILL NO. 241—**

BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact R.S. 40:1501(E)(7), relative to Benton Fire District No. 4 of Bossier Parish; to authorize the governing authority of the district to levy and collect, subject to voter approval, an additional tax for maintenance and operation of the fire district; and to provide for related matters.

**HOUSE BILL NO. 245—**

BY REPRESENTATIVES JACK SMITH AND MARIONNEAUX

AN ACT

To amend and reenact Civil Code Arts. 2315.1(D) and 2315.2(D) and to enact Civil Code Arts. 2315.1(A)(4) and (E) and 2315.2(A)(4) and (E), relative to offenses and quasi offenses; to provide for survival and wrongful death actions by a tutor and by grandparents; and to provide for related matters.

**HOUSE BILL NO. 284—**

BY REPRESENTATIVE MCCAIN

AN ACT

To amend and reenact R.S. 9:315.12, relative to the guidelines for the determination of child support; to require the Department of Social Services and the Louisiana District Attorneys Association to assist the legislature in the federally mandated periodic review thereof; and to provide for related matters.

**HOUSE BILL NO. 285—**BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact Children's Code Art. 312(B), relative to original criminal court jurisdiction in certain juvenile matters; to provide for jurisdiction of certain criminal matters to the Municipal Court of New Orleans; and to provide for related matters.

**HOUSE BILL NO. 319—**BY REPRESENTATIVE JACK SMITH  
AN ACT

To provide relative to the Wedell-Williams Memorial Aviation Museum; to authorize certain leases or cooperative endeavors on behalf of said museum by the Department of Transportation and Development and the Department of Culture, Recreation and Tourism; to provide that said authority for leases or endeavors includes the use of certain property in St. Mary Parish; to provide terms and conditions; and to provide for related matters.

**HOUSE BILL NO. 320—**BY REPRESENTATIVE STELLY  
AN ACT

To amend and reenact R.S. 13:964.1(A), relative to the court reporters' indigent transcript fund in the Fourteenth Judicial District; to require that the fund be used to pay court reporters for certain transcriptions from juvenile cases; and to provide for related matters.

**HOUSE BILL NO. 362—**BY REPRESENTATIVE JACK SMITH  
AN ACT

To enact Chapter 17-B of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:831 through 834, and to amend and reenact R.S. 36:209(B), to provide for the creation of the Louisiana Cypress Sawmill Museum in Patterson, Louisiana; and to provide for related matters.

**HOUSE BILL NO. 388—**BY REPRESENTATIVE MCCAIN  
AN ACT

To enact R.S. 15:242 and 578.1, relative to criminal procedure; to provide that the record of the arrest and the placement of a person in a pretrial diversion program arrested for driving while intoxicated become public record; and to provide for related matters.

**HOUSE BILL NO. 371—**BY REPRESENTATIVE LONG  
AN ACT

To enact R.S. 13:2111, relative to the City Court of Natchitoches; to authorize the transfer of surplus funds from the court's civil fee account to the court's general operational fund; and to provide for related matters.

**HOUSE BILL NO. 408—**BY REPRESENTATIVE SALTER  
AN ACT

To amend and reenact R.S. 13:998(A) and (E)(1)(introductory paragraph), relative to fees in certain civil matters; to require the clerks of the district courts in Sabine and DeSoto Parishes to assess an additional fee, in certain civil matters, for support of various nonprofit organizations providing shelter for battered women and their children; to provide for the disposition of such fee; and to provide for related matters.

**HOUSE BILL NO. 464—**BY REPRESENTATIVES DOWNER AND TRAVIS  
AN ACT

To amend and reenact Children's Code Articles 1189(3), 1270, 1271(A), and 1272, relative to adoptions; to authorize biological siblings to register with the voluntary registry in an attempt to locate an adopted sibling; and to provide for related matters.

**HOUSE BILL NO. 495—**BY REPRESENTATIVE JOHNS  
AN ACT

To enact R.S. 9:2800.11, relative to offenses and quasi offenses; to provide for a limitation of liability of a municipal or parish airport authority in certain parishes for damage to aircraft parked on airport property; and to provide for related matters.

**HOUSE BILL NO. 497—**BY REPRESENTATIVE MCCAIN  
AN ACT

To amend and reenact R.S. 15:1174(2) and to enact R.S. 15:1171(D) and 1177(B), all relative to the administrative remedy procedure for prisoners; to provide with respect to status as an "offender"; to provide with respect to delivery of decisions on applications for judicial review; and to provide for related matters.

**HOUSE BILL NO. 498—**BY REPRESENTATIVE MCCAIN  
AN ACT

To enact R.S. 15:1178 and 1179, relative to the administrative remedy procedure for complaints and grievances filed by prisoners; to provide for pretrial screening of applications for judicial review arising out of that procedure; to provide for service of process in those applications; and to provide for related matters.

**HOUSE BILL NO. 504—**BY REPRESENTATIVES WIGGINS AND DEWITT AND SENATORS DYESS AND ELLINGTON  
AN ACT

To amend and reenact R.S. 27:43(B)(1), relative to gaming activities allowed on designated rivers and waterways; to provide that the portion of the Red River within the borders of Rapides Parish is not a designated river or designated waterway upon which gaming activities may be conducted; and to provide for related matters.

**HOUSE BILL NO. 514—**BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS  
AN ACT

To enact Chapter 3 of the Louisiana Code of Evidence, to be comprised of Articles 301 through 308, and to enact Louisiana Code of Evidence Article 804(B)(5), to repeal Civil Code Articles 1849, 1850, 1851, and 1852, and to provide for the redesignation of Louisiana Code of Evidence Articles 804(B)(5) and (6), all relative to evidence in civil proceedings; to provide for the definition, effect, and application of presumptions and prima facie evidence as used in legislation governing civil proceedings; to provide for definitions; to provide with respect to conclusive and rebuttable presumptions; to provide for jury instructions; to provide for a residual hearsay exception when the declarant is unavailable to testify; to repeal certain Civil Code Articles relative to presumptions; and to provide for related matters.

**HOUSE BILL NO. 583—**BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS  
AN ACT

To amend and reenact Code of Civil Procedure Articles 6, 925, 1671, 2002, and 5091(A)(1)(a), R.S. 13:1704(A)(3), R.S. 34:807, and Children's Code Articles 644(B) and 1024(B) and to repeal Code of Civil Procedure Article 7, relative to personal jurisdiction; to repeal the general appearance by a party in all proceedings; to repeal the implied waiver of objections by general appearance; to provide that objection to jurisdiction is waived unless a declinatory exception is timely filed; and to provide for related matters.

**HOUSE BILL NO. 626—**BY REPRESENTATIVES MONTGOMERY, BRUCE, AND KENNARD  
AN ACT

To enact R.S. 15:587.2, relative to the Louisiana Bureau of Criminal Identification and Information; to provide that Louisiana State University campus police have authority to conduct employee criminal background checks; to provide that Louisiana State

University campus police have access to criminal history information; and to provide for related matters.

**HOUSE BILL NO. 638—**  
BY REPRESENTATIVE BRUNEAU  
AN ACT

To enact R.S. 13:4165, relative to courts and judicial procedure; to authorize district courts to appoint special masters in certain cases; and to provide for related matters.

**HOUSE BILL NO. 943—**  
BY REPRESENTATIVE MCCAIN AND SENATOR LANDRY  
AN ACT

To amend and reenact Code of Criminal Procedure Art. 832, relative to the presence of the defendant at criminal proceedings; to provide for the waiver of the right to be present; to allow for simultaneous audio-visual transmission; and to provide for related matters.

**HOUSE BILL NO. 1100—**  
BY REPRESENTATIVE TRAVIS  
AN ACT

To authorize and provide for the transfer or lease of certain state property to the town of St. Francisville from the Department of Health and Hospitals; to provide terms and conditions; and to provide for related matters.

**HOUSE BILL NO. 1135—**  
BY REPRESENTATIVE BRUN  
AN ACT

To amend and reenact R.S. 33:2493(C), relative to admission to tests for municipal fire and police civil service employees and applicants; to delete provisions relative to the qualifications of any applicant admitted to a test in a municipality located within a parish containing a population of not less than two hundred twenty-five thousand nor more than two hundred seventy-five thousand; and to provide for related matters.

**HOUSE BILL NO. 1172 (Duplicate of Senate Bill No. 671)—**  
BY REPRESENTATIVE FORSTER AND SENATOR BAGNERIS AND  
COAUTHORED BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 41:135(A), relative to disposition of proceeds of sale of public lands; to exempt the board of commissioners of the Orleans Levee District from the provisions requiring the sheriff to forward the net proceeds of the sale to the Department of Natural Resources for deposit into the state treasury; to authorize the sheriff to forward the balance of the net proceeds of the sale of Orleans Levee District property directly to that district; and to provide for related matters.

**HOUSE BILL NO. 1240—**  
BY REPRESENTATIVES TRAVIS, DOWNER, AND DEWITT AND  
SENATORS HOLLIS AND SMITH  
AN ACT

To amend and reenact R.S. 51:2461(A) and (B), relative to the Louisiana Quality Jobs Program Act; to extend the date by which the Department of Economic Development shall submit a report regarding fiscal impact and new jobs created under the Louisiana Quality Jobs Program Act; to extend the date beyond which no new applications to receive tax credits shall be approved; and to provide for related matters.

**HOUSE BILL NO. 1391—**  
BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 33:1735(A), relative to constables; to increase the compensation of the constable of the first city court in New Orleans; and to provide for related matters.

**HOUSE BILL NO. 1392—**  
BY REPRESENTATIVE RIDDLE  
AN ACT

To amend and reenact R.S. 9:374(B), relative to community property; to authorize the court to award to one spouse the possession and use of the community family home and other community property subsequent to filing a petition for separation of property during the marriage; and to provide for related matters.

**HOUSE BILL NO. 1653—**  
BY REPRESENTATIVES MURRAY AND FORSTER  
AN ACT

To amend and reenact R.S. 13:2493(E) and to enact R.S. 13:2493(F), relative to jurisdiction of the Municipal Court of New Orleans; to authorize the court to grant injunctive relief in certain cases; and to provide for related matters.

**HOUSE BILL NO. 1659—**  
BY REPRESENTATIVE JACK SMITH  
AN ACT

To enact R.S. 33:3007, to dedicate certain Indian gaming revenues received by the state to a special fund in the state treasury; to create the fund; to provide for the use of monies in the fund; to provide for allocation of the monies by the St. Mary Parish Council to various local governments within the parish; and to provide for related matters.

**HOUSE BILL NO. 219—**  
BY REPRESENTATIVE DOERGE  
AN ACT

To enact R.S. 22:1404(3)(f), relative to insurance rates; to provide for a rate reduction under certain circumstances; and to provide for related matters.

**HOUSE BILL NO. 253—**  
BY REPRESENTATIVE TRAVIS  
AN ACT

To amend and reenact R.S. 37:3553(B), relative to licensing of massage therapists; to provide relative to exceptions to the regulations governing massage therapists; and to provide for related matters.

**HOUSE BILL NO. 1118—**  
BY REPRESENTATIVES TOOMY, ALARIO, R. ALEXANDER, BRUCE,  
CURTIS, DIEZ, FAUCHEUX, FRITH, GAUTREAU, LEBLANC, MARTINY,  
MCCALLUM, MORRISH, MURRAY, ROMERO, JOHN SMITH, THOMAS,  
THORNHILL, WARNER, AND WELCH AND SENATORS LANDRY AND  
SHORT  
AN ACT

To amend and reenact R.S. 13:782(A) and (K), 1212, 1371, and 1371.1, relative to clerks of court; to increase the salaries of the clerks of court; to establish the Louisiana Clerks of Court Certification program for the clerks of the Civil District Court and the Criminal District Court for the parish of Orleans; and to provide for related matters.

**HOUSE BILL NO. 1129—**  
BY REPRESENTATIVE ALARIO  
AN ACT

To amend and reenact R.S. 36:451, 453, 454(B)(1)(b), 456(A) and (B), 457(A), 458(A), (C), and (D), and 459(B) through (F), to change the name of the Department of Revenue and Taxation to the Department of Revenue; and to provide for related matters.

**HOUSE BILL NO. 1252—**  
BY REPRESENTATIVES WINDHORST AND DEWITT  
AN ACT

To amend and reenact R.S. 15:874(4)(d), relative to inmates' compensation accounts; to provide for the use of funds as authorized by the secretary of the department; and to provide for related matters.

**HOUSE BILL NO. 1324—**

BY REPRESENTATIVE THOMPSON AND SENATOR SCHEDLER  
AN ACT

To amend and reenact Children's Code Art. 311, relative to juvenile jurisdiction over adults; to provide concurrent jurisdiction in certain support cases; and to provide for related matters.

**HOUSE BILL NO. 1327—**

BY REPRESENTATIVE THOMPSON AND SENATOR SCHEDLER  
AN ACT

To amend and reenact Code of Civil Procedure Art. 74.2(C) and (D) and R.S. 46:236.2, to enact Code of Civil Procedure Art. 74.2(E), Section 2 of Chapter 7 of Title II of Book V of the Code of Civil Procedure, comprised of Articles 2785 through 2794, and Children's Code Art. 314.1, all relative to child support; to provide with respect to venue and the transferring of child support cases within this state; to provide a process to register intrastate support orders; to provide for transfer of a proceeding for subsequent enforcement and modification by the district attorney; and to provide for related matters.

**HOUSE BILL NO. 1388—**

BY REPRESENTATIVE MCMAINS  
AN ACT

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

**HOUSE BILL NO. 1395—**

BY REPRESENTATIVES WINDHORST, ANSARDI, DONELON, LANCASTER, MARTINY, AND VITTER AND SENATOR ULLO  
AN ACT

To amend and reenact Children's Code Art. 903(C) and R.S. 15:901(C), relative to commitment of juveniles adjudicated delinquent; to reduce the number of days that a child committed to the Department of Public Safety and Corrections can remain in a parish juvenile detention facility; and to provide for related matters.

**HOUSE BILL NO. 1398—**

BY REPRESENTATIVES DUPRE AND DOWNER  
AN ACT

To amend and reenact R.S. 13:976(C), relative to court reporters; to provide for fees in civil and criminal cases in the Thirty-second Judicial District Court; and to provide for related matters.

**HOUSE BILL NO. 1425—**

BY REPRESENTATIVES QUEZAIRE, GUILLORY, ILES, AND MITCHELL  
AN ACT

To enact R.S. 46:56.1, relative to the Department of Health and Hospitals; to require the Department of Health and Hospitals to release to health care facilities licensed by the department the name and a photograph of any person convicted of a crime involving elderly abuse, or who has pled guilty or nolo contendere to such a crime, who has been investigated by the department, the Office of Elderly Affairs, the office of the attorney general, or a local law enforcement agency following a report of abuse; to provide that the release of such information constitutes an authorized disclosure; to require the department in consultation with the Office of Elderly Affairs to adopt and promulgate rules; and to provide for related matters.

**HOUSE BILL NO. 1539—**

BY REPRESENTATIVES HAMMETT, BARTON, DURAND, FLAVIN, GAUTREAU, HILL, MICHOT, MURRAY, POWELL, SCHNEIDER, AND WESTON

AN ACT

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

**HOUSE BILL NO. 1568—**

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

AN ACT

To amend and reenact R.S. 15:705(C)(1) and (3), 831(B), and 874(4)(d) and to enact R.S. 15:874(4)(e), relative to medical treatment of inmates; to require copayments by inmates upon receiving medical or dental treatment; to authorize collection of copayments from an inmate's drawing or savings account; to authorize the secretary of the Department of Public Safety and Corrections to promulgate rules and regulations governing copayments and their collection; to authorize the parish governing authorities to establish written rules governing copayments and their collection; and to provide for related matters.

**HOUSE BILL NO. 1596—**

BY REPRESENTATIVE BRUN

AN ACT

To enact R.S. 47:305.14(D), relative to the exemption from sales and use taxes for nonprofit organizations; to provide for the venue in a proceeding for determination of tax exempt status; and to provide for related matters.

**HOUSE BILL NO. 1605—**

BY REPRESENTATIVE FORSTER

AN ACT

To amend and reenact R.S. 40:2144(H), relative to the Hospital Records and Retention Act; to authorize the Department of Health and Hospitals to promulgate rules to regulate the use of orders for the care and treatment of hospital patients transmitted electronically; to authorize such rules to include when and under what circumstances the ordering health care provider must sign or countersign the order; and to provide for related matters.

**HOUSE BILL NO. 1629—**

BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact R.S. 13:2583(A), relative to constables; to provide for certain qualifications of office; and to provide for related matters.

**HOUSE BILL NO. 1645—**

BY REPRESENTATIVES VITTER, BRUCE, DUPRE, KENNARD, MCCAIN, ROMERO, AND WINDHORST

AN ACT

To enact R.S. 15:573.1 and 574.2.1, relative to pardon and parole; to limit contact with members of the Board of Pardons and Board of Parole regarding cases; to provide that letters written regarding inmates seeking pardon or parole shall be public record; to provide for exceptions; to provide penalties; to provide with respect to the rulemaking authority of the Board of Pardons and Board of Parole; and to provide for related matters.

**HOUSE BILL NO. 1673—**

BY REPRESENTATIVE DONELON

AN ACT

To amend and reenact R.S. 22:224(A)(2), (B)(2), and (F)(3)(introductory paragraph), and (H) and to repeal R.S. 22:224(F)(3)(c) and (d), relative to Medicare supplemental insurance; to provide for minimum standards; to provide for notice requirements; and to provide for related matters.

June 18, 1997

**HOUSE BILL NO. 1834—**

BY REPRESENTATIVE TOOMY  
AN ACT

To enact R.S. 37:2560, relative to certified shorthand reporters; to authorize the Board of Examiners of Certified Shorthand Reporters to impose a fine; and to provide for related matters.

**HOUSE BILL NO. 1837—**

BY REPRESENTATIVE VITTER  
AN ACT

To amend and reenact R.S. 15:572.1(E), 572.4(B)(1)(a), and 574, relative to the Board of Pardons; to provide for a quorum; to provide with respect to rulemaking; to provide for certain notices prior to consideration of pardon applications; to provide for the vote required for action to be taken; and to provide for related matters.

**HOUSE BILL NO. 1920—**

BY REPRESENTATIVE DEWITT AND SENATOR HINES  
AN ACT

To enact R.S. 40:2006, relative to the regulation of health care providers by the Department of Health and Hospitals; to require any health care provider to be physically separated from other health care providers; to require any health care provider to be clearly identifiable and distinguishable from other health care providers; to require all health care providers on one premises to comply with local or statewide codes; to provide for exceptions from requirements; to provide for rulemaking; and to provide for related matters.

**HOUSE BILL NO. 1964—**

BY REPRESENTATIVE DURAND  
AN ACT

To enact R.S. 37:22, relative to the identification of health care providers; to provide for legislative intent; to authorize a licensed health care provider to identify himself or herself by use of professional licensure terms or terminology as provided for within the laws, rules, or regulations which govern the licensure of such health care provider; and to provide for related matters.

**HOUSE BILL NO. 2023—**

BY REPRESENTATIVE WRIGHT  
AN ACT

To enact Subpart T of Part I of Chapter 1 of Subtitle II of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:120.57, relative to the state individual income tax checkoffs; to provide for a method for individuals to donate a portion of any refund due to Ducks Unlimited; to provide that the secretary of the Department of Revenue and Taxation shall maintain a registry of such donations; to provide for the remission of any amount so donated; and to provide for related matters.

**HOUSE BILL NO. 2321—**

BY REPRESENTATIVES LANCASTER AND JENKINS  
AN ACT

To amend and reenact R.S. 18:1483(14), relative to campaign finance; to change the definition of "political committee"; to include certain persons and corporations which support or oppose a candidate or proposition and which accept direct payments for certain personal services related to a campaign; and to provide related matters.

**HOUSE BILL NO. 2354—**

BY REPRESENTATIVE WINSTON  
AN ACT

To authorize and provide for the lease of or other cooperative endeavor involving certain state property by the Northlake Nature Center from the Department of Health and Hospitals; and to provide for related matters.

**HOUSE BILL NO. 2360—**

BY REPRESENTATIVE MURRAY  
AN ACT

To amend and reenact R.S. 22:1404.1, relative to the Department of Insurance; to permit the review of the financial condition of insurers by the department; and to provide for related matters.

**HOUSE BILL NO. 2416—**

BY REPRESENTATIVE RIDDLE  
AN ACT

To amend and reenact R.S. 47:120.40(B), relative to the state individual income tax checkoffs; to provide for a method for individuals to donate a portion of any refund due to Louisiana Operation Game Thief, Incorporated; to provide that the secretary of the Department of Revenue and Taxation shall maintain a registry of such donations; to provide for the remission of any amount so donated; and to provide for related matters.

**HOUSE BILL NO. 2511 (Substitute For House Bill No. 2237 by Representative DeWitt)—**

BY REPRESENTATIVE DEWITT  
AN ACT

To amend and reenact in its entirety Act No. 487 of the 1954 Regular Session of the Legislature, as amended by Act No. 120 of the 1962 Regular Session, Act No. 396 of the 1964 Regular Session, Act No. 720 of the 1974 Regular Session, and Act No. 280 of the 1984 Regular Session, relative to the civil service system of the city of Alexandria; to provide for the governance of and membership in such system; to provide for membership on and powers and duties of the governing authority of the system; to provide for classification and pay plans and other rules and regulations; to provide relative to qualifications for employment and employment and promotion lists; to provide relative to the director of the system and other matters of administration; to provide for investigations of complaints and disciplinary actions; to provide relative to prohibitions of political and other activities; and to provide for related matters.

**HOUSE BILL NO. 1071—**

BY REPRESENTATIVE MCCALLUM  
AN ACT

To repeal R.S. 9:5201, 5202, and 5203, relative to duties of the clerks of court; to repeal provisions concerning the duty to provide notice of tax sales.

**HOUSE BILL NO. 1076—**

BY REPRESENTATIVES RIDDLE AND DEWITT AND SENATOR DARDENNE  
AN ACT

To amend and reenact R.S. 27:92(B)(2)(a)(i), 270(A)(2)(a), and 312(B)(2)(a) and R.S. 47:9029(B)(2), relative to the allocation of certain gaming and lottery proceeds to the Compulsive and Problem Gaming Fund; to increase the allocation of monies to the fund; and to provide for related matters.

**HOUSE BILL NO. 1103—**

BY REPRESENTATIVES TRAVIS, DOWNER, DEWITT, DURAND, FLAVIN, FRITH, GAUTREAUX, HILL, POWELL, SCHNEIDER, AND WESTON  
AN ACT

To amend and reenact R.S. 51:936(B), to enact R.S. 36:4(B)(1)(f) and Chapter 12 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1361 through 1368, and to repeal Part II of Chapter 7 of Title 6 of the Louisiana Revised Statutes of 1950, comprised of R.S. 6:551 through 568, relative to the Louisiana International Trade Development Act; to provide for a short title; to provide for a declaration of purpose; to provide for definition of terms; to create and provide relative to the Louisiana International Trade Development Board; to provide for the protection from personal liability of directors; to provide for powers of the board; to provide for annual reports, examinations, and audits; to provide for coordination and cooperation with other entities; and to provide for related matters.

**HOUSE BILL NO. 1177—**

BY REPRESENTATIVE LEBLANC

AN ACT

To repeal R.S. 49:259, relative to the Department of Justice Claims Recovery Fund.

**HOUSE BILL NO. 1233—**

BY REPRESENTATIVE MICHOT

AN ACT

To appropriate funds out of the General Fund of the state of Louisiana to be used to pay the stipulated judgment in the suit entitled "Dr. Ernest M. Yongue, Dr. Charles W. Boustany, Sr., Dr. Joseph C. Musso, and Dr. Bruce Lance Craig versus the State of Louisiana through its treasurer, Ken Duncan", and to provide for related matters.

**HOUSE BILL NO. 1264—**

BY REPRESENTATIVES MCDONALD, DOWNER, AND THOMPSON AND SENATOR GREENE

AN ACT

To enact R.S. 42:456.1, relative to public employees; to permit payroll withholding for the deposit of funds into a Louisiana Student Tuition Assistance and Revenue Trust Program education savings account; to provide guidelines for and limitations on such withholdings; to provide for the adoption of certain rules by the Louisiana Tuition Trust Authority; to provide for effectiveness; and to provide for related matters.

**HOUSE BILL NO. 1318—**

BY REPRESENTATIVE LEBLANC

AN ACT

To repeal R.S. 39:1641(F), relative to leases of space for state agencies; to repeal the exemption for leasing of certain space without the approval of the commissioner of administration; and to provide for related matters.

**HOUSE BILL NO. 1365—**

BY REPRESENTATIVE WARNER

AN ACT

To amend and reenact R.S. 11:3383(A), 3384(B), and 3385.1(K)(4) and to repeal R.S. 11:3380, relative to the Firefighters' Pension and Relief Fund in the city of New Orleans; to discontinue the minimum benefit to beneficiaries of deceased firefighters; to provide with respect to standardizing the formula for the computation of retirement benefits; to make a technical correction within the provisions of the Deferred Retirement Option Plan; to repeal the one dollar per day sick benefit for members who have exhausted such sick leave; and to provide for related matters.

**HOUSE BILL NO. 1374—**

BY REPRESENTATIVE DONELON

AN ACT

To enact Code of Civil Procedure Articles 2087(D) and 2123(C), relative to the procedure for appealing; to provide that the time within which to take a devolutive or suspensive appeal is interrupted in cases wherein the proceeding is removed to federal court; and to provide for related matters.

**HOUSE BILL NO. 1380 (Duplicate of Senate Bill No. 1130)—**

BY REPRESENTATIVE DOWNER AND SENATOR DARDENNE AND COAUTHORED BY REPRESENTATIVES BRUN, MCDONALD, LONG, DEWITT, ALARIO, DUPRE, HUDSON, FAUCHEUX, ILES, JOHNS, KENNEY, LEBLANC, MCCAIN, MCMAINS, MICHOT, POWELL, SALTER, SHAW, THOMAS, WALSWORTH, WIGGINS, THOMPSON, FLAVIN, FRITH, AND SCHNEIDER AND SENATORS HAINKEL, BAGNERIS, BAJOIE, BARHAM, BEAN, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, DEAN, DYESS, ELLINGTON, EWING, FIELDS, GREENE, GUIDRY, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN, LAMBERT, LANDRY, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SHORT, SIRACUSA, SMITH, TARVER, THEUNISSEN, AND ULLO

AN ACT

To enact R.S. 17:354, relative to state funds; to provide for creation of the Teacher Supplies Fund; to provide for deposit of monies into the fund; to provide for uses of monies in the fund; and to provide for related matters.

**HOUSE BILL NO. 1383—**

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 14:95(H), relative to the crime of illegal carrying of weapons and exceptions thereto; to authorize justices of the peace and constables to carry concealed handguns; and to provide for related matters.

**HOUSE BILL NO. 1403—**

BY REPRESENTATIVE WRIGHT AND SENATOR SMITH

AN ACT

To enact R.S. 13:961(F)(1)(g) and (h), relative to court reporters; to provide for fees in civil and criminal cases in the Twenty-eighth and Thirty-fifth Judicial District Courts; and to provide for related matters.

**HOUSE BILL NO. 1421—**

BY REPRESENTATIVES MCDONALD, MCMAINS, AND DOWNER

AN ACT

To amend and reenact R.S. 17:416.4, relative to civil liability of public school employees; to provide relative to legal defense and indemnification of all public school employees by city and parish school boards; to provide for notification procedures by school boards to their employees; and to provide for related matters.

**HOUSE BILL NO. 1423—**

BY REPRESENTATIVE PRATT

AN ACT

To amend and reenact R.S. 32:293(C) and to repeal R.S. 32:293(A), relative to seating capacity of school buses; to limit the number of children transported on a school bus at one time to the number of seats available on such bus; to remove provision defining the seating capacity of a school bus; and to provide for related matters.

**HOUSE BILL NO. 1442—**

BY REPRESENTATIVE CLARKSON

AN ACT

To amend and reenact R.S. 24:653(A), relative to the Joint Legislative Committee on the Budget; to authorize the committee to study service contract requests to determine the impact of privatizing state government functions; and to provide for related matters.

**HOUSE BILL NO. 1462—**

BY REPRESENTATIVES JETSON AND DEWITT

AN ACT

To enact Part L of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.111 through 1300.113, relative to health care and morbidity reporting; to recognize the Department of Health and Hospitals, office of public health, as a state health care data clearinghouse; to provide for the collection and dissemination of health care data by the Department of Health and Hospitals, office of public health; to require state agencies to provide information to the office of public health; to require licensed health care providers to provide information; to provide for confidentiality of reported data; to provide penalties for violations regarding confidentiality of information; to provide penalties for failure to provide such information; and to provide for related matters.

**HOUSE BILL NO. 1466—**

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact R.S. 9:2794(B), relative to the locale rule in medical malpractice actions; to limit the right of a party to subpoena a physician, dentist, optometrist, or chiropractic physician, without his consent and in order to obtain his deposition or testimony for trial; and to provide for related matters.

June 18, 1997

**HOUSE BILL NO. 1505—**

BY REPRESENTATIVES CLARKSON AND LONG  
AN ACT

To amend and reenact R.S. 39:1498(A)(7), relative to approval of contracts; to provide for more specific contract information for service contracts prior to approval; and to provide for related matters.

**HOUSE BILL NO. 1554—**

BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 11:1162(A)(6), relative to the Louisiana School Employees' Retirement System; to provide with respect to the board of trustees; to provide for membership districts for certain members; to provide for an effective date and retroactive application; and to provide for related matters.

**HOUSE BILL NO. 1598—**

BY REPRESENTATIVES CLARKSON AND THOMPSON  
AN ACT

To repeal R.S. 39:1512(B) through (G), relative to reimbursement of costs; to delete provision for advance payment on service contracts; and to provide for related matters.

**HOUSE BILL NO. 1601—**

BY REPRESENTATIVE DOERGE  
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana for the Fiscal Year 1996-1997 to the Department of Public Safety and Corrections to be credited to the special fund in the state treasury created by R.S. 33:2003 for payment of supplemental salaries to certain fire department personnel, as provided in R.S. 33:2002, for the purpose of paying uncollected back supplemental pay to Tom Guy Mandino of the Minden Fire Department, contingent upon certain conditions.

**HOUSE BILL NO. 1615—**

BY REPRESENTATIVE TRICHE  
AN ACT

To repeal R.S. 33:2006(C), relative to the Fireman's Supplemental Pay Board; to eliminate the fire marshal as an ex officio member of the board.

**HOUSE BILL NO. 1619—**

BY REPRESENTATIVE WINDHORST  
AN ACT

To amend and reenact R.S. 47:820.5(B)(4), relative to the use of toll revenues derived from the Greater New Orleans Mississippi River Bridges; to provide for the use and limitations on the use of excess toll revenues; and to provide for related matters.

**HOUSE BILL NO. 1624—**

BY REPRESENTATIVE BRUN  
AN ACT

To amend and reenact R.S. 17:414.2, relative to assessment of academic achievement of students by public elementary and secondary school teachers; to prohibit certain actions relative to influencing, altering, or otherwise affecting grades; to prohibit, with certain exceptions and then only in accordance with certain procedures, the alteration or change in any manner of a grade; to provide limitations on the use of certain grade determinations for assessment and evaluation of a teacher's performance; to provide for an effective date; and to provide for related matters.

**HOUSE BILL NO. 1728—**

BY REPRESENTATIVE DEWITT AND SENATOR HINES  
AN ACT

To enact R.S. 37:795, relative to the Louisiana State Board of Dentistry; to authorize the board to establish fees and costs to be imposed; to provide a schedule for such fees and costs to be imposed, including the range authorized; and to provide for related matters.

**HOUSE BILL NO. 2253—**

BY REPRESENTATIVES MORRELL AND WINDHORST  
(On Recommendation of the Louisiana State Law Institute)  
AN ACT

To amend and reenact Code of Criminal Procedure Arts. 844(A) and 916(5), relative to appellate court procedures; to provide for the filing of a written designation of errors with the appellate court; to require copies of the assignment of errors to be furnished to the trial court and counsel; to provide for time for filing; to provide for divesting of jurisdiction of the trial court; and to provide for related matters.

**HOUSE BILL NO. 2330—**

BY REPRESENTATIVE THERIOT  
AN ACT

To enact R.S. 33:1421(C), relative to deferred compensation plans; to provide for participation by sheriffs; and to provide for related matters.

and asked that the President of the Senate affix his signature to the same.

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

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

**Adjournment**

Senator Bagneris moved that the Senate adjourn until Thursday, June 19, 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 Thursday, June 19, 1997.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk