

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

**THIRTY-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 4, 1997

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

**ROLL CALL**

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

**PRESENT**

Mr. President	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		

**ABSENT**

Bagneris  
Total—1

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

**Prayer**

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

**Morning Hour**

**Messages from the House**

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

**Message from the House  
PASSED SENATE BILLS AND  
JOINT RESOLUTIONS**

June 4, 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. 938—**  
BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT  
AN ACT

To amend and reenact R.S. 30:2011(D)(22), relative to fees charged by the Department of Environmental Quality; to authorize the department to charge certain fees for the certification of commercial laboratories; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1219—**  
BY SENATOR JORDAN  
AN ACT

To amend and reenact R.S. 37:3103(A)(11), 3105(A), 3111(B)(2), 3112(D), 3115(A)(2), 3121(B), 3125(B) and 3143 and to repeal R.S. 37:3112(A)(6), 3126, and 3127, relative to the Auctioneers Licensing Board; to provide for a chairman and vice-chairman; to provide for payments and accounts; to provide for discipline; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1166—**  
BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT  
AN ACT

To amend and reenact R.S. 30:2011(D)(21)(b), 2073(1), 2074(B)(4), the introductory paragraph of 2154(A) and (B)(1)(a), (5), and (7), and to enact R.S. 30:2074(B)(1)(c) and (3)(e), and 2154(A)(4) and (5), relative to regulation of the use and disposal of sewage sludge; to clarify certain powers of the secretary of the Department of Environmental Quality to regulate use and disposal of sewage sludge; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1323—**  
BY SENATOR EWING  
AN ACT

To enact Part VIII-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:300 through 302, relative to access to public data bases; to provide for the public policy of the state; to provide for access to data bases for individuals who are visually impaired; to provide for the purchase of technology that facilitates access to data; to provide for a technology access advisory council; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 1215—**  
BY SENATORS EWING AND ROMERO  
AN ACT

To amend and reenact R.S. 47:285, 318(A), 615(introductory paragraph), 645(A), 680, 695, 727(A), 832, 1010, 1040, 1061(A)(4), 1307, and 2418 and to enact R.S. 47:1521, relative to the taxes collected by the Department of Revenue and Taxation; to require all monies collected by the Department of Revenue and Taxation to be paid into the state treasury immediately upon receipt; and to provide for related matters.

Reported with amendments.

June 4, 1997

**SENATE BILL NO. 1336—**  
BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT  
AN ACT

To amend and reenact R.S. 30:2050.21, relative to judicial review of matters before the Department of Environmental Quality; to provide for appeals, preparation of the record, hearings, modification of decisions, procedures, and a standard of review; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 222—**  
BY SENATORS LANDRY, BEAN, CAIN, DYESS, HEITMEIER, LENTINI AND SMITH  
AN ACT

To amend and reenact R.S. 32:61 and 62(A), relative to traffic regulations; to increase maximum speed limits on certain highways of the state; to require the Department of Transportation and Development to develop criteria to determine portions of roads requiring lower speed limits; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 304—**  
BY SENATOR CAIN  
AN ACT

To enact R.S. 32:707(M), relative to motor vehicles; to provide for acquisition of titles for certain vehicles; to require deposit; to require waiting period; to authorize credit for deposit under certain circumstances; to provide for effective date; and to provide for related matters.

Reported with amendments.

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

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

Reported with amendments.

**SENATE BILL NO. 616—**  
BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT  
AN ACT

To amend and reenact R.S. 30:2351.59, and to repeal R.S. 30:2351.60, relative to lead abatement programs; to provide for licensure, certification, accreditation, and notification fees to be paid into the Lead Hazard Reduction Fund; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 618—**  
BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT  
AN ACT

To enact R.S. 30:2065, relative to fees; to provide for air quality control programs; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 619—**  
BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT  
AN ACT

To enact R.S. 30:2063(J), relative to fees; to provide for fees for the prevention of accidental releases of air pollutants; to provide for registration; to provide for modification of fees; and to provide for related matters.

Reported with amendments.

**SENATE BILL NO. 675—**  
BY SENATOR LANDRY  
AN ACT

To amend and reenact R.S. 38:2212(A)(1)(a), relative to public contracts; to increase bid limit for purchases of materials or supplies; to increase limit at which quotations for purchases must be requested; to require advertisement for such quotations; and to provide for related matters.

Reported with amendments.

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

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

Reported with amendments.

**SENATE BILL NO. 944—**  
BY SENATOR EWING  
AN ACT

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

Reported with amendments.

**SENATE BILL NO. 405—**  
BY SENATORS DARDENNE, BARHAM, BEAN, GUIDRY, LENTINI, SHORT, BAJOIE, CASANOVA, HINES, ROBICHAUX AND SCHEDLER  
AN ACT

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

Reported with amendments.

**SENATE BILL NO. 8—**  
BY SENATOR BARHAM  
AN ACT

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

Reported with amendments.

**SENATE BILL NO. 722—**  
BY SENATORS CASANOVA, CRAVINS AND LAMBERT  
AN ACT

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

Reported with amendments.

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

**Message from the House**

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

June 4, 1997

To the Honorable President and Members of the Senate:

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

**HOUSE BILL NO. 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.

**HOUSE BILL NO. 128—**

BY REPRESENTATIVES FARVE, A. ALEXANDER, BAUDOIN, BOWLER, DIEZ, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREAUX, HEBERT, ILES, JOHNS, LANCASTER, MCCALLUM, MICHOT, MORRISH, PERKINS, POWELL, SHAW, STELLY, THOMPSON, THORNHILL, WALSWORTH, WESTON, WIGGINS, AND WRIGHT

AN ACT

To enact R.S. 14:32.9 and R.S. 40:1299.35.3 and to amend and reenact R.S. 40:1299.35.1(1), relative to abortion; to provide for the crime of partial birth abortion; to provide for penalties; to provide for the prohibition of the performance of partial birth abortions by a physician or any other person except where necessary to preserve the life of the mother; to provide definitions; to provide for severability; to provide for civil remedies; and to provide for related matters.

**HOUSE BILL NO. 2382—**

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 38:225(1) and (6), relative to levee boards and districts; to prohibit obstructions on levees, waterways, and rights-of-way therefor; to provide for the removal of obstructions at the expense of the person responsible; and to provide for related matters.

**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.

**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.

**HOUSE BILL NO. 2356—**

BY REPRESENTATIVE LEBLANC

AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 1997-1998, and to provide for related matters.

**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.

**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.

**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.

**HOUSE BILL NO. 2422—**

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact Section 11 of Act No. 762 of the 1986 Regular Session as amended by Act No. 875 of the 1988 Regular Session of the Legislature, relative to the Greater New Orleans Expressway Commission; to provide for its membership; and to provide for related matters.

**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.

June 4, 1997

**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.

**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.

**HOUSE BILL NO. 761—**

BY REPRESENTATIVE JACK SMITH  
AN ACT

To amend and reenact Children's Code Art. 903(C) and R.S. 15:901(C), relative to juveniles adjudicated delinquent and committed to the Department of Public Safety and Corrections; to provide for reduction in time for department to assign juveniles to secure facilities; to require the department to pay the parish keeping the juvenile for each day after the reduced time; and to provide for related matters.

**HOUSE BILL NO. 1210—**

BY REPRESENTATIVES LANCASTER, BRUNEAU, CRANE, DONELON, FRUGE, MARTINY, MCMAINS, POWELL, SCALISE, SHAW, WALSWORTH, WIGGINS, AND WINDHORST 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. 136—**

BY REPRESENTATIVES WIGGINS, BARTON, JOHNS, AND TRICHE  
AN ACT

To amend and reenact R.S. 13:760, relative to clerks of court; to provide for exemption from liability for clerks of court acting in conformity with an order of the court; and to provide for related matters.

**HOUSE BILL NO. 196—**

BY REPRESENTATIVE SCHNEIDER  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 23(C) of the Constitution of Louisiana, to provide relative to public notice of any public meeting at which an increase in authorized millages after reappraisal will be acted upon by the taxing authority; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

**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.

**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. 2474—**

BY REPRESENTATIVE WIGGINS  
AN ACT

To amend and reenact R.S. 23:1203 and 1307 and to enact R.S. 23:1121(E), relative to workers' compensation; to provide that the physician who administers emergency treatment only shall not be the physician of choice of either the employee or the employer; to provide that care, services, and treatment may be provided at out-of-state facilities in certain instances; to provide medical expenses for out-of-state providers and facilities; to require payors to communicate to the claimant information regarding the procedure for requesting an independent medical exam; to require that the information brochure specifically state the procedure for requesting an independent medical examination; and to provide for related matters.

**HOUSE BILL NO. 2493—**

BY REPRESENTATIVE THORNHILL  
AN ACT

To amend and reenact R.S. 22:1382(A)(3)(a)(iv), 1401, 1404, 1404.1, 1405(A), (C), (D)(2) and (5), (G), and (I), 1406(D)(1)(a)(i), 1406.2(1) and (2), 1406.3(B) and (C), 1406.6(A), 1406.7(A) and (B), 1406.8(A) and (D), 1406.10, 1406.11, 1406.12, 1407, 1409(A), (B), (D), (E), and (G)(1), 1412(B), 1417 (A) and (B), 1417.1(C), 1422.1, 1423(A), (B), and (E), 1432(1), (2), and (6), 1436(A) and (B), 1437(A)(1) and (2)(g) and (B), 1438(A)(1) and (C), 1440, 1441 through 1444, 1446, 1447, 1450.3(4) and (5), and 1459(A) and R.S. 32:863.2(A)(1) and (2), and to enact R.S. 9:4101 through 4112, R.S. 22:2.1 and 635.3, and R.S. 32:863.1(F) and (G), relative to recommendations of the commissioner regarding automobile insurance rates; to provide that the commissioner shall make recommendations regarding rates to the House Committee on Insurance and the Senate Committee on Insurance; to provide for the scope of the recommendations; to provide for the mediation of automobile insurance claims, ratemaking of automobile insurance rates, sanctions for failure to maintain automobile insurance, the notice and evidence of automobile insurance; to require the offering of an economic only uninsured motorist policy; 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. 854—**

BY REPRESENTATIVE WRIGHT  
A JOINT RESOLUTION

Proposing to amend Article VII, Section 23(C) of the Constitution of Louisiana, to provide relative to public notice of any public meeting at which an increase in authorized millages after reappraisal will be acted upon by the taxing authority; to provide for submission of the

proposed amendment to the electors; 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. 1488—**  
BY REPRESENTATIVES DIMOS AND DEWITT  
AN ACT

To amend and reenact Civil Code Articles 394, 400, and 405 and Code of Civil Procedure Article 4549, relative to provisional curatorship; to provide for the appointment and qualifications of provisional curators; 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. 1910—**  
BY REPRESENTATIVES DOWNER, LEBLANC, R. ALEXANDER, DEVILLE, DIMOS, MCDONALD, MCMAINS, JOHN SMITH, STELLY, AND TRICHE  
AN ACT

To amend and reenact R.S. 24:652 and R.S. 39:37 and 51(A) and to enact R.S. 39:51(C), relative to budgetary procedure; to change the date for submission by the governor of the executive budget and certain appropriation bills; and to provide for related matters.

**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.

**HOUSE BILL NO. 2427—**  
BY REPRESENTATIVE VITTER  
AN ACT

To designate certain portions of U.S. Highway 61 as "Airline Drive", and to provide for related matters.

**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.

**HOUSE BILL NO. 1593—**  
BY REPRESENTATIVES VITTER, ALARIO, COPELIN, BRUN, DEWITT, DOERGE, FRITH, JENKINS, LANCASTER, MCCALLUM, MURRAY, POWELL, JOHN SMITH, THOMAS, THOMPSON, TOOMY, WALSWORTH, WIGGINS, AND WILKERSON  
AN ACT

To amend and reenact R.S. 47:2401, 2431, and 2432(A), to enact R.S. 47:2403(E) and 2420(D), and to repeal Part I of Chapter 1 of Subtitle IV of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:2401 through 2425, relative to the inheritance tax; to reduce the inheritance tax; to provide that the tax, interest, and penalties are not applicable under certain circumstances; to provide for the repeal of the inheritance tax

effective July 1, 2002; to make technical corrections to the estate transfer tax; 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. 1913—**  
BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact Code of Criminal Procedure Art. 719, relative to scientific testing of criminal defendants; to provide that criminal defendants may obtain one-half of a sample and conduct their own deoxyribonucleic acid testing at their expense; and to provide for related matters.

**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.

**HOUSE BILL NO. 336—**  
BY REPRESENTATIVES SCALISE, BARTON, BOWLER, BRUN, BRUNEAU, CLARKSON, FONTENOT, FRUGE, JENKINS, LANCASTER, PINAC, POWELL, SCHNEIDER, STELLY, WALSWORTH, WIGGINS, AND WINSTON AND SENATORS HAINKEL, DAR DENNE, DEAN, HOLLIS, AND SHORT  
A JOINT RESOLUTION

Proposing to add Article X, Section 31 of the Constitution of Louisiana, relative to public employees; to prohibit any municipality from adopting or enforcing a policy requiring municipal fire or police employees to reside or have a domicile in a particular place unless a proposition to allow such policy is approved by a majority of those voting thereon in an election held for such purpose; to provide for certain limitations; to provide for submission of the proposed amendment to the electors; 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.

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

**House Bills and Joint Resolutions**

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

June 4, 1997

**HOUSE BILL NO. 128—**

BY REPRESENTATIVES FARVE, A. ALEXANDER, BAUDOIN, BOWLER, DIEZ, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREAU, HEBERT, ILES, JOHNS, LANCASTER, MCCALLUM, MICHOT, MORRISH, PERKINS, POWELL, SHAW, STELLY, THOMPSON, THORNHILL, WALSWORTH, WESTON, WIGGINS, AND WRIGHT

AN ACT

To enact R.S. 14:32.9 and R.S. 40:1299.35.3 and to amend and reenact R.S. 40:1299.35.1(1), relative to abortion; to provide for the crime of partial birth abortion; to provide for penalties; to provide for the prohibition of the performance of partial birth abortions by a physician or any other person except where necessary to preserve the life of the mother; to provide definitions; to provide for severability; to provide for civil remedies; and to provide for related matters.

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

**HOUSE BILL NO. 136—**

BY REPRESENTATIVES WIGGINS, BARTON, JOHNS, AND TRICHE

AN ACT

To amend and reenact R.S. 13:760, relative to clerks of court; to provide for exemption from liability for clerks of court acting in conformity with an order of the court; and to provide for related matters.

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

**HOUSE BILL NO. 196—**

BY REPRESENTATIVE SCHNEIDER

A JOINT RESOLUTION

Proposing to amend Article VII, Section 23(C) of the Constitution of Louisiana, to provide relative to public notice of any public meeting at which an increase in authorized millages after reappraisal will be acted upon by the taxing authority; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

**HOUSE BILL NO. 336—**

BY REPRESENTATIVES SCALISE, BARTON, BOWLER, BRUN, BRUNEAU, CLARKSON, FONTENOT, FRUGE, JENKINS, LANCASTER, PINAC, POWELL, SCHNEIDER, STELLY, WALSWORTH, WIGGINS, AND WINSTON AND SENATORS HAINKEL, DARDENNE, DEAN, HOLLIS, AND SHORT

A JOINT RESOLUTION

Proposing to add Article X, Section 31 of the Constitution of Louisiana, relative to public employees; to prohibit any municipality from adopting or enforcing a policy requiring municipal fire or police employees to reside or have a domicile in a particular place unless a proposition to allow such policy is approved by a majority of those voting thereon in an election held for such purpose; to provide for certain limitations; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

**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.

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

**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.

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

**HOUSE BILL NO. 761—**

BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact Children's Code Art. 903(C) and R.S. 15:901(C), relative to juveniles adjudicated delinquent and committed to the Department of Public Safety and Corrections; to provide for reduction in time for department to assign juveniles to secure facilities; to require the department to pay the parish keeping the juvenile for each day after the reduced time; and to provide for related matters.

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

**HOUSE BILL NO. 854—**

BY REPRESENTATIVE WRIGHT

A JOINT RESOLUTION

Proposing to amend Article VII, Section 23(C) of the Constitution of Louisiana, to provide relative to public notice of any public meeting at which an increase in authorized millages after reappraisal will be acted upon by the taxing authority; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

**HOUSE BILL NO. 1210—**

BY REPRESENTATIVES LANCASTER, BRUNEAU, CRANE, DONELON, FRUGE, MARTINY, MCMAINS, POWELL, SCALISE, SHAW, WALSWORTH, WIGGINS, AND WINDHORST 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.

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

**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.

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

**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.

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

**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.

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

**HOUSE BILL NO. 1488—**  
BY REPRESENTATIVES DIMOS AND DEWITT  
AN ACT

To amend and reenact Civil Code Articles 394, 400, and 405 and Code of Civil Procedure Article 4549, relative to provisional curatorship; to provide for the appointment and qualifications of provisional curators; and to provide for related matters.

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

**HOUSE BILL NO. 1593—**  
BY REPRESENTATIVES VITTER, ALARIO, COPELIN, BRUN, DEWITT, DOERGE, FRITH, JENKINS, LANCASTER, MCCALLUM, MURRAY, POWELL, JOHN SMITH, THOMAS, THOMPSON, TOOMY, WALSWORTH, WIGGINS, AND WILKERSON  
AN ACT

To amend and reenact R.S. 47:2401, 2431, and 2432(A), to enact R.S. 47:2403(E) and 2420(D), and to repeal Part I of Chapter 1 of Subtitle IV of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:2401 through 2425, relative to the inheritance tax; to reduce the inheritance tax; to provide that the tax, interest, and penalties are not applicable under certain circumstances; to provide for the repeal of the inheritance tax effective July 1, 2002; to make technical corrections to the estate transfer tax; and to provide for related matters.

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

**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.

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

**HOUSE BILL NO. 1910—**  
BY REPRESENTATIVES DOWNER, LEBLANC, R. ALEXANDER, DEVILLE, DIMOS, MCDONALD, MCMAINS, JOHN SMITH, STELLY, AND TRICHE  
AN ACT

To amend and reenact R.S. 24:652 and R.S. 39:37 and 51(A) and to enact R.S. 39:51(C), relative to budgetary procedure; to change the date for submission by the governor of the executive budget and certain appropriation bills; and to provide for related matters.

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

**HOUSE BILL NO. 1913—**  
BY REPRESENTATIVE HUNTER  
AN ACT

To amend and reenact Code of Criminal Procedure Art. 719, relative to scientific testing of criminal defendants; to provide that criminal defendants may obtain one-half of a sample and conduct their own deoxyribonucleic acid testing at their expense; and to provide for related matters.

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

**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.

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

**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.

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

**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 Hainkel, the bill was read by title and referred to the Committee on Judiciary B.

**HOUSE BILL NO. 2356—**  
BY REPRESENTATIVE LEBLANC  
AN ACT

To provide with respect to the Revenue Sharing Fund and the allocation and distribution thereof for Fiscal Year 1997-1998, and to provide for related matters.

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

**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.

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

**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.

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

**HOUSE BILL NO. 2382—**

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 38:225(1) and (6), relative to levee boards and districts; to prohibit obstructions on levees, waterways, and rights-of-way therefor; to provide for the removal of obstructions at the expense of the person responsible; and to provide for related matters.

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

**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.

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

**HOUSE BILL NO. 2422—**

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact Section 11 of Act No. 762 of the 1986 Regular Session as amended by Act No. 875 of the 1988 Regular Session of the Legislature, relative to the Greater New Orleans Expressway Commission; to provide for its membership; and to provide for related matters.

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

**HOUSE BILL NO. 2427—**

BY REPRESENTATIVE VITTER

AN ACT

To designate certain portions of U.S. Highway 61 as "Airline Drive", and to provide for related matters.

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

**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.

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

**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.

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

**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.

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

**HOUSE BILL NO. 2474—**

BY REPRESENTATIVE WIGGINS

AN ACT

To amend and reenact R.S. 23:1203 and 1307 and to enact R.S. 23:1121(E), relative to workers' compensation; to provide that the physician who administers emergency treatment only shall not be the physician of choice of either the employee or the employer; to provide that care, services, and treatment may be provided at out-of-state facilities in certain instances; to provide medical expenses for out-of-state providers and facilities; to require payors to communicate to the claimant information regarding the procedure for requesting an independent medical exam; to require that the information brochure specifically state the procedure for requesting an independent medical examination; and to provide for related matters.

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

**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.

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

**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.

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

**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 Hainkel, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

**HOUSE BILL NO. 2493—**  
BY REPRESENTATIVE THORNHILL  
AN ACT

To amend and reenact R.S. 22:1382(A)(3)(a)(iv), 1401, 1404, 1404.1, 1405(A), (C), (D)(2) and (5), (G), and (I), 1406(D)(1)(a)(i), 1406.2(1) and (2), 1406.3(B) and (C), 1406.6(A), 1406.7(A) and (B), 1406.8(A) and (D), 1406.10, 1406.11, 1406.12, 1407, 1409(A), (B), (D), (E), and (G)(1), 1412(B), 1417 (A) and (B), 1417.1(C), 1422.1, 1423(A), (B), and (E), 1432(1), (2), and (6), 1436(A) and (B), 1437(A)(1) and (2)(g) and (B), 1438(A)(1) and (C), 1440, 1441 through 1444, 1446, 1447, 1450.3(4) and (5), and 1459(A) and R.S. 32:863.2(A)(1) and (2), and to enact R.S. 9:4101 through 4112, R.S. 22:2.1 and 635.3, and R.S. 32:863.1(F) and (G), relative to recommendations of the commissioner regarding automobile insurance rates; to provide that the commissioner shall make recommendations regarding rates to the House Committee on Insurance and the Senate Committee on Insurance; to provide for the scope of the recommendations; to provide for the mediation of automobile insurance claims, ratemaking of automobile insurance rates, sanctions for failure to maintain automobile insurance, the notice and evidence of automobile insurance; to require the offering of an economic only uninsured motorist policy; and to provide for related matters.

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

**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.

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

### Messages from the House

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

#### Message from the House

#### ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

June 4, 1997

To the Honorable President and Members of the Senate:

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

**HOUSE CONCURRENT RESOLUTION NO. 212—**  
BY REPRESENTATIVES TRAVIS AND MCMAINS  
A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the passing of Edward W. Sharp and to pay tribute to his contributions to his community and this state.

**HOUSE CONCURRENT RESOLUTION NO. 211—**  
BY REPRESENTATIVES COPELIN, CLARKSON, A. ALEXANDER, BAYLOR, CURTIS, FARVE, GLOVER, GREEN, GUILLORY, HOLDEN, HUDSON, HUNTER, JETSON, MITCHELL, MORRELL, MURRAY, PIERRE, PRATT, QUEZAIRE, WELCH, WESTON, WILKERSON, AND WILLARD-LEWIS AND SENATORS BAGNERIS, BAJOE, CRAVINS, FIELDS, GUIDRY, IRONS, JOHNSON, JONES, AND TARVER  
A CONCURRENT RESOLUTION

To commend Dr. Samuel Dubois Cook upon his retirement from the presidency of Dillard University and for his exemplary service to education and civil rights and to recognize the legacy he shall leave.

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

### House Concurrent Resolutions

Senator Lambert asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just

June 4, 1997

received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 211— BY REPRESENTATIVES COPELIN, CLARKSON, A. ALEXANDER, BAYLOR, CURTIS, FARVE, GLOVER, GREEN, GUILLORY, HOLDEN, HUDSON, HUNTER, JETSON, MITCHELL, MORRELL, MURRAY, PIERRE, PRATT, QUEZAIRE, WELCH, WESTON, WILKERSON, AND WILLARD-LEWIS AND SENATORS BAGNERIS, BAJOIE, CRAVINS, FIELDS, GUIDRY, IRONS, JOHNSON, JONES, AND TARVER

A CONCURRENT RESOLUTION

To commend Dr. Samuel Dubois Cook upon his retirement from the presidency of Dillard University and for his exemplary service to education and civil rights and to recognize the legacy he shall leave.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Bajoe, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Dardenne, Dean, Dyess, Total—34; Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Lambert, Landry; Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo

NAYS

Total—0

ABSENT

Table with 3 columns: Bagneris, Cravins, Total—5; Ellington, Jordan; Lentini

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

HOUSE CONCURRENT RESOLUTION NO. 212— BY REPRESENTATIVES TRAVIS AND MCMAINS

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the passing of Edward W. Sharp and to pay tribute to his contributions to his community and this state.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Bajoie, Barham, Bean, Branch, Cain; Ellington, Fields, Greene, Guidry, Hainkel, Heitmeier; Lentini, Malone, Robichaux, Romero, Schedler, Short

Table with 3 columns: Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Total—37; Hines, Hollis, Irons, Johnson, Jones, Lambert, Landry; Siracusa, Smith, Tarver, Theunissen, Ullo

NAYS

Total—0

ABSENT

Table with 2 columns: Bagneris, Total—2; Jordan

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 47— BY SENATOR SHORT

A RESOLUTION

To express the condolences of the Senate of the Legislature of Louisiana upon the death of C.P. Verger.

On motion of Senator Short, the resolution was read by title and adopted.

SENATE RESOLUTION NO. 48—

BY SENATORS CAIN BAGNERIS, BAJOIE, BARHAM, BEAN, BRANCH, 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 RESOLUTION

To express the condolences of the Senate of the Legislature of Louisiana to the family of James H. Brown, Sr., father of Commissioner of Insurance and former state senator, James H. "Jim" Brown, Jr.

On motion of Senator Cain, the resolution was read by title and adopted.

Rules Suspended

Senator Cain asked for and obtained a suspension of the rules for the purpose of recalling Senate Resolution No. 46 from the Committee on Senate and Governmental Affairs.

SENATE RESOLUTION NO. 46— BY SENATOR CAIN

A RESOLUTION

To urge and request state agencies to develop a system whereby persons calling agency personnel will reach an individual designated to answer that agency's telephone during regular business hours, rather than voice mail.

On motion of Senator Cain, the resolution was read by title and adopted.

House Bills and Joint Resolutions on Second Reading

The following House Bills and Joint Resolutions were taken up and acted upon as follows:

**HOUSE BILL NO. 125—**  
BY REPRESENTATIVE DOERGE

AN ACT

To amend and reenact R.S. 56:104(A)(3), 116.1(A)(6), (B)(10), and (E), 116.3(A)(1)(a), and 116.4(A)(1), and to enact R.S. 56:103(C)(3) and 115(E) and (F), relative to licensing and other requirements for lawful hunting in this state; to authorize the use of a crossbow and provide for licensing and regulation; to provide relative to hunting by disabled hunters, including the establishment of special seasons and other matters; to provide terms, conditions, and penalties for the unauthorized or illegal use of crossbows; to provide relative to deer and wild turkey hunting by crossbow; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the duplicate bill was read by title and referred to the Legislative Bureau.

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

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

**HOUSE BILL NO. 66—**  
BY REPRESENTATIVE LONG

AN ACT

To amend and reenact R.S. 26:73(G) and 272(G), relative to permits for alcohol beverages; to require the commissioner of alcoholic beverage control and local governing authorities to issue certain permits to restaurants located in designated national historic landmark districts; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 130—**  
BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 14:34.2(B)(2) and to enact R.S. 14:34.2(A)(3) and 34.5, relative to the crime of battery; to create the crime of battery of a correctional facility employee; to add contact with human waste to the offense of battery of a police officer; to provide with respect to penalties; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 166—**  
BY REPRESENTATIVES PERKINS AND JENKINS

AN ACT

To amend and reenact R.S. 15:1204.2(B)(8), relative to the Louisiana Uniform Crime Reporting System; to provide for a separate category of criminal statistics dealing with certain general crimes and specific gaming offenses; to define the offenses to be included in the report; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 301—**  
BY REPRESENTATIVE BARTON

AN ACT

To amend and reenact Code of Civil Procedure Art. 4843(E)(2) and to enact Code of Civil Procedure Art. 4843(F), relative to trial courts of limited jurisdiction; to increase the amount in controversy for civil jurisdiction of the City Court of Bossier City, City of Baton

Rouge; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. 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. 302—**  
BY REPRESENTATIVE BARTON

AN ACT

To amend and reenact R.S. 13:1899(H), relative to city and municipal courts; to expand the purposes for which costs assessed in criminal matters in the City Court of Bossier City may be expended; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. 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. 339—**  
BY REPRESENTATIVE THORNHILL AND SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 13:621.22, relative to district judges; to provide for an additional judgeship for the Twenty-Second Judicial District Court; to provide for compensation of the additional judge; to provide for the election and terms of office and those of the successors in office; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 342—**  
BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 33:1432(9), relative to sheriffs' fees in criminal matters; to increase the fee for taking appearance bond; to provide for a waiver of the fee; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 361—**  
BY REPRESENTATIVE SCHNEIDER AND SENATOR SCHEDLER

AN ACT

To enact R.S. 13:1899(C)(15), relative to costs in criminal matters; to authorize an increase in certain fees, not to exceed fifteen dollars, in criminal matters in the City Court of Slidell to defray operational expenses of the marshal's office; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 383—**  
BY REPRESENTATIVES HOLDEN AND BAUDOIN

AN ACT

To enact R.S. 30:2183.2, relative to hazardous waste incinerator permits; to provide for prohibitions; to provide for ozone nonattainment; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Environmental Quality to Engrossed House Bill No. 383 by Representative Holden and Baudoin

AMENDMENT NO. 1

On page 1, line 9, between "incinerator" and the comma "," insert the

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following:

“whose primary business activity involves accepting hazardous wastes or hazardous waste products for a fee”

**AMENDMENT NO. 2**

On page 1, line 12, between “by the” and “Environmental” change “U.S.” to “United States”

On motion of Senator Lambert, 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. 452—**

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 26:581, 582(A) and (B), 583, 584(A) and (C)(3), 585(A), 586(A)(4), 588(C), and 592, relative to local option elections concerning alcoholic beverages; to authorize such elections to be held in election districts as well as in wards or municipalities; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 453—**

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 26:582(A) and 586(A)(4), relative to local option elections for a referendum on the business of selling alcoholic beverages; to change the verification date of the signatures on a petition to determine the number of qualified electors; to provide for submission of the petition to the registrar for the purpose of determining the number of qualified electors; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 455—**

BY REPRESENTATIVE TOOMY

AN ACT

To repeal R.S. 26:272(D)(3), relative to applications for special Class “R” restaurant permits; to repeal the requirement that the application contain a copy of an affidavit from the local health department.

Reported favorably by the Committee on Judiciary C. 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. 456—**

BY REPRESENTATIVE TOOMY

AN ACT

To enact R.S. 26:278(D), relative to the commissioner of alcoholic beverage control and his agents; to grant them ex officio notary public status for limited purposes relating to applications for permits; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 507—**

BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact R.S. 15:587(A)(1)(a), relative to the Louisiana Bureau of Criminal Identification and Information; to provide that departments and personnel of municipalities and parishes

responsible for reviewing applications for alcoholic beverage permits can have access to criminal history information; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. 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. 760—**

BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact Code of Criminal Procedure Art. 202, relative to warrant of arrest; to provide limitation on issuance of arrest warrants by a justice of the peace for certain individuals; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 760 by Representative Salter

**AMENDMENT NO. 1**

On page 2, line 13, after “Subparagraph” insert “(A)”

On motion of Senator Jordan, 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. 900—**

BY REPRESENTATIVE ILES

AN ACT

To enact R.S. 13:996.55 and 996.56, relative to courts and judicial procedure; to provide for the creation of judicial expense funds for the Thirty-third Judicial District Court and for the Thirty-sixth Judicial District Court; to provide for assessment of a fee in certain civil and criminal cases; to provide for disposition and disbursements from the fund; to provide for annual audits of the fund; to authorize hiring and payment of necessary personnel; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 901—**

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 35:191(H), relative to notaries public; to authorize a notary appointed and qualified in Caddo, Bossier, Bienville, Claiborne, DeSoto, or Webster Parish to exercise notarial functions in all such parishes, without additional bonding or further application or examination; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 901 by Representative Montgomery

**AMENDMENT NO. 1**

On page 1, line 2, change “R.S. 35:191(H),” to “R.S. 35:7 and 191(A) and (C), and to repeal R.S. 35:191 (B), (D), (E), (F), (G), (H), (I), (J), (K), (L), (M), (N), (O), (P), (Q), (R), (S), (T) and, (U)” and after “public;” and before “to authorize” insert “to provide with respect to acts notarized by authorized military personnel;”

**AMENDMENT NO. 2**

On page 1, line 3, after “in” delete the remainder of the line and delete

line 4 in its entirety and insert the following:

"any parish in the state to exercise notarial functions in"

AMENDMENT NO. 3

On page 1, line 5, delete "such"

AMENDMENT NO. 4

On page 1, line 11, change "R.S. 35:191(H) is" to "R.S. 35:7 and 191(A)and (C) are"

AMENDMENT NO. 5

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

"§7. Acts before authorized military officers personnel; force and effect

A. Every mortgage, sale, lease, transfer, assignment, power of attorney, or other instrument, heretofore or hereafter executed before any commissioned officer in the active service of the armed forces or the Coast Guard of the United States person authorized to act as a notary pursuant to 10 U.S.C. 1044a(b), and bearing the signature of such officer person and the proper designation of his rank and branch of service or subdivision thereof, shall be admissible in evidence and eligible to record in this state, and shall have the same force and effect of an authentic act executed in Louisiana.

B. Any oath, affirmation, deposition, or affidavit, executed before any commissioned officer in the active service of the armed forces or the Coast Guard of the United States as herein provided person authorized to act as a notary pursuant to 10 U.S.C. 1044a(b), shall have the same force and effect as if made or executed before a notary in Louisiana.

C.(+) Any testament, trust, or other legal instrument or act provided for in Subsections A and B executed before any judge advocate, as defined in 10 U.S.C. §801, or civilian attorney acting within the scope of his duties as an employee of the Department of Defense or the Coast Guard of the United States person authorized to act as a notary pursuant to 10 U.S.C. 1044a(b) shall have the same force and effect as if made or executed before a notary in Louisiana.

(±) D. The provisions of this Subsection Section apply to persons serving in or with the armed forces or the Coast Guard of the United States and other persons eligible for legal assistance under the provisions of 10 U.S.C. §1044 or pursuant to regulations of the Department of Defense and all instruments and acts executed by persons designated in 10 U.S.C. 1044a(a).

D. Except as otherwise provided herein, the provisions of this Section shall not apply to any such instrument executed in any state of the United States or in the District of Columbia by persons not serving in or with the armed forces or the Coast Guard of the United States.

\* \* \*

AMENDMENT NO. 6

On page 1, delete lines 14 through 17 in their entirety and on page 2, delete lines 1 through 7 and insert the following:

A.(1) Any resident citizen or alien of the state, eighteen years of age or older, may be appointed a notary public in and for the parish in which he resides and in and for any one other parish in which he maintains an office, and exercise the functions of a notary public in and for any parish in the state provided that he meets the requirements established by law for each parish in which he applies.

(2) Notwithstanding the provisions of Paragraph A(1) or Subsection B of this Section, a person validly appointed notary public in the parish of his residence may exercise any and all of the functions of a notary public in an adjacent parish which has a population of less than thirty-five thousand and in which he maintains an office, without

additional bonding or further application or examination, but must file with the district court for the other parish an affidavit giving the location of his office and attesting to his appointment as a notary public in his parish of residence. Additionally, the applicant shall obtain a dual commission by complying with the procedures established by the office of the secretary of state wide.

B. A resident citizen seeking to be appointed notary public in the parish of his residence or possessing a valid notarial commission in and for a parish based on his residence must be a registered voter of that parish.

EB. Each applicant, otherwise qualified, may be appointed a notary public in and for a parish upon meeting all of the following conditions:

(1) Submitting an application to be appointed a notary public to the appropriate district court together with a certificate establishing his age, residence, location of his office when the applicant seeks to be appointed a notary based on such office, location of the office which was the basis for a current appointment as a notary in any other parish, if any, and a statement as to the applicant's good moral character, integrity, competency, and sober habits, sworn to and subscribed by two reputable citizens of the parish.

(2)(a) Taking and passing a written examination administered by an examining committee composed of three notaries appointed by the district court having jurisdiction in the parish where the notary public resides, or in Orleans Parish the custodian of notarial records, and one attorney, and one notary public who is not an attorney. Two of the notaries shall be attorneys and one a notary public who is not an attorney. However, if no person within the parish who is a non-attorney notary will accept such appointment, the district court having jurisdiction in the parish shall appoint an additional attorney to serve on the examining committee.

\* \* \*

Section 2. R.S.35:191 (B), (D), (E), (F), (G), (H), (I), (J), (K), (L), (M), (N), (O), (P), (Q), (R), (S), (T) and, (U) are hereby repealed.

On motion of Senator Ullo, 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. 983— BY REPRESENTATIVE GUILLORY AN ACT

To enact R.S. 14:220.1(D), relative to crimes of obtaining or failing to return leased movables; to create an exception for failure to return a rented video cassette tape or film; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 983 by Representative Guillory

AMENDMENT NO. 1

On page 1, line 2, between "To" and "enact" insert "amend and reenact R. S. 14:220(A) and to"

AMENDMENT NO. 2

On page 1, line 6, between "Section 1." and "R.S. 14:220.1(D)" insert "14:220(A) is amended and reenacted and"

AMENDMENT NO. 3

On page 1, between lines 6 and 7 insert the following:

§220. Rented or leased motor vehicles; obtaining by false

representation, etc.; failure to return; defenses; penalties

A. If any person rents or leases a motor vehicle and obtains or retains possession of the motor vehicle by means of any false or fraudulent representation including but not limited to a false representation as to his name, residence, employment, or operator's license, or by means of fraudulent concealment, or false pretense or personation, or trick, artifice, or device; or, if the person with fraudulent intent willfully refuses to return the leased vehicle to the lessor after the expiration of the lease term as stated in the lease contract, the person shall be guilty of a felony and upon conviction thereof shall be subject to the penalty provided for in Subsection B of this Section. **Except as provided in Subsection D, the offender's failure to return or surrender the motor vehicle within fifteen seven calendar days after notice to make such return or surrender has been sent by certified mail to the offender's last known address shall be presumptive evidence of his intent to defraud and the lessor may report to any law enforcement agency that the rented or leased motor vehicle has been stolen**

\* \* \*

**AMENDMENT NO. 4**

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

**"D. The offender's failure to return or surrender a video cassette film or tape that has been rented from a facility which rents video cassette films or tapes within thirty calendar days after notice to make such return or surrender has been sent by certified mail to the offender's last known address shall be presumptive evidence of his intent to defraud and the lessor may report to any law enforcement agency that the rented video cassette film or tape has been stolen."**

On motion of Senator Jordan, 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. 991—**

BY REPRESENTATIVES MCCAIN AND BAUDOIN  
AN ACT

To enact R.S. 30:2157, relative to standards for landfills; to provide for emergency response; to provide for hazardous materials; to provide for medical care; to provide for permits; and to provide for related matters.

Reported favorably by the Committee on Environmental Quality. 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. 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.

Reported favorably by the Committee on Judiciary B. The bill was read by title and recommitted to the Committee on Finance.

**HOUSE BILL NO. 1189—**

BY REPRESENTATIVE QUEZAIRE  
AN ACT

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

Reported with amendments by the Committee on Environmental Quality.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 1189 by Representative Quezaire

**AMENDMENT NO. 1**

On page 2, line 2, after "speaking" change "in the first" to "up to one" and after "hour" insert "after the initial thirty minute presentation"

**AMENDMENT NO. 2**

On page 2, line 3, between "hearing," and "to" insert "first" and after "live" delete the remainder of the line and insert in lieu thereof the following:

"within a two mile radius of the location of the facility, and second to those citizens who work within a two mile radius of"

**AMENDMENT NO. 3**

On page 2, line 4, between "facility" and "and" insert a comma "," and between "and" and "preference" change "second" to "third"

**AMENDMENT NO. 4**

On page 2, line 11, between "presentation of" and "minutes" change "fifteen" to "up to thirty"

On motion of Senator Lambert, 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. 1203 (Duplicate of Senate Bill No. 801)—**

BY REPRESENTATIVE FORSTER AND SENATOR DARDENNE AND COAUTHORED BY REPRESENTATIVE DEWITT AND SENATORS HAINKEL, EWING, HINES, AND SCHEDLER

AN ACT

To amend and reenact R.S. 46:153(E) and 446(A) through (F) and to enact R.S. 46:446(G), (H), (I), and (J), relative to the state Medicaid program; to grant the Department of Health and Hospitals a statutory lien on any settlement, lien, judgment, or award received by a Medicaid recipient from a third party by virtue of assignment of rights; to provide with respect to the rights and responsibilities of a representative of an injured, ill, or deceased Medicaid recipient; to remove provisions relative to the department's right to claim workers' compensation benefits and relative to the rights of certain persons against third parties; to provide with respect to a statutory privilege for medical assistance payments made by the Department of Health and Hospitals on behalf of any Medicaid recipient against any recovery or sum collected by said recipient from a third party or insurance company; to provide with respect to such privilege; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Engrossed House Bill No. 1203 by Representative Forster

**AMENDMENT NO. 1**

On page 1, line 2, delete "**153(E) and**"

**AMENDMENT NO. 2**

On page 1, line 3, change "**(I), and (J)**" to "**and (I)**"

**AMENDMENT NO. 3**

On page 1, lines 4 through 6, delete "**to grant the Department of Health and Hospitals a statutory lien on any settlement, lien, judgment or award received by a Medicaid recipient from a third party by virtue of assignment of rights:**"

**AMENDMENT NO. 4**

On page 2, line 2, delete "**153(E) and**"

AMENDMENT NO. 5

On page 2, line 3, change "**(I, and (J))**" to "**and(I)**"

AMENDMENT NO. 6

On page 2, delete lines 5 through 18

AMENDMENT NO. 7

On page 6, delete lines 3 through 6

AMENDMENT NO. 8

On page 6, line 7, change "**J**" to "**I**"

On motion of Senator Ullo, 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. 1205—**

BY REPRESENTATIVES HEATON, BRUCE, JENKINS, KENNARD, PERKINS,  
AND WINDHORST

AN ACT

To amend and reenact R.S. 15:574.2(C)(9), relative to the written notification of parole hearings; to provide for written notice of hearings to be made to crime victims; to provide for the time and contents of the written notice; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 1205 by Representative Heaton

AMENDMENT NO. 1

On page 2, line 1, delete "injured"

AMENDMENT NO. 2

On page 2, line 2, delete "responsible for the death"

AMENDMENT NO. 3

On page 2, line 4, change "seven" to "thirty"

AMENDMENT NO. 4

On page 2, line 5, delete "injured"

AMENDMENT NO. 5

On page 2, line 9, delete "injured"

On motion of Senator Cravins, 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. 1215—**

BY REPRESENTATIVES MCMAINS AND DEWITT

AN ACT

To amend and reenact Code of Civil Procedure Art. 970(A), (B), and (C), relative to the motion for judgment on an offer of judgment; to provide for time for service of the offer, inadmissibility in other proceedings, and exclusion of attorney fees in the assessment of costs; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 1228—**

BY REPRESENTATIVES MCMAINS, DEWITT, AND VITTER

AN ACT

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

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 1228 by Representative McMains

AMENDMENT NO. 1

On page 1, line 5, after "actions;" insert "to provide for uniform procedures for reassignment of cases;"

AMENDMENT NO. 2

On page 1 at the end of line 16, insert the following:

**"However, the supreme court by rule, may establish uniform procedures for reassigning cases under circumstances where an expeditious disposition of cases may be effectuated."**

AMENDMENT NO. 3

On page 2, lines 6 and 7, delete "**upon completion of sufficient discovery,**"

On motion of Senator Ullo, 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. 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.

Reported with amendments by the Committee on Judiciary A.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Judiciary A to Reengrossed House Bill No. 1230 by Representative McMains

AMENDMENT NO. 1

On page 3, line 23, after the word "the" and before the word "parties" insert "**moving or opposing**"

AMENDMENT NO. 2

On page 3, lines 23 and 24, delete the following: "**to the motion for summary judgment or partial summary judgment**"

AMENDMENT NO. 3

On page 3, line 24, after the word "as" and before the word "by" delete "ordered" and insert "directed"

AMENDMENT NO. 4

On page 3, line 24, after the word "an" delete "**expressed**" and insert "**express**"

AMENDMENT NO. 5

On page 3, line 26, delete "**expressed**" and insert "**express**"

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AMENDMENT NO. 6

On page 4, line 1, delete the following: "**Unless designated as final**" and insert the following: "**In the absence of such determination and direction**"

On motion of Senator Ullo, 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. 1290—**

BY REPRESENTATIVES HUDSON, BRUCE, DUPRE, KENNARD, MARIONNEAUX, MCCAIN, MORRELL, PERKINS, AND ROMERO  
AN ACT

To amend and reenact R.S. 40:981.3(D) and to enact R.S. 40:981.3(A)(3) and (C)(4), relative to drug-free zones; to add churches and religious buildings to the drug-free zone; to provide definitions; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 1322—**

BY REPRESENTATIVE MORRISH  
AN ACT

To enact Code of Criminal Procedure Art. 895(M), relative to conditions of probation; to provide for limitation of liability for injuries occurring during performance of community service work as a condition of probation; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 1394—**

BY REPRESENTATIVE JACK SMITH  
AN ACT

To enact R.S. 30:2181, relative to hazardous waste permits; to provide for notice to legislators; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Environmental Quality to Engrossed House Bill No. 1394 by Representative Jack D. Smith

AMENDMENT NO. 1

On page 1, line 12, between "Senate" and the period "." insert ", and to each member of the legislature in whose district a facility that has applied for or been granted a hazardous waste permit is located."

AMENDMENT NO. 2

On page 1, line 15, after "permit." insert the following:

"However, the failure of the assistant secretary to provide the list required by this Section shall not affect the validity of the action taken on the applications or permits."

On motion of Senator Lambert, 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. 1478—**

BY REPRESENTATIVES TOOMY, DOWNER, MCCALLUM, AND FAUCHEUX AND SENATOR CRAVINS  
AN ACT

To amend and reenact R.S. 16:51(A)(2), (4), (6), (11), (13), (15), (16), (17), (19), (20), (22), (23), (24), (26), (27), (29), (32), (38), and

(41), relative to assistant district attorneys; to provide for additional district attorneys for certain judicial districts and for the parish of Orleans; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 1744—**

BY REPRESENTATIVE GUILLORY  
AN ACT

To enact R.S. 32:1504(C), relative to transportation of hazardous materials; to provide for inspection of rail cars transporting hazardous materials; and to provide for related matters.

Reported favorably by the Committee on Environmental Quality. The bill was read by title and recommitted to the Committee on Finance.

**HOUSE BILL NO. 1826—**

BY REPRESENTATIVE QUEZAIRE  
AN ACT

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

Reported with amendments by the Committee on Environmental Quality.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 1826 by Representative Quezaire

AMENDMENT NO. 1

On page 1, line 10, after "located" delete the remainder of the line and insert in lieu thereof the following: "in or near residential areas"

AMENDMENT NO. 2

On page 1, delete lines 11 and 12 in their entirety

AMENDMENT NO. 3

On page 1, at the beginning of line 13, delete "and Asian-American descent."

AMENDMENT NO. 4

On page 1, line 14, between "each" and "area" change "zip code" to "residential" and after "state" insert a period "." and delete the remainder of the line

AMENDMENT NO. 5

On page 1, delete lines 15 and 16 in their entirety

AMENDMENT NO. 6

On page 1, at the beginning of line 17, delete "disadvantaged."

AMENDMENT NO. 7

On page 2, at the beginning of line 3, change "the population make-up of the zip code" to "residential"

AMENDMENT NO. 8

On page 2, line 7, between "The" and "legislative" delete "said"

On motion of Senator Lambert, 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. 1881—**

BY REPRESENTATIVE GREEN

AN ACT

To amend and reenact Code of Civil Procedure Article 3945(F) and to enact Code of Civil Procedure Article 3945(G), relative to orders of temporary child custody; to clarify the exceptions thereto; to provide for allocation of custody upon denial of an order for temporary custody; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 1943—**

BY REPRESENTATIVE HOLDEN

AN ACT

To amend and reenact R.S. 9:2799(A), relative to offenses and quasi offenses; to limit the liability of food banks and donors of wild game for distribution to on-premises feeding programs; to provide definitions; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. 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. 2169—**

BY REPRESENTATIVE SCALISE

AN ACT

To amend and reenact the introductory paragraphs of R.S. 26:71.1 and 271.2 and to enact R.S. 26:71.1(4) and 271.2(4), relative to the Alcoholic Beverage Control Law; to provide for a Class A-Restaurant-Conditional permit; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. 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. 2270—**

BY REPRESENTATIVE DEWITT

AN ACT

To enact R.S. 30:2193(G), relative to land disposal of hazardous waste; to provide for exceptions; and to provide for related matters.

Reported favorably by the Committee on Environmental Quality. 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. 2309 (Substitute for House Bill No. 1087 by Representative Wiggins)—**

BY REPRESENTATIVES WIGGINS AND BAUDOIN

AN ACT

To enact R.S. 30:2014.2, relative to permits; to provide for applications; to provide for ownership; to provide for qualifications; to provide for criminal and civil violations; to provide for controlling interest; to provide for rules; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 2309 by Representative Wiggins

**AMENDMENT NO. 1**

On page 1, delete lines 13 through 16 in their entirety and insert in lieu thereof the following:

“a list of the states where the applicant has federal or state environmental permits identical to or of a similar nature to the permit for which application is being made.”

**AMENDMENT NO. 2**

On page 2, delete lines 1 through 17 in their entirety

**AMENDMENT NO. 3**

On page 2, at the beginning of line 18, change “C.” to “B.”

On motion of Senator Lambert, 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. 2327—**

BY REPRESENTATIVE FAUCHEUX

AN ACT

To enact R.S. 30:2018, relative to public hearings by the Department of Environmental Quality; to provide for certain issues; to provide for environmental assessment statements; to provide for limitations; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Environmental Quality to Reengrossed House Bill No. 2327 by Representative Fauchaux

**AMENDMENT NO. 1**

On page 1, line 10, after “regulations” delete the comma “,”

**AMENDMENT NO. 2**

On page 1, line 12, between “wastes,” and “the” insert “or”

**AMENDMENT NO. 3**

On page 2, line 1, between “IX” and “Section” insert a comma “,”

**AMENDMENT NO. 4**

On page 2, line 16, after “department” insert a comma “,”

**AMENDMENT NO. 5**

On page 2, line 17, after “statement” delete “, at no cost,”

**AMENDMENT NO. 6**

On page 2, at the end of line 18, after “located” delete the period “.” and insert in lieu thereof “, at no cost to the local governmental authority or the designated public library.”

**AMENDMENT NO. 7**

On page 3, line 2, between “wastes,” and “solid” insert “or”

**AMENDMENT NO. 8**

On page 3, line 9, between “variances” and “or” insert a comma “,”

**AMENDMENT NO. 9**

On page 3, after line 17, insert the following:

“H. Nothing in this Section shall relieve permit applicants or the department from the public trustee requirements set forth in Article IX, Section 1 of the Constitution of Louisiana and by the Supreme Court of Louisiana in *Save Ourselves, Inc. v. Louisiana Environmental Control Commission*, 452 So.2d 1152 (La. 1984).”

On motion of Senator Lambert, 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.

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HOUSE BILL NO. 2453—

BY REPRESENTATIVE WINDHORST  
AN ACT

To enact R.S. 30:2050.21(D), relative to environmental permits; to provide relative to reviews and appeals of certain environmental permits; and to provide for related matters.

Reported favorably by the Committee on Environmental Quality. 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 Hollis asked for and obtained a suspension of the rules for the purpose of advancing to the order of

Senate Resolutions  
on Second Reading  
Reported by Committees

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

SENATE RESOLUTION NO. 43—

BY SENATORS HOLLIS, BAGNERIS, CRAVINS, AND HEITMEIER  
A RESOLUTION

To approve a new casino operating contract.

Reported without action by the Committee on Judiciary B.

Motion

On motion of Senator Hollis, Senate Resolution No. 40 was made Special Order of the Day 1 on Monday, June 9, 1997 immediately following the Morning Hour.

Rules Suspended

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

Senate Bills and Joint Resolutions on  
Third Reading  
and Final Passage

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

SENATE BILL NO. 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.

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
Bajoie	Ellington	Lentini
Barham	Fields	Malone
Bean	Guidry	Robichaux
Branch	Hainkel	Romero

Cain	Heitmeier	Schedler
Campbell	Hines	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones	Ullo
Dean	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Bagneris	Jordan
Greene	Tarver
Total—4	

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

SENATE BILL NO. 1125—

BY SENATOR HAINKEL  
AN ACT

To amend and reenact R.S. 40:1299.41(A)(1), (3), (4) and (8), 1299.42(B)(1) and (2), (C), and (E), 1299.43(B), (C), and (E), 1299.44(A)(7)(e), (B)(1), (C), and (D)(2)(b)(i), (vii), (x), and (xi), 1299.47(A)(2)(b), (B)(1)(b), (2)(a), and (3), (C)(3)(f)(v), (D)(3), and (5), (G), (I)(2) and (3), and (J), to enact R.S. 40:1299.41(A)(21), (E)(4), and (K), and to repeal R.S. 40:1299.47(A)(3)(c), (K), and (L), relative to medical malpractice; to provide for definitions; to provide that service of citation shall be requested within ninety days of filing of the initial pleading; to provide for dismissal of suits and the effects of failure to timely request service of citation; to provide for notice and participation by the Patient's Compensation Fund Oversight Board in arbitration proceedings; to provide for limitations on recovery; to provide for recovery of future medical care and related benefits; to provide for payment of medical care and related benefits through a reversionary trust; to provide relative to the Patient's Compensation Fund; to provide for malpractice coverage; to provide relative to the medical review panel; and to provide for related matters.

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

SENATE BILL NO. 1406—

BY SENATOR HAINKEL  
AN ACT

To amend and reenact R.S. 40:1299.39(A)(4) and (7), (B)(1), (C), (D)(2), (E)(1), (F)(introductory paragraph) and (10), (G), and (L), and 1299.39.1(A)(1) and (2)(b), (B)(1)(a)(i) and (b), (2)(a), and (3), (D)(3) and (4), (G)(introductory paragraph), and (J), to enact R.S. 40:1299.39(O), and to repeal R.S. 40:1299.39.1(A)(3)(c), relative to medical malpractice liability for state services; to provide for definitions; to provide for the standard of care required of certain state health care providers; to provide for the total amount recoverable for all malpractice claims, including but not limited to a survival or wrongful death action, or action for mental anguish; to provide for limitations on the recovery of future medical care and related benefits; to provide with respect to the payment of future medical care and related benefits through a reversionary trust; to provide for a court award of attorney fees from the state or the fund arising from disputes over future medical care and related benefits when warranted; to reduce the amount of future medical care and related benefits due a patient in a sum equal to the amount received by such patient from a collateral source; to provide relative to the state medical review panel; to provide for discovery; to provide for procedures for issuance of subpoenas and subpoenas duces tecum; to provide for notification of the opinion of the medical review panel; to provide for commencement of

prescription; to require service of citation to be requested within ninety days after the initial pleading is filed; to repeal the requirement that a claim filed with the state medical review panel be forwarded to the supreme court; and to provide for related matters.

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

**Rules Suspended**

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

**House Concurrent Resolutions  
on Second Reading  
Reported by Committees**

The following House Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

**HOUSE CONCURRENT RESOLUTION NO. 91—  
BY REPRESENTATIVES LONG AND WRIGHT  
A CONCURRENT RESOLUTION**

To urge and request the Louisiana Litter Reduction and Public Action Commission to convene a conference for the purposes of conducting a statewide study of the litter program and the enforcement of litter laws.

Reported favorably by the Committee on Environmental Quality.

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

**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	Theunissen
Cravins	Jones	Ullo
Dyess	Lambert	
Ellington	Landry	
Total—34		

**NAYS**

Total—0

**ABSENT**

Bagneris	Dean	Tarver
Dardenne	Jordan	
Total—5		

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

**HOUSE CONCURRENT RESOLUTION NO. 138—**

BY REPRESENTATIVE RIDDLE  
A CONCURRENT RESOLUTION

To urge and request the Department of Revenue and Taxation to monitor sales of tobacco by Indian tribes to assure compliance with state and federal law.

Reported favorably by the Committee on Revenue and Fiscal Affairs.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dyess	Lambert
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	Johnson	Theunissen
Dean	Jones	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Bagneris	Jordan	Tarver
Total—3		

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

**HOUSE CONCURRENT RESOLUTION NO. 49—  
BY REPRESENTATIVES ANSARDI, DONELON, AND FAUCHEUX  
A CONCURRENT RESOLUTION**

To urge and request the office of state police to perform criminal background checks on certain health care personnel within the time frame specified by law.

Reported favorably by the Committee on Judiciary C.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

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Dean	Lambert	
Total—32		
	NAYS	
Total—0		
	ABSENT	
Bagneris	Hines	Tarver
Campbell	Jordan	
Greene	Robichaux	
Total—7		

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

**Rules Suspended**

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

**House Concurrent Resolutions to be Adopted, Subject to Call**

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

**Called from the Calendar**

Senator Landry asked that House Concurrent Resolution No. 22 be called from the Calendar at this time.

**HOUSE CONCURRENT RESOLUTION NO. 22—**  
 BY REPRESENTATIVES FAUCHEUX AND POWELL AND SENATORS HAINKEL AND LANDRY  
 A CONCURRENT RESOLUTION

To create a committee to evaluate and recommend potential sites for a state park in St. John the Baptist Parish and Tangipahoa Parish and to urge and request the office of state parks to study the feasibility of establishing a park at sites recommended by the committee and to report its findings to the legislature.

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

**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	Robichaux
Campbell	Heitmeier	Romero
Casanova	Hines	Schedler
Cox	Hollis	Short
Cravins	Irons	Siracusa
Dardenne	Johnson	Smith
Dean	Jones	Theunissen
Dyess	Jordan	Ullo
Total—36		
	NAYS	
Total—0		
	ABSENT	
Bagneris	Cain	Tarver
Total—3		

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

**Rules Suspended**

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

**House Concurrent Resolutions on Third Reading and Final Passage**

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

**HOUSE CONCURRENT RESOLUTION NO. 31—**  
 BY REPRESENTATIVE WINDHORST  
 A CONCURRENT RESOLUTION

To amend the Department of Social Services, office of family support Family Independence Project rule (LAC 67:III.1301(A)), which provides for exceptions to the time limitations on the receipt of cash benefits.

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

**ROLL CALL**

The roll was called with the following result:

YEAS		
Mr. President	Fields	Malone
Barham	Greene	Robichaux
Bean	Guidry	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Casanova	Hines	Siracusa
Cox	Hollis	Smith
Cravins	Jones	Tarver
Dardenne	Jordan	Theunissen
Dean	Lambert	Ullo
Dyess	Landry	
Ellington	Lentini	
Total—34		
NAYS		
Bajoie	Irons	Johnson
Total—3		
ABSENT		
Bagneris	Campbell	
Total—2		

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

**Rules Suspended**

Senator Landry 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. 26—**

BY REPRESENTATIVE RIDDLE

AN ACT

To amend and reenact R.S. 32:410(A)(3)(a)(vii) and (viii) and to enact R.S. 32:410(A)(3)(a)(ix), relative to motor vehicles; to include the parish of residence code number on drivers' licenses; 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	Landry
Bajoie	Fields	Lentini
Barham	Guidry	Malone
Bean	Hainkel	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	Greene
Total—3		

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

**HOUSE BILL NO. 53—**

BY REPRESENTATIVE BRUNEAU

AN ACT

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

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
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	

Dyess  
Total—37

Landry  
  
NAYS

Total—0

ABSENT

Bagneris  
Total—2

Hainkel

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. 90—**

BY REPRESENTATIVES DUPRE, DOWNER, AND GAUTREAU

AN ACT

To amend and reenact R.S. 33:7712(A)(3), relative to Consolidated Waterworks District No. 1 of the Parish of Terrebonne; to provide for a reduction in the membership of the board of commissioners of the district; to provide for appointment and terms of the commissioners; to limit the number of terms a commissioner may serve; to provide for the terms of the members serving prior to the reduction in membership; 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. 90 by Representative Dupre, Downer, and Gautreaux

AMENDMENT NO. 1

On page 2, line 19, delete "ten" and insert "nine"

AMENDMENT NO. 2

On page 2, line 21, after "authority" insert a period "." and delete the remainder of the line and on line 22, delete "the parish president"

AMENDMENT NO. 3

On page 2, line 23, after "that" delete "two" and insert "one"

On motion of Senator Robichaux, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Bean sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Bean to Engrossed House Bill No. 90 by Representative Dupre

AMENDMENT NO. 1

On page 1, line 2, after "33:7712(A)(3)" delete the comma "," and insert "and to enact R.S. 33:3837,"

AMENDMENT NO. 2

On page 1, line 3, after "Terrebonne" delete the semi-colon ";"; delete the remainder of the line, delete lines 4 through 7 and insert "and certain other waterworks districts; to provide relative to the appointment, number, and terms of commissioners of the Terrebonne district including limiting the number of terms a commissioner may serve; to provide for use of revenues in certain other districts; and"

AMENDMENT NO. 3

On page 1, line 13, between "reenacted" and "to" insert "and R.S. 33:3837 is hereby enacted"

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AMENDMENT NO. 4

On page 1, after line 14, insert the following"

"§3837. Use of revenues in certain districts

Notwithstanding any provision of law to the contrary, all revenues from any tax levied or assessment or charge imposed pursuant to this Chapter in a parish wide waterworks district in a parish having a population of not less than twenty-four thousand and not more than twenty-five thousand five hundred persons as of the most recent federal decennial census shall be made available to such district and shall not be diverted for use by any other entity or for any other purpose than those of such district.

\* \* \*

On motion of Senator Bean, 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 Fields Landry
Bajoie Greene Lentini
Branch Guidry Malone
Cain Hainkel Robichaux
Campbell Heitmeier Romero
Casanova Hines Schedler
Cox Hollis Short
Cravins Irons Siracusa
Dardenne Johnson Smith
Dean Jones Tarver
Dyess Jordan Theunissen
Ellington Lambert Ullo
Total—36

NAYS

Total—0

ABSENT

Bagneris Barham Bean
Total—3

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.

Personal Privilege

Senator Bean 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. 90. He had intended to vote yea on the bill. He asked that the Official Journal so state.

HOUSE BILL NO. 108—

BY REPRESENTATIVE FLAVIN AN ACT

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

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 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 Theunissen moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 115—

BY REPRESENTATIVE ILES AN ACT

To amend and reenact R.S. 33:4754(A)(1) and (2), (B)(2), and (E)(1) and (2), relative to dangerous buildings and structures; to authorize the governing authority of Beauregard Parish and any municipality within the parish to take certain actions with respect to such buildings and structures, including imposing fines and demolishing, removing, or securing such buildings and structures and maintaining such property; to provide relative to the powers of specified parishes; and to provide for related matters.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Engrossed House Bill No. 115 by Representative Iles

AMENDMENT NO. 1

Delete Senate Committee Amendments proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on May 20, 1997.

On motion of Senator Cain, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

**HOUSE BILL NO. 135—**  
BY REPRESENTATIVE MCCALLUM  
AN ACT

To enact R.S. 40:1502.1(A)(3), relative to the Spencer-West Sterlington Fire Protection District in Union Parish; to authorize the governing authority of the district to exempt certain structures from the assessment of a service charge; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	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 Ewing moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 141—**  
BY REPRESENTATIVES FONTENOT, KENNARD, AND DIEZ  
AN ACT

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

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	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 Branch moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 157—**  
BY REPRESENTATIVE DOERGE  
AN ACT

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

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

Bajoie	Ellington	Lambert
Barham	Fields	Landry
Bean	Greene	Lentini
Branch	Guidry	Robichaux
Cain	Hainkel	Romero
Campbell	Heitmeier	Schedler
Casanova	Hines	Short
Cox	Hollis	Siracusa
Cravins	Irons	Smith
Dardenne	Johnson	Tarver

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Dean Dyess Total—36	Jones Jordan	Theunissen Ullo
	NAYS	
Total—0		
	ABSENT	
Mr. President Total—3	Bagneris	Malone

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. 248—**  
BY REPRESENTATIVE TRAVIS  
AN ACT

To enact R.S. 33:1236(55)(c), relative to powers of parish governing authorities; to authorize the governing authority of East Feliciana Parish to enact ordinances to require the clerk of court to impose additional charges on certain filings to be used for expenses of the clerk's office; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Branch sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Branch to Engrossed House Bill No. 248 by Representative Travis

AMENDMENT NO. 1

Delete Amendments Nos. 1 and 3 proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on May 20, 1997

On motion of Senator Branch, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris Total—3	Bajoie	Short
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The Chair declared the amended bill was passed. The title was read and adopted. Senator Branch moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 261—**  
BY REPRESENTATIVE WINSTON AND SENATOR SCHEDLER  
AN ACT

To enact Part V-C of Chapter 2 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:726, relative to the city of Covington; to provide with respect to the disposition of certain immovable property by the governing authority of the city; 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	Greene	Lentini
Barham	Guidry	Malone
Bean	Hainkel	Robichaux
Branch	Heitmeier	Romero
Cain	Hines	Schedler
Campbell	Hollis	Short
Casanova	Irons	Siracusa
Cox	Johnson	Smith
Dean	Jones	Tarver
Dyess	Jordan	Theunissen
Ellington	Lambert	Ullo
Fields	Landry	

Total—35

NAYS

Total—0

ABSENT

Mr. President Bagneris Total—4	Cravins Dardenne
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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. 263—**  
BY REPRESENTATIVE BRUN  
AN ACT

To enact R.S. 11:783(J), relative to the Teachers' Retirement System of Louisiana; to provide with respect to the payment of survivor benefits for a totally and permanently disabled child to a trust; to provide for an effective date; 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

Bajoie	Ellington	Landry
Barham	Fields	Lentini
Bean	Greene	Malone
Branch	Guidry	Robichaux
Cain	Hainkel	Romero
Campbell	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

Mr. President	Bagneris	Heitmeier
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. 297—**  
BY REPRESENTATIVE TRICHE  
AN ACT

To repeal R.S. 11:1767, relative to the Municipal Employees' Retirement System of Louisiana; to repeal the authorization for certain optional transfers between benefit plans within the 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

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

NAYS

Total—0

ABSENT

Mr. President	Campbell
Bagneris	Casanova
Total—4	

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

**HOUSE BILL NO. 330—**  
BY REPRESENTATIVE ROUSSELLE  
AN ACT

To amend and reenact R.S. 18:101(B), relative to voter registration; to provide for registration of persons having multiple residences; to require those persons to register at the residence upon which a homestead exemption is claimed; 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

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

NAYS

Total—0

ABSENT

Mr. President	Campbell	Fields
Bagneris	Cravins	
Total—5		

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. 334—**  
BY REPRESENTATIVE ROUSSELLE  
AN ACT

To enact R.S. 18:451.1, relative to qualification of candidates for elections; to provide that the qualifications for office which a candidate must possess may not be changed by a local governing authority during a certain time period; to provide for the date on which certain ordinances relating to the qualifications of a candidate may become effective; 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

Bajoie	Fields	Landry
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
Ellington	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

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Mr. President Bagneris Cravins
Total—3

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

HOUSE BILL NO. 354—
BY REPRESENTATIVE FRUGE
AN ACT

To amend and reenact R.S. 32:382(A)(1), relative to special length limits of a single vehicle; to provide for an increase in the maximum allowable length; 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. 354 by Representative Fruge

AMENDMENT NO. 1

On page 1, line 13, after "exceed" change "fifty feet" to "fifty-nine feet and six inches"

On motion of Senator Landry, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing YEAS: 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.

NAYS

Total—0

ABSENT

Mr. President Bagneris Ullo
Total—3

The Chair declared the amended 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. 363—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 33:4754(A)(1) and (2), (B)(2), and (E)(1) and (2), relative to dangerous buildings and structures; to authorize the governing authority of Vernon Parish and any municipality within the parish to take certain actions with respect to such buildings and structures, including imposing fines and

demolishing, removing, or securing such buildings and structures and maintaining such property; to provide relative to the powers of specified parishes; 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

Table listing YEAS: 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.

Total—37

NAYS

Total—0

ABSENT

Mr. President Bagneris
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.

HOUSE BILL NO. 409—
BY REPRESENTATIVE STRAIN
AN ACT

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

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

Table listing YEAS: 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.

Total—37

NAYS

Total—0  
 ABSENT

Mr. President Bagneris  
 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. 439—**  
 BY REPRESENTATIVE DIEZ  
 AN ACT

To enact R.S. 32:382(B)(2)(c), relative to length limits on trucks; to exempt certain vehicles from the requirements of length limits for projecting loads; 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

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

Total—35

NAYS

Total—0  
 ABSENT

Mr. President Dean  
 Bagneris 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. 478—**  
 BY REPRESENTATIVE THOMAS  
 AN ACT

To enact R.S. 33:1704.4, relative to city marshals; to provide for fees of office in civil matters for the city marshal of Bogalusa; 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	Fields	Lentini
Barham	Greene	Malone
Bean	Guidry	Robichaux

Branch	Hainkel	Romero
Cain	Hines	Schedler
Campbell	Hollis	Short
Casanova	Irons	Siracusa
Cox	Johnson	Smith
Cravins	Jones	Tarver
Dardenne	Jordan	Theunissen
Dyess	Lambert	Ullo
Ellington	Landry	

Total—35

NAYS

Total—0  
 ABSENT

Mr. President Dean  
 Bagneris Heitmeier  
 Total—4

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. 547—**  
 BY REPRESENTATIVE ODINET  
 AN ACT

To amend and reenact R.S. 56:322(B), relative to fishing; to provide relative to designation of areas of the state as fresh water or salt water for purposes of nets, seines, mesh and other requirements; to change certain designations; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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	Landry	
Ellington	Lentini	

Total—34

NAYS

Total—0  
 ABSENT

Mr. President Dyess  
 Bagneris Hainkel  
 Total—5

The Chair declared the 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.

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**HOUSE BILL NO. 589—**

BY REPRESENTATIVE FRUGE

AN ACT

To enact R.S. 32:64.1, relative to speed limits; to provide for a minimum speed limit; to provide exceptions; to provide certain penalties; and to provide for related matters.

**Motion**

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

Senator Landry objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Ellington	Robichaux
Bean	Guidry	Romero
Cain	Irons	Schedler
Casanova	Johnson	Tarver
Cox	Lentini	Theunissen
Cravins	Malone	Ullo
Total—18		

**NAYS**

Barham	Fields	Jordan
Branch	Greene	Lambert
Campbell	Hainkel	Landry
Dardenne	Heitmeier	Short
Dean	Hines	Siracusa
Dyess	Hollis	Smith
Total—18		

**ABSENT**

Mr. President	Bagneris	Jones
Total—3		

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

**Motion**

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

Senator Landry objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Ellington	Romero
Bean	Hines	Schedler
Branch	Hollis	Short
Cain	Irons	Smith
Campbell	Johnson	Tarver
Cox	Lambert	Theunissen
Cravins	Lentini	Ullo
Dardenne	Malone	
Dyess	Robichaux	
Total—25		

**NAYS**

Barham	Fields	Heitmeier
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Casanova	Greene	Landry
Dean	Guidry	Siracusa
Total—9		

**ABSENT**

Mr. President	Hainkel	Jordan
Bagneris	Jones	
Total—5		

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

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**

Bean	Heitmeier	Robichaux
Branch	Hines	Short
Cain	Hollis	Siracusa
Dean	Jordan	Theunissen
Dyess	Landry	
Ellington	Lentini	
Total—16		

**NAYS**

Mr. President	Dardenne	Lambert
Bajoie	Fields	Malone
Barham	Greene	Romero
Campbell	Guidry	Schedler
Casanova	Hainkel	Smith
Cox	Irons	Tarver
Cravins	Johnson	Ullo
Total—21		

**ABSENT**

Bagneris	Jones
Total—2	

The Chair declared the bill failed to pass.

The Chair declared the bill failed to pass. Senator Guidry moved to reconsider the vote by which the bill failed to pass and laid the motion on the table.

**HOUSE BILL NO. 603—**

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 33:2740.26(D)(1)(g), (h), and (j), relative to the Louis Armstrong Park Authority and Historic Jazz District; to provide for the membership of the board of commissioners; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dyess	Lambert
Bajoie	Ellington	Landry
Barham	Fields	Lentini
Bean	Greene	Malone
Branch	Guidry	Robichaux

Cain	Hainkel	Romero
Campbell	Heitmeier	Schedler
Casanova	Hines	Smith
Cox	Hollis	Tarver
Cravins	Irons	Theunissen
Dardenne	Johnson	Ullo
Dean	Jordan	
Total—35		

NAYS

Total—0

ABSENT

Bagneris	Short
Jones	Siracusa
Total—4	

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

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

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

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

NAYS

Total—0

ABSENT

Bagneris	Short	Siracusa
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. 628—**  
BY REPRESENTATIVE STELLY  
AN ACT

To amend and reenact R.S. 11:2225(A)(2)(a) and (6), relative to the Municipal Police Employees' Retirement System; to provide with respect to the composition of the board of trustees; to further provide for terms of certain members of the board of trustees and the quorum requirements thereof; and to provide for related

matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Dean  
Total—1

ABSENT

Bagneris	Irons
Cravins	Short
Total—4	

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

**HOUSE BILL NO. 819—**  
BY REPRESENTATIVE FAUCHEUX  
AN ACT

To amend and reenact R.S. 47:1703.1(A), relative to registration of the homestead exemption; to require the assessor in St. James Parish to provide a form for the permanent registration of the homestead exemption; 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	Ellington	Jordan
Bajoie	Fields	Lambert
Barham	Greene	Landry
Bean	Guidry	Lentini
Cain	Hainkel	Malone
Campbell	Heitmeier	Robichaux
Casanova	Hines	Schedler
Cox	Hollis	Siracusa
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dyess	Jones	Ullo
Total—33		

NAYS

Branch	Cravins
Total—2	

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ABSENT

Bagneris Short
Romero Theunissen
Total—4

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.

Personal Privilege

Senator Branch asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 819. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

HOUSE BILL NO. 1009—
BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 11:103(B)(1) and (3)(a) and (C)(1), relative to all statewide public retirement systems; to provide with respect to deletion of certain criteria from the elements of cost contained in the gross required employer contribution; to further provide regarding the inclusion of certain members on the active member payroll; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris Irons
Cravins Short
Total—4

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

HOUSE BILL NO. 1023—
BY REPRESENTATIVES ALARIO AND DEWITT

AN ACT

To amend and reenact R.S. 47:1578, relative to the collection of taxes owed to the state; to provide for the authority of the secretary of the Department of Revenue and Taxation to compromise a judgment for taxes; 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 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
Dyess Lambert
Total—37

NAYS

Total—0

ABSENT

Bagneris Short
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. 1026—
BY REPRESENTATIVES ALARIO AND DEWITT

AN ACT

To amend and reenact R.S. 47:287.85(B), to correct an incorrect statutory reference as to the alternative minimum tax; to provide for the applicability and effective date; 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
Bajoie Ellington Landry
Barham Fields Lentini
Bean Greene Malone
Branch Guidry Robichaux
Cain Hainkel Romero
Campbell Heitmeier Schedler
Casanova Hines Siracusa
Cox Hollis Smith
Cravins Johnson Tarver
Dardenne Jones Ullo
Dean Jordan
Total—35

NAYS

Total—0

ABSENT

Bagneris Short
Irons Theunissen

Total—4

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

**HOUSE BILL NO. 1039—**  
BY REPRESENTATIVES ALARIO AND DEWITT  
AN ACT

To amend and reenact R.S. 47:1519, relative to payment of taxes; to provide for the use of credit or debit cards; 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	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	
Dyess	Lambert	
Total—37		

NAYS

Total—0

ABSENT

Bagneris Short  
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. 1040 (Duplicate of Senate Bill No. 925)—**  
BY REPRESENTATIVE ALARIO AND SENATOR HAINKEL AND  
COAUTHORED BY REPRESENTATIVE DEWITT AND SENATORS  
DARDENNE, EWING, AND BARHAM  
AN ACT

To amend and reenact R.S. 47:1562, 1563, and 1564, to change the procedure for determining tax liability and the time period allowed for taxpayer response to proposed assessments for certain taxpayers; 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	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	
Dyess	Lambert	
Total—37		

NAYS

Total—0

ABSENT

Bagneris Short  
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. 1041—**  
BY REPRESENTATIVES ALARIO AND DEWITT  
AN ACT

To amend and reenact R.S. 47:1516(B) and (G) and to enact R.S. 47:1516(H), (I), and (J), to authorize the secretary of the Department of Revenue and Taxation to enter into contracts with outside debt collection agencies for the collection of tax liabilities for which the department's statutory collection efforts have been exhausted and that have been deemed to be uncollectible; to provide for an effective date; and to provide for related matters.

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

**HOUSE BILL NO. 1149—**  
BY REPRESENTATIVE ODINET  
AN ACT

To amend and reenact R.S. 56:700.1(1), relative to the Fisherman's Gear Compensation Fund; to provide definitions; to define "income" to exclude income of a spouse; and to provide for related matters.

The bill was read by title. Senator Johnson 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
Cox	Hollis	Siracusa
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones	Ullo
Dyess	Lambert	
Total—35		

NAYS

Jordan  
Total—1

ABSENT

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Bagneris  
Total—3

Casanova

Theunissen

The Chair declared the 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.

**Personal Privilege**

Senator Jordan 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. 1149. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

**HOUSE BILL NO. 1150—**

BY REPRESENTATIVE RIDDLE

AN ACT

To enact R.S. 56:8(76.1), relative to fishing; to define "private pond" for the purposes of the production and harvesting of crawfish and catfish; 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	Ellington	Lentini
Bajoie	Fields	Robichaux
Barham	Guidry	Romero
Bean	Hainkel	Schedler
Branch	Heitmeier	Short
Cain	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Ulló
Dean	Jordan	
Dyess	Lambert	
Total—34		

NAYS

Campbell	Landry
Greene	Malone
Total—4	

ABSENT

Bagneris  
Total—1

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. 1181—**

BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact R.S. 2:605.1, relative to airport operators; to provide airport operators the option of collecting rentals, fees, and other charges from customers of tenant auto rental companies; 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	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	Ulló
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 Bean moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 1235—**

BY REPRESENTATIVE WILLARD-LEWIS

AN ACT

To amend and reenact R.S. 51:1151(4), relative to municipal and parish industrial development boards; to provide relative to the types of development projects which such boards are authorized to undertake; and to provide for related matters.

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

**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	Robichaux
Cain	Heitmeier	Romero
Casanova	Hines	Schedler
Cox	Hollis	Short
Cravins	Irons	Siracusa
Dardenne	Johnson	Smith
Dean	Jones	Tarver
Dyess	Jordan	Ulló
Total—36		

NAYS

Total—0

ABSENT

Bagneris  
Total—3

The Chair declared the 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.

**HOUSE BILL NO. 1240—**  
BY REPRESENTATIVES TRAVIS, DOWNER, AND DEWITT  
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.

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

**HOUSE BILL NO. 1334—**  
BY REPRESENTATIVE WINSTON  
AN ACT

To amend and reenact R.S. 33:1236(47) and 1651, relative to the parish of St. Tammany; to provide relative to the location of the main administrative facility of the parish; to provide for location of such facility outside of the parish seat; to provide relative to housing of certain parish officials at such facility; 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	Fields	Landry
Bajoie	Greene	Lentini
Barham	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
Dyess	Lambert	
Total—35		
NAYS		
Total—0		
ABSENT		
Bagneris	Ellington	
Bean	Theunissen	
Total—4		

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. 1351 (Duplicate of Senate Bill No. 608)—**  
BY REPRESENTATIVE MCMAINS AND SENATOR HAINKEL AND  
COAUTHORED BY SENATORS DARDENNE, EWING, AND BARHAM  
AN ACT

To amend and reenact Chapter 1 of Code Title III of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:151 through 181, relative to the uniform disposition of unclaimed property; to define certain terms; to provide for various presumptions of abandonment of property; to provide for proceeds derived in class actions; to provide for limitations on dormancy

charges; to provide for the burden of proof when the unclaimed obligation is evidenced by negotiable instruments; to provide various penalties for noncompliance; to provide for attorney fees in litigated enforcement actions; to provide for rules of confidentiality; to provide for limitations on agreements to locate property; to provide for the periods of time after which abandonment will be presumed for corporate stock, gift certificates, and for certain life insurance obligations; to provide for issuance of duplicate certificates and provide for liability respecting the property delivered; to authorize the Department of Revenue and Taxation to retain a certain percentage of the total unclaimed property collections for each year for administrative expenses; to provide for the statute of limitations; to provide for an effective date; 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	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		
ABSENT		
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. 1396—**  
BY REPRESENTATIVES DUPRE, DOWNER, GAUTREAUX, ROUSSELLE,  
AND TRICHE AND SENATORS ROBICHAUX AND SIRACUSA  
AN ACT

To amend and reenact R.S. 38:291(A)(1) and (2)(introductory paragraph), 3342(A)(1) and (2), to enact R.S. 38:291(U) and 329, and to repeal R.S. 38:291(A)(2)(j), 331, and 3342(A)(4), and to repeal R.S. 38:3321 through 3330 and R.S. 38:3341 through 3347 and to provide for an effective date of those repeals, relative to levee districts; to remove Terrebonne Parish from the Atchafalaya Basin Levee District; to provide for the membership of the board of commissioners of the Atchafalaya Basin Levee District; to repeal the revenue allocations in Terrebonne Parish by the Atchafalaya Basin Levee District; to create a levee district consisting of Terrebonne Parish and designated as the Terrebonne Levee and Conservation District; to provide for the powers and duties of the board of commissioners of the district; to provide for an effective date; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Robichaux sent up floor amendments which were read.

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SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Robichaux to Engrossed House Bill No. 1396 by Representative Dupre and Senator Robichaux

AMENDMENT NO. 1

On page 5, at the beginning of line 8, change "D." to "D.(1)"

AMENDMENT NO. 2

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

"(2) In seeking requests for proposals for professional engineering services, the board shall make every effort to utilize various engineering companies located within Terrebonne Parish."

On motion of Senator Robichaux, 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 Engrossed House Bill No. 1396 by Representative Dupre

AMENDMENT NO. 1

On page 4, delete lines 5 through 7, and insert the following:

"(iii) The members of the Russell Redmond American Legion Post 272, Kenneth C. Boudreaux American Legion Post 380, Boquet-Breaux VFW Post 7755, Aswell Picou VFW Post 9608, and Bourg-Leblanc VFW Post 4752 may each submit one nomination from which the governor shall appoint one commissioner. In the event that nine commissioners are appointed notwithstanding the provisions of this Paragraph, then the provisions of this Paragraph shall not apply."

On motion of Senator Robichaux, 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 Engrossed House Bill No. 1396 by Representative Dupre, et al

AMENDMENT NO. 1

On page 3, at the beginning of line 12 delete "then"

AMENDMENT NO. 2

On page 3, line 13, after "the" and before "seven" delete "current"

AMENDMENT NO. 3

On page 3, at the end of line 17, after "appointed" insert the following:

"The initial board of commissioners shall be the taxing authority of the district and shall distribute funds as provided in R.S. 38:329(J). All other actions shall be decided upon individually by the boards of commissioners of the South Terrebonne Parish Tidewater Management and Conservation District and the North Terrebonne Parish Drainage and Conservation District until the nine members of the board of commissioners of the Terrebonne Levee and Conservation District are appointed by the governor in the year 2,000."

AMENDMENT NO. 4

On page 6, between lines 19 and 20, insert the following:

"J. After the distribution of funds to the Atchafalaya Basin Levee

District by the Terrebonne Levee and Conservation District, the net proceeds of the ad valorem taxes collected shall be distributed as follows until the nine members of the board of commissioners of the Terrebonne Levee and Conservation District are appointed by the governor in the year 2,000:

(1) Seventy-five percent to be dedicated to that portion of Terrebonne Parish located south of the Intracoastal Waterway and encompassed by the South Terrebonne Parish Tidewater Management and Conservation District.

(2) Twenty-five percent to be dedicated to that portion of Terrebonne Parish located north of the Intracoastal Waterway and encompassed by the North Terrebonne Parish Drainage and Conservation District."

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

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

NAYS

Total—0

ABSENT

Table with 2 columns: Bagneris, Irons; Total—2

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.

HOUSE BILL NO. 1433— BY REPRESENTATIVE STELLY AN ACT

To amend and reenact R.S. 11:701(25) and (26), 762(C), 779(A)(2), (B)(1), and (C), 780(B), 873(2), 879, and 896, to enact R.S. 11:883.2, and to repeal R.S. 11:890 and 891, relative to the Teachers' Retirement System of Louisiana; to provide with respect to definitions, survivor benefits, benefits for certain beneficiaries of disability retirees, earnings statements of certain disability retirees, annuity savings fund, pension reserve fund, correcting membership errors, and benefit adjustments; to repeal certain employee contribution limits; to provide for an effective date; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Bagneris	Cox	Cravins
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. 1538—**

BY REPRESENTATIVE FRUGE

**AN ACT**

To enact R.S. 32:387.8, relative to steering axle permits; to provide for travel on interstate highways by vehicles which require steering axle permits; 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
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	
Dyess	Landry	
Total—37		

**NAYS**

Total—0

**ABSENT**

Bagneris	Greene
Total—2	

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. 1553—**

BY REPRESENTATIVE DANIEL

**AN ACT**

To amend and reenact R.S. 11:1002(17), relative to the Louisiana School Employees' Retirement System; to provide with respect to membership age limits; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Bagneris	Casanova	Siracusa
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. 1625—**

BY REPRESENTATIVE DANIEL

**AN ACT**

To amend and reenact R.S. 11:1141(A) and (B), relative to the Louisiana School Employees' Retirement System; to require the filing of applications for regular retirement, disability retirement, and retirement under the Deferred Retirement Option Plan; to authorize the board of trustees to pay disability retirement benefits and payments on behalf of the member into the Deferred Retirement Option Plan Account on the effective date of retirement; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Fields	Lentini
Bajoie	Greene	Malone
Barham	Guidry	Robichaux
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Short
Campbell	Hollis	Siracusa

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Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Dyess	Lambert	
Ellington	Landry	
Total—37		
	NAYS	
Total—0		
	ABSENT	
Bagneris	Casanova	
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. 1799—**

BY REPRESENTATIVE JOHN SMITH  
AN ACT

To repeal Part V-A of Chapter 7 of Subtitle I of Title 30 of the Louisiana Revised Statutes of 1950, consisting of R.S. 30:650 through 657, inclusive, and to repeal R.S. 36:359(G), relative to the Department of Natural Resources; to abolish the Louisiana Natural Gas Marketing Commission.

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	Greene	Lentini
Bajoie	Guidry	Malone
Barham	Hainkel	Robichaux
Bean	Heitmeier	Romero
Branch	Hines	Schedler
Campbell	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dyess	Jordan	Ullo
Ellington	Lambert	
Fields	Landry	
Total—34		
	NAYS	
Total—0		
	ABSENT	
Bagneris	Casanova	Short
Cain	Dean	
Total—5		

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. 1835—**

BY REPRESENTATIVE TRAVIS  
AN ACT

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

**Floor Amendments Sent Up**

Senator Smith sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Smith to Engrossed House Bill No. 1835 by Representative Travis.

AMENDMENT NO. 1

On page 1, line 4, between "program;" and "and" insert the following:

"to require the transfer of certain monies in the Louisiana Economic Development Fund to the state general fund; "

AMENDMENT NO. 2

On page 2, after line 11, add the following:

"Section 2. Notwithstanding any law to the contrary, including R.S. 51:2315, for the fiscal year beginning on July 1, 1997, the state treasurer shall transfer one million dollars from the Louisiana Economic Development Fund to the state general fund. If such monies are then appropriated to the Department of Economic Development and, pursuant to a cooperative endeavor agreement between the department and a local public entity, used to fund a loan to the public entity, all monies received by the department in payment of that loan shall be deposited in the state general fund, and after compliance with the Constitution of Louisiana, shall be credited to the Louisiana Economic Development Fund. If the monies are not expended by June 30, 1998, the state treasurer shall transfer the monies, and all interest earned thereon, after compliance with the Constitution of Louisiana, to the Louisiana Economic Development Fund.

Section 3. Section 2 of 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."

On motion of Senator Smith, the amendments were adopted.

The bill was read by title. Senator Smith 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
Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Ullo
Dean	Jordan	
Dyess	Lambert	
Total—37		
	NAYS	
Total—0		
	ABSENT	

Bagneris  
Total—2

Siracusa

The Chair declared the amended 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. 1918—**

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 51:212(3) and to enact Part II of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:21, relative to insignia and trademarks of public bodies; to provide that a mark by which the goods or services of any applicant for registration may be distinguished from the goods or services of others shall not be registered if it consists of or comprises the coat of arms or other insignia, symbol, seal, emblem, or logo of the United States, or of this state, or of any local governmental subdivision of this state, or of any state or governmental subdivision thereof, or educational institution, or of any foreign nation, or any simulation thereof; to authorize local governmental subdivisions to adopt an official seal, insignia, symbol, emblem, coat of arms, or logo; to provide that the use of such official seal, insignia, symbol, emblem, coat of arms, or logo is reserved to the local governmental subdivision; to prohibit its unauthorized use; to provide penalties; 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	Jordan
Bajoie	Ellington	Lambert
Barham	Fields	Landry
Bean	Greene	Lentini
Branch	Guidry	Malone
Cain	Hainkel	Romero
Campbell	Heitmeier	Schedler
Casanova	Hines	Short
Cox	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Johnson	Ullo
Dean	Jones	
Total—35		

NAYS

Total—0

ABSENT

Bagneris	Siracusa
Robichaux	Tarver
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. 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.

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

**HOUSE BILL NO. 2141—**

BY REPRESENTATIVE WINDHORST

AN ACT

To amend and reenact R.S. 49:968(B)(2), relative to the oversight powers of the House Committee on Administration of Criminal Justice; to provide the committee with oversight of matters concerning concealed weapons and concealed weapon permits; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Jordan sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Jordan to Engrossed House Bill No. 2141 by Representative Windhorst

AMENDMENT NO. 1

On page 2, line 16, change "Section B" to "Section C"

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

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

NAYS

Total—0

ABSENT

Bagneris	Robichaux
Casanova	Siracusa
Total—4	

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. 2174—**

BY REPRESENTATIVES MCMAINS, WELCH, AND WESTON AND SENATOR GUIDRY

AN ACT

To amend and reenact R.S. 49:141 and to repeal Chapter 10 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:571 through 584 and R.S. 36:209(H)(2), relative to the Old Governor's Mansion; to provide for transfer of supervision and administrative control of the mansion from the Department of Culture, Recreation and Tourism and the Board of Commissioners

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of the Louisiana Arts and Science Center to the commissioner of administration; to repeal provisions relative to the Louisiana Arts and Science Center and its board of commissioners; to repeal the provisions regarding the transfer of the functions of such board to the Department of Culture, Recreation and Tourism; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Bagneris	Siracusa
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.

**HOUSE BILL NO. 2203—**

BY REPRESENTATIVE FLAVIN

**AN ACT**

To amend and reenact R.S. 37:1431(4), (5), (7)(introductory paragraph), and (20), 1436(A), (B) and (D), 1437(A)(introductory paragraph) and (1), (B)(1), (C)(1) and (2) and (6)(a), 1437.2(A) through (E), 1437.3(C) and (E), 1439(B) and (C), 1443(1)(a) and (b), 1449(C) and (D), 1456(A)(1), (2), and (4), 1457, 1462(A), 1463(A)(1) and (E), and 1466(H) and to enact R.S. 37:1431(7)(h) and (32), 1439(F), 1441(C), 1446(F) and (G), 1449(E), and 1456(A)(5) and (6), relative to licensure of real estate sales persons; to provide definitions; to provide relative to application for a license; to provide relative to the licensing of corporations and partnerships; to provide for fees; to provide for commissions; 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	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 Cox moved to reconsider the vote by which the bill was passed and laid the motion on the table.

**HOUSE BILL NO. 2283—**

BY REPRESENTATIVE STELLY

**AN ACT**

To enact R.S. 13:2080.1, relative to particular city courts; to provide for an increase in court costs in certain city courts; 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	Ellington	Lentini
Bajoie	Fields	Malone
Barham	Greene	Robichaux
Bean	Guidry	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Johnson	Tarver
Cravins	Jones	Theunissen
Dardenne	Jordan	Ullo
Dean	Lambert	
Dyess	Landry	
Total—37		

**NAYS**

Total—0

**ABSENT**

Bagneris	Irons
Total—2	

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. 61—**

BY REPRESENTATIVE FAUCHEUX

**AN ACT**

To amend and reenact R.S. 46:1802(7) and (10)(a), relative to the Crime Victims Reparations Act; to extend coverage of the Act to include peace officers, firemen, and certain others; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Jordan sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Jordan to Engrossed House Bill No. 61 by Representative Faucheux

AMENDMENT NO. 1

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

"(8) "Pecuniary loss" means the amount of expense reasonably and necessarily incurred by reason of personal injury, as a consequence of death, or a catastrophic property loss, and includes:

\* \* \*

(b) As a consequence of death:

\* \* \*

(iv) Counseling or therapy for any surviving family member of the victim or any person in close relationship to such victim."

AMENDMENT NO. 2

On page 2, delete line 10 and insert the following:

"(b) A Louisiana resident who is a victim of an act of terrorism as defined in 18 U.S.C. 2331 occurring outside the United States; or

(c) A Louisiana resident who suffers personal injury or death as a result of a crime described in R.S. 46:1805, except that the criminal act occurred outside of this state. The resident shall have the same rights under this Chapter as if the act had occurred in this state upon a showing that the state in which the act occurred does not have an eligible crime victims reparations program and the crime would have been compensable had it occurred in Louisiana. In this Subparagraph, "Louisiana resident" means a person who maintained a place of permanent abode in this state at the time the crime was committed for which reparations are sought."

On motion of Senator Jordan, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Lentini sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lentini to Engrossed House Bill No. 61 by Representative Faucheux

AMENDMENT NO. 1

On page 1, at the end of line 15, after "officer" change the comma "," to a period "." and insert the following: "Peace officer" shall include commissioned police officers, sheriffs, deputy sheriffs, marshals, deputy marshals, correctional officers, constables, wildlife enforcement agents, and probation and parole officers."

On motion of Senator Lentini, 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  
Bajoie  
Barham  
Bean  
Branch  
Cain  
Campbell  
Casanova  
Cox  
Cravins  
Dardenne  
Dean  
Dyess  
Total—38

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

Bagneris  
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. 64—**

BY REPRESENTATIVES HEATON, ANSARDI, AND MARTINY  
AN ACT

To amend and reenact R.S. 14:37.2(A), relative to the crime of aggravated assault with a firearm; to provide for changes in the definition of the crime; 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  
Bajoie  
Barham  
Bean  
Branch  
Cain  
Campbell  
Casanova  
Cox  
Cravins  
Dardenne  
Dyess  
Total—36

Ellington  
Fields  
Greene  
Guidry  
Hainkel  
Heitmeier  
Hines  
Hollis  
Irons  
Johnson  
Jones  
Jordan

Lambert  
Landry  
Lentini  
Malone  
Romero  
Schedler  
Short  
Siracusa  
Smith  
Tarver  
Theunissen  
Ullo

NAYS

Total—0

ABSENT

Bagneris  
Total—3

Dean

Robichaux

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.

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HOUSE BILL NO. 74—

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To amend and reenact R.S. 14:102.8, relative to crimes against police animals; to prohibit the injuring or killing of a police horse; 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

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
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dyess	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bagneris	Dean	Robichaux
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. 174—

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To amend and reenact Code of Criminal Procedure Art. 895(H)(2) and R.S. 15:542(B)(2) and 574.4(H)(2)(b), relative to notices required to be published by certain sexual offenders; to provide that the appropriate court, parole board, or sheriff or police department may require that such notice be published in a newspaper qualified as an official journal with a greater circulation than the parish official journal; 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	Fields	Lentini
Bajoie	Greene	Malone
Barham	Guidry	Robichaux
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Campbell	Hines	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen

Dean	Jordan	Ullo
Dyess	Lambert	
Ellington	Landry	
Total—37		

NAYS

Total—0

ABSENT

Bagneris	Cain
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. 290—

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To amend and reenact Code of Criminal Procedure Art. 895(H)(2) and R.S. 15:542(B)(2) and to enact R.S. 15:574.4(H)(2)(c), relative to notices required to be published by certain sexual offenders in St. Tammany Parish; to provide that the appropriate court, parole board, or sheriff or police department may require that such notice be published in a newspaper qualified as an official journal with a greater circulation than the parish official journal; 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	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	
Dyess	Lambert	
Total—37		

NAYS

Total—0

ABSENT

Bagneris	Robichaux
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. 441—

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To amend and reenact R.S. 13:501(B)(3), relative to single parish district courts; to authorize the Fortieth Judicial District Court to hold certain sessions of the court in St. John the Baptist Parish east of the Mississippi River; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Lambert sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lambert to Reengrossed House Bill No. 441 by Representative Fauchoux

AMENDMENT NO. 1

On page 2, delete line 8 in its entirety

AMENDMENT NO. 2

On page 2, at the beginning of line 9, change "(ii)" to "(i)"

AMENDMENT NO. 3

On page 2, at the beginning of line 10, change "(iii)" to "(ii)"

AMENDMENT NO. 4

On page 2, at the beginning of line 12, change "(iv)" to "(iii)"

AMENDMENT NO. 5

On page 2, at the beginning of line 13, change "(v)" to "(iv)"

AMENDMENT NO. 6

On page 2, at the beginning of line 14, change "(vi)" to "(v)"

AMENDMENT NO. 7

On page 2, at the beginning of line 16, change "(vii)" to "(vi)"

On motion of Senator Lambert, the amendments were adopted.

The bill was read by title. Senator Lambert moved final passage of the amended 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	
Ellington	Landry	
Total—37		

NAYS

Total—0

ABSENT

Bagneris	Dyess
Total—2	

The Chair declared the amended 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. 623—**

BY REPRESENTATIVES FAUCHEUX AND DOWNER  
AN ACT

To enact R.S. 26:76(A)(7), 80(G), 276(A)(7), and 280(G), relative to the Alcoholic Beverage Control Law; to provide for the qualification of a spouse separate in property under certain circumstances; to permit such a spouse to continue to operate under a permit for one year 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
Bajoie	Fields	Malone
Barham	Greene	Robichaux
Bean	Guidry	Romero
Branch	Heitmeier	Schedler
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Johnson	Tarver
Cravins	Jones	Theunissen
Dardenne	Jordan	Ullo
Dean	Lambert	
Dyess	Landry	
Total—34		

NAYS

Cain	Hainkel	Short
Total—3		

ABSENT

Bagneris	Irons
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. 632—**

BY REPRESENTATIVES WINDHORST AND HEATON  
AN ACT

To enact R.S. 27:91(D), relative to riverboat license and permit fees; to provide that wholesale alcoholic beverage permit holders licensed by federal, state, and local governments for the sale of beverage alcohol of low or high alcoholic content are exempt from obtaining certain supplier permits; 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

Bajoie	Hainkel	Malone
Barham	Heitmeier	Robichaux
Bean	Hines	Romero
Branch	Hollis	Schedler
Casanova	Irons	Siracusa
Cox	Johnson	Smith
Cravins	Jones	Tarver
Dardenne	Lambert	Theunissen

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Fields Guidry Total—29	Landry Lentini  NAYS	Ullo
Mr. President Cain Dean Total—8	Dyess Ellington Greene  ABSENT	Jordan Short
Bagneris Total—2	Campbell	

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.

**Personal Privilege**

Senator Smith 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. 632. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

**Personal Privilege**

Senator Malone 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. 632. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

**Personal Privilege**

Senator Branch asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 632. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

**Personal Privilege**

Senator Barham 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. 632. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

**HOUSE BILL NO. 698—**  
BY REPRESENTATIVES WINDHORST, BRUCE, AND MARIONNEAUX  
AN ACT

To enact R.S. 14:125.2, relative to false swearing; to create the crime of false swearing before a legislative committee or subcommittee; to provide penalties; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Guidry sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Guidry to Reengrossed House Bill No. 698 by Representative Windhorst, et al

AMENDMENT NO. 1  
On page 1, at the beginning of line 8, insert "A" and at the beginning of line 13, insert "B"

AMENDMENT NO. 2  
On page 1, after line 15, insert the following:

"C. The provisions of this Section shall apply to legislators"

On motion of Senator Guidry, the amendments were adopted.

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

**HOUSE BILL NO. 700—**  
BY REPRESENTATIVE ROUSSELLE  
AN ACT

To amend and reenact R.S. 16:574(A)(2) and (C) and to repeal R.S. 16:571-574 as amended by Acts 1986, No. 198, relative to the district attorney's office in the Twenty-fifth Judicial District; to provide relative to increases in the salaries of assistant district attorneys; to delete certain expenditures from the portion of the annual budget of the district attorney which the governing authority cannot reduce without the district attorney's consent; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Dean sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Conforming Amendments proposed by Senator Dean to Engrossed House Bill No. 700 by Representative Rousselle (Duplicate of Senate Bill No. 1428)

AMENDMENT NO. 1  
On page 1, line 2, after "16:574(A)(2)" add a comma "," and delete the remainder of the line.

AMENDMENT NO. 2  
On page 1, delete line 3 in its entirety and insert in lieu thereof the following:

"relative to the district"

AMENDMENT NO. 3  
On page 1, line 4, delete "to provide relative"

AMENDMENT NO. 4  
On page 1, delete line 5 in its entirety and insert in lieu thereof the following:

"to delete the authority of the district attorney to increase salaries of the assistant district attorneys up to ten percent annually without the approval of the parish governing authority; to delete"

AMENDMENT NO. 5  
On page 1, line 13, change "and (C) are" to "is"

AMENDMENT NO. 6  
On page 2, delete lines 17 through 26 in their entirety.

AMENDMENT NO. 7  
On page 3, delete lines 1 through 5 in their entirety.

On motion of Senator Dean, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Dean sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Dean to Engrossed House Bill No. 700 by Representative Rousselle

AMENDMENT NO. 1  
Delete Senate Floor Amendment Nos. 1 through 7 proposed by Senator Dean and adopted by the Senate on June 4, 1997.

On motion of Senator Dean, the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	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	Theuissen
Dean	Jordan	Ullo
Dyess	Lambert	
Ellington	Landry	
Total—37		

**NAYS**

Total—0

**ABSENT**

Bagneris	Cravins
Total—2	

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

**HOUSE BILL NO. 777—**

BY REPRESENTATIVES WINDHORST, BRUCE, AND MARIONNEAUX  
AN ACT

To amend and reenact R.S. 14:123(A) and to enact R.S. 14:123(C)(4), relative to perjury; to provide for the crime of perjury before legislative committees; to provide for the crime of perjury in proceedings other than criminal cases; to provide penalties; 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	Landry
Bajoie	Ellington	Lentini
Barham	Fields	Malone
Bean	Greene	Robichaux
Branch	Guidry	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jordan	Theuissen
Dean	Lambert	Ullo
Total—36		

**NAYS**

Jones

Total—1

ABSENT

Bagneris	Hainkel
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. 1393—**

BY REPRESENTATIVES SCHNEIDER, FAUCHEUX, HEATON, KENNARD, MCCAIN, MORRISH, PERKINS, ROMERO, AND TRICHE  
AN ACT

To enact R.S. 14:103.1, relative to offenses affecting the general peace and order; to prohibit the emanation of excessive sound or noise by use of a sound amplification system; to provide exceptions thereto; to provide penalties for violations thereof; 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. 1393 by Representative Schneider, et al

AMENDMENT NO. 1

On page 2, after line 8, insert the following:

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

On motion of Senator Landry, the amendments were adopted.

**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. 1393 by Representative Schneider, et al.

AMENDMENT NO. 1

On page 2, line 5, after "be" insert "given a warning for the first offense and thereafter shall be"

AMENDMENT NO. 2

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

AMENDMENT NO. 3

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

Senator Fields moved adoption of the amendments.

Senator Schedler objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Heitmeier	Robichaux
Campbell	Johnson	Tarver
Cox	Jones	
Fields	Jordan	
Total—10		

**NAYS**

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Mr. President	Ellington	Malone
Barham	Greene	Romero
Bean	Guidry	Schedler
Branch	Hainkel	Short
Cain	Hines	Siracusa
Casanova	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Landry	Ullo
Dean	Lentini	
Total—26	ABSENT	

Bagneris	Dyess	Lambert
Total—3		

The Chair declared the amendments were rejected.

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	Landry
Bajoie	Ellington	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—36		

**NAYS**

Fields
Total—1

**ABSENT**

Bagneris	Lambert
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.

**HOUSE BILL NO. 1647—**  
BY REPRESENTATIVE WINDHORST  
AN ACT

To amend and reenact R.S. 14:404, relative to the crime of self-mutilation by a prisoner; to provide that this crime applies to any person who is in the lawful custody of a peace officer; 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	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	Jordan	Ullo
Dean	Lambert	
Dyess	Landry	
Total—37		

**NAYS**

Total—0

**ABSENT**

Bagneris	Jones
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.

**Privilege Report of the  
Legislative Bureau**

June 4, 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. We advise and suggest the following amendments to the engrossed bills.

**HOUSE BILL NO. 169—**  
BY REPRESENTATIVE ROUSSELLE  
AN ACT

To enact R.S. 47:302.31, 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 Plaquemines Parish; to create the Plaquemines Parish Visitor Enterprise Fund; to provide for deposit of monies into the fund and for use of monies in the fund; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 335—**  
BY REPRESENTATIVE SALTER  
AN ACT

To enact R.S. 47:302.31, 302.32, 322.1 through 322.10, 332.8(C), and 332.25 through 332.30, relative to the state sales tax on hotel occupancy in certain parishes; to create certain funds in the state treasury; to provide for deposit of monies into such funds; to provide for allowable uses of monies in the funds; and to provide for related matters.

Reported with amendments.

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 335 by Representative Salter

**AMENDMENT NO. 1**

In Senate Committee Amendment No. 1 proposed by the Senate Committee on Revenue and Fiscal Affairs adopted by the Senate on June 3, 1997, on line 4, after "332.25," insert "and"

AMENDMENT NO. 2

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Revenue and Fiscal Affairs adopted by the Senate on June 3, 1997, on line 9, after "332.25," insert "and"

AMENDMENT NO. 3

On page 9, line 22, following "previously" and before "to" insert "paid"

AMENDMENT NO. 4

On page 9, line 23, following "Washington" and before "Convention" delete "Parish"

**HOUSE BILL NO. 437—**

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 11:103(C)(2)(b)(introductory paragraph), and 127(A) and to enact R.S. 11:103(C)(2)(b)(iv), relative to all public retirement systems; to provide with respect to the calculation of the net direct employer contribution rate; to further provide with respect to the reporting procedures of the Public Retirement Systems' Actuarial Committee; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 645—**

BY REPRESENTATIVES FONTENOT, POWELL, PERKINS, AND MCMAINS  
AN ACT

To enact R.S. 47:302.31, 322.1, and 332.25, relative to the state sales tax on hotel occupancy in Livingston Parish; to create the Livingston Parish Tourism Improvement Fund; to dedicate monies to the fund; to provide for uses of monies in the fund; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 680—**

BY REPRESENTATIVE LEBLANC

AN ACT

To enact R.S. 47:322.1, relative to the proceeds of the state sales tax on hotel occupancy in Lafayette Parish; to provide for dedication of a portion of such tax collected in Lafayette Parish to the Lafayette Parish Visitor Enterprise Fund; to provide for deposit of monies into the fund and allowable uses of the fund; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 702—**

BY REPRESENTATIVE MCCAIN

AN ACT

To amend and reenact R.S. 47:332.18(A), relative to the state sales and use tax; to dedicate a portion of the state tax on hotel/motel occupancy in Iberville Parish; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 742—**

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 11:1921(A)(4), relative to the Parochial Employees' Retirement System of Louisiana; to provide with respect to the purchase of prior service credit; to allow coroners the option of purchasing prior service credit on an actuarial basis; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1007—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 11:1802(2) and 1804(1)(b) and to repeal R.S. 11:1802(3), relative to the Municipal Employees' Retirement System of Louisiana; to provide relative to the limitation on the maximum amount of normal and disability retirement benefits payable from Plan B; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1008—**

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 11:1785(C), relative to the Municipal Employees' Retirement System of Louisiana; to provide with respect to Plan A survivor benefits and the eligibility therefor; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1010—**

BY REPRESENTATIVE STELLY

AN ACT

To enact R.S. 11:105, relative to the Assessors' Retirement Fund, the Clerks' of Court Retirement and Relief Fund, the Municipal Employees' Retirement System of Louisiana, and the Parochial Employees' Retirement System of Louisiana; to provide with respect to employer contribution rates and the procedures used in determination thereof; to provide for an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1052—**

BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 11:153(D)(1), relative to all state and statewide public retirement systems; to provide with respect to military service credit and the purchase thereof; to further provide certain limitations on the use of such credit; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1091—**

BY REPRESENTATIVE WILKERSON

AN ACT

To amend and reenact R.S. 11:2253(A)(1)(a), relative to the Firefighters' Retirement System; to provide with respect to membership; to establish a membership age limit; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1128—**

BY REPRESENTATIVES ALARIO, ANSARDI, MARTINY, THERIOT, AND TOOMY

AN ACT

To enact R.S. 47:322.1, 322.2, 322.3, and 322.4, relative to the proceeds of state sales tax on hotel occupancy in certain parishes; to dedicate a portion of such tax collected to the Jefferson Parish Convention Center Fund; to provide for deposit of monies into the fund and allowable uses of the fund to create special accounts within the fund; to provide for creation of certain additional funds; to dedicate the proceeds of taxes collected in certain parishes to such funds; to provide for the deposit of monies and the uses of such funds; to dedicate the proceeds of certain taxes collected in certain parishes to certain funds; to provide for the deposit and use of such monies; and to provide for related matters.

Reported without amendments.

June 4, 1997

**HOUSE BILL NO. 1141—**  
BY REPRESENTATIVE HILL

AN ACT

To enact R.S. 47:302.31, 322.1, and 332.25, relative to the state sales tax on hotel occupancy in Allen Parish; to dedicate a portion of the tax to capital construction and maintenance in Allen Parish; to establish a special fund in the state treasury; to provide for deposit of monies into the fund and use of such monies in the fund; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1161—**  
BY REPRESENTATIVE WILKERSON

AN ACT

To enact R.S. 47:302.31, 322.1, and 332.25, relative to the proceeds of state sales tax on hotel occupancy in the town of Homer in Claiborne Parish; to create the Town of Homer Economic Development Fund; to dedicate the proceeds of such tax collected in the town of Homer to the fund; to provide for deposit of monies into the fund and allowable uses of the fund; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1333—**  
BY REPRESENTATIVE WILKERSON

AN ACT

To amend and reenact R.S. 11:2259, relative to the Firefighters' Retirement System; to provide with respect to optional retirement allowances; to provide for survivor's benefits after retirement if member was not previously married; to provide for an effective date and retroactive application; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1346—**  
BY REPRESENTATIVE HOLDEN

AN ACT

To amend and reenact R.S. 47:302.29(B) and to enact R.S. 47:322.1, relative to the proceeds of state sales tax on hotel occupancy in the parish of East Baton Rouge; to provide for the use of the monies in the East Baton Rouge Parish Community Improvement Fund; to create the East Baton Rouge Parish Mass Transit Fund; to dedicate a portion of such tax collected in the parish of East Baton Rouge to the fund; to provide for deposit of monies into the fund and allowable uses of the fund; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1355—**  
BY REPRESENTATIVE RIDDLE

AN ACT

To enact R.S. 47:322.1, relative to the state sales and use tax; to dedicate a portion of the state tax on hotel occupancy in Avoyelles Parish; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1415—**  
BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 11:2173(A)(1) and (6), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to the composition of the board of trustees; to further provide with respect to election procedures for such board members and terms of office related thereto; to provide an effective date; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1449—**  
BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 39:1410.60(B), relative to approval by State Bond Commission of certain local government indebtedness; to provide that financing of the purchase of movables shall be subject to an expedited review process by the State Bond Commission; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1648—**  
BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 47:332.6 and 332.7 and to enact R.S. 47:322.1 and 322.2, relative to the proceeds of state sales tax on hotel occupancy in Bossier and Caddo Parishes; to create the "Bossier-Caddo Enterprise Fund"; to dedicate a portion of such tax collected in the cities of Shreveport and Bossier City to certain funds; to provide for deposit of monies in the funds and allowable uses of the funds; to dedicate a portion of state sales tax collected in Vermilion Parish to the Vermilion Parish Visitor Enterprise Fund; to provide for the use of the monies in the Vermilion Parish Visitor Enterprise Fund; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1652—**  
BY REPRESENTATIVES DOWNER, DUPRE, AND GAUTREUX

AN ACT

To enact R.S. 47:302.31, 322.1, 322.2, 332.25, and 332.26, relative to the state sales tax on hotel occupancy in Terrebonne Parish; to create the Terrebonne Parish Visitor Enterprise Fund; to dedicate certain monies to the fund; to provide for uses of monies in the fund; to create the St. Mary Parish Visitor Enterprise Fund; to dedicate certain monies to the fund; to provide for uses of monies in the fund; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1663—**  
BY REPRESENTATIVE MCCALLUM

AN ACT

To enact R.S. 47:302.31, 322.1, and 332.25, relative to the state sales tax on hotel occupancy in Union Parish; to create the Union Parish Visitor Enterprise Fund; to dedicate monies to the fund; to provide for uses of monies in the fund; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1691—**  
BY REPRESENTATIVE DEWITT

AN ACT

To enact R.S. 47:322.1, relative to the state sales tax on hotel occupancy in Rapides Parish; to dedicate a portion of the proceeds of such tax to certain funds within the state treasury or for certain purposes; to provide for the allowable uses of such proceeds; and to provide for related matters.

Reported without amendments.

**HOUSE BILL NO. 1877—**  
BY REPRESENTATIVES MCDONALD, DIMOS, AND DOWNER

AN ACT

To enact R.S. 47:302.31, 302.32, 302.33, 322.1, 322.2, 322.3, 322.4, 332.25, 332.26, and 332.27, relative to the proceeds of the state sales tax on hotel occupancy in certain parishes; to dedicate a portion of such tax for deposit in certain funds; and to provide for related matters.

Reported without amendments.

**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.

Reported without amendments.

**HOUSE BILL NO. 2240—**

BY REPRESENTATIVES LONG, BARTON, BAUDOIN, CRANE, DOERGE, FARVE, MCDONALD, POWELL, PRATT, QUEZAIRE, SALTER, SHAW, THOMPSON, AND WRIGHT

AN ACT

To enact R.S. 17:24.9, to require that the Department of Education establish a program for at-risk preschool students; to require inclusion of certain elements in the program and evaluation of the program; and to provide for related matters.

Reported without amendments.

Respectfully submitted,  
DENNIS BAGNERIS  
Chairman

**Adoption of Legislative Bureau Report**

On motion of Senator Hainkel, the Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were read by title and passed to a third reading.

**Privilege Report of the  
Legislative Bureau**

June 4, 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. 899—**

BY REPRESENTATIVE TRAVIS

AN ACT

To enact R.S. 47:302.31, 322.1, and 332.25, relative to the proceeds of state sales tax on hotel occupancy in West Feliciana Parish; to create the St. Francisville Economic Development Fund; to dedicate the proceeds of such tax collected in West Feliciana Parish to the fund; to provide for deposit of monies into the fund and allowable uses of the fund; and to provide for related matters.

Reported without amendments.

Respectfully submitted,  
DENNIS BAGNERIS  
Chairman

**Adoption of Legislative Bureau Report**

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

**Rules Suspended**

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

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**SENATE AND GOVERNMENTAL AFFAIRS**

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

June 4, 1997

To the President and Members of the Senate:

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

**SENATE RESOLUTION NO. 4—**

BY SENATOR DARDENNE

A RESOLUTION

To enact and adopt Senate Rule No. 5.7 of the Rules of Order of the Senate, relative to the annual reporting of certain income by a Senator, his spouse or business enterprise.

Reported with amendments

**HOUSE CONCURRENT RESOLUTION NO. 68—**

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

A CONCURRENT RESOLUTION

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

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 69—**

BY REPRESENTATIVES DOWNER, R. ALEXANDER, ANSARDI, DEVILLE, DIEZ, DIMOS, DUPRE, FORSTER, LEBLANC, MCCAIN, MCDONALD, MCMAINS, PIERRE, SCALISE, JOHN SMITH, STELLY, TRICHE, AND WINDHORST AND SENATOR EWING

A CONCURRENT RESOLUTION

To urge and request all state officials to participate in an inventory of property and furniture conducted by the legislative auditor in order to determine if any property under their supervision or control or of which they have knowledge has any historical connection with the State Capitol and if any such furniture is among the furniture which was designed and custom-made specifically for the State Capitol, and to transfer such property and furniture to the legislature for proper placement in the State Capitol and to direct the legislative auditor to conduct such inventory.

Reported favorably.

**HOUSE BILL NO. 63 —**

BY REPRESENTATIVE GUILLORY

AN ACT

To amend and reenact R.S. 18:564(D) and to enact R.S. 18:1461(A)(21), relative to assistance in voting; to require the registrar of voters to indicate a voter's need for assistance at the polls on the voter's original application for registration under certain circumstances; to prohibit a person assisting a voter at the polls from influencing the assisted voter to vote a certain way; to provide for criminal penalties for violations; and to provide for related matters.

June 4, 1997

Reported with amendments.

**HOUSE BILL NO. 422—**  
BY REPRESENTATIVE VITTER  
AN ACT

To repeal R.S. 17:428(C), relative to conflicts of interest, to remove provisions allowing school bus drivers in parishes with a population of sixteen thousand or less to serve on the school board.

Reported with amendments.

**HOUSE BILL NO. 423—**  
BY REPRESENTATIVE VITTER  
AN ACT

To amend and reenact R.S. 4:254(E), relative to the Code of Governmental Ethics; to remove an exception to the Code of Governmental Ethics relative to the incorporator and members of the board of the Louisiana Horsemen Injury Compensation Fund and its nominating bodies; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 424—**  
BY REPRESENTATIVE VITTER  
AN ACT

To repeal R.S. 42:1121(G) and 1123(11)(b), relative to the ethics code; to repeal the provision allowing a licensed psychiatrist formerly employed by the Department of Health and Hospitals to enter into transactions with that department within two years after August 15, 1993; to repeal the provision allowing certain retired registered nurses to contract with the Department of Health and Hospitals when a registered nurse is not available to perform those services; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 426—**  
BY REPRESENTATIVE VITTER  
AN ACT

To amend and reenact R.S. 42:1119(B)(2), relative to ethics; to provide relative to the employment of certain persons by school boards; to require disclosure of the employment of certain persons by school boards; to require disclosure of the employment of certain persons by certain hospital service districts and hospital public trust authorities; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 676—**  
BY REPRESENTATIVES LANCASTER, BARTON, BOWLER, BRUN, BRUNEAU, CRANE, DONELON, FONTENOT, FRUGE, MARTINY, MCMAINS, PERKINS, POWELL, SCALISE, SHAW, STELLY, TOOMY, VITTER, WALSWORTH, WIGGINS, WINDHORST, AND WINSTON AND SENATORS BEAN, BRANCH, DARDENNE, DEAN, HAINKEL, HOLLIS, LENTINI, ROMERO AND SHORT  
AN ACT

To amend and reenact R.S. 42:1116, relative to the ethics code; to prohibit a public servant from using the authority of his office or position to compel or coerce any person or other public servant to engage in political activity; to provide for definitions; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 820—**  
BY REPRESENTATIVE JOHNS  
AN ACT

To amend and reenact R.S. 42:1119(B)(2)(b), relative to nepotism in certain hospital service districts and hospital public trust authorities; to permit employment of licensed physicians or registered nurses who are members of the immediate family of a member of the governing authority or of the chief executive of the district or authority by certain hospital service districts and hospital public trust authorities; and to provide for related matters.

Reported favorably.

**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.

Reported with amendments.

**HOUSE BILL NO. 1164—**  
BY REPRESENTATIVES CLARKSON, BRUNEAU, AND WINDHORST  
AN ACT

To amend and reenact R.S. 18:1434, relative to elections; to provide that under certain circumstances an objection to the qualifications of a voter is not waived; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1208—**  
BY REPRESENTATIVES LANCASTER AND SCHNEIDER  
AN ACT

To amend and reenact R.S. 18:1505.4(A)(2) and (3) and 1505.5(B) and (C), relative to campaign finance; to provide with respect to penalties for failing to file reports or failing to timely file reports; to provide with respect to the penalties for other violations of the Campaign Finance Disclosure Act; to increase the penalties for violations by certain political committees; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1209—**  
BY REPRESENTATIVES LANCASTER, BARTON, BOWLER, BRUNEAU, CRANE, DONELON, FONTENOT, FORSTER, FRUGE, MARTINY, MCMAINS, PERKINS, POWELL, SCALISE, SHAW, STELLY, TOOMY, VITTER, WIGGINS, WINDHORST, AND WINSTON AND SENATORS BEAN, BRANCH, DARDENNE, DEAN, HAINKEL, JORDAN, ROMERO, AND SHORT  
AN ACT

To enact R.S. 18:1461(A)(21), relative to elections; to provide with respect to election offenses; to provide that the failure of a commissioner to identify an applicant to vote as required by law is an election offense; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1317—**  
BY REPRESENTATIVE LANCASTER  
AN ACT

To enact R.S. 18:1415, relative to elections; to provide that under certain circumstances discovery may be conducted prior to the filing of a suit to contest an election; to provide for the filing of an affidavit; to provide for notification of the filing of such affidavit; to provide the time period for conducting such discovery; to provide the type of discovery which may be conducted; to provide for the issuance of subpoenas; and to provide for related matters.

Reported with amendments.

**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, VITTEK, 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.

Reported favorably.

**HOUSE BILL NO. 1613—**

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 6:103(H)(3), R.S. 9:3576.21(B), R.S. 37:1806 (B), R.S. 44:4(4)(a) through (c), and R.S. 51:2389(G)(5) and to enact R.S. 9:3518.1 and R.S. 51:1934, relative to the documents and records of the office of financial institutions; to provide for their confidentiality; to provide a procedure for requesting disclosure; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1856—**

BY REPRESENTATIVE LANCASTER

AN ACT

To amend and reenact R.S. 44:39(A), relative to public records; to provide that public records may be recorded and filed by microphotographic process or by electronic digitization; to require that when an electronic digitizing process is utilized that the original source document or microfilm thereof must be maintained until such process is approved for records preservation; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1859—**

BY REPRESENTATIVE WINDHORST

AN ACT

To enact R.S. 49:963(E), relative to administrative procedure; to provide relative to judicial review of rules; to allow certain rules to be declared invalid; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1867—**

BY REPRESENTATIVES CLARKSON AND LONG

AN ACT

To enact R.S. 49:193(B)(10) and (E)(17), relative to the termination and re-creation of statutory entities; to require certain information from the statutory entities; to provide for the evaluation and review of the statutory entity; and to provide for related matters.

Reported favorably.

**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.

Reported favorably.

**HOUSE BILL NO. 2028—**

BY REPRESENTATIVES DOWNER, DIMOS, LANCASTER, LEBLANC, McDONALD, MCMAINS, ROUSSELLE, JOHN SMITH, STELLY, TRICHE, WALSWORTH, AND WILLARD-LEWIS

AN ACT

To enact R.S. 18:1461.1 and 1505.2(D), relative to campaign contributions and expenditures; to prohibit any person from coercing or attempting to coerce another person relative to campaign contributions; to prohibit any person from directly or indirectly affecting an individual's employment based upon campaign contributions; to prohibit an organization from directly or indirectly requiring its members to make certain contributions; to prohibit contributions or expenditures of funds gained through coercion; to provide for any contributions received through a violation to escheat to the state; to provide for definitions; to provide penalties for violations; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 2455—**

BY REPRESENTATIVE WINDHORST

AN ACT

To amend and reenact R.S. 49:968(G), relative to the Administrative Procedure Act; to provide for the procedure for the proposal and adoption of rules found to be acceptable and unacceptable by a legislative committee; and to provide for related matters.

Reported with amendments.

**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.

Reported favorably.

**HOUSE BILL NO. 2472—**

BY REPRESENTATIVE WINDHORST

AN ACT

To amend and reenact R.S. 49:992(D)(1) and (2), relative to the division of administrative law; to provide for the delegation of certain adjudication proceedings to the division of administrative law; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
JAY DARDENNE  
Chairman

**REPORT OF COMMITTEE ON**

**COMMERCE AND CONSUMER PROTECTION**

Senator Hollis, Chairman on behalf of the Committee on Commerce and Consumer Protection, submitted the following report:

June 4, 1997

To the President and Members of the Senate:

I am directed by your Committee on Commerce and Consumer Protection to submit the following report:

June 4, 1997

**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.

Reported favorably.

**HOUSE BILL NO. 251—**

BY REPRESENTATIVE TRAVIS  
AN ACT

To amend and reenact R.S. 32:773(A)(8), relative to used motor vehicle dealers, manufacturers, and distributors; to provide for an exception to the requirement for licensing; and to provide for related matters.

Reported favorably.

**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.

Reported favorably.

**HOUSE BILL NO. 368—**

BY REPRESENTATIVE TRAVIS  
AN ACT

To amend and reenact R.S. 32:772(C)(1) and (F)(8), relative to the Used Motor Vehicle and Parts Commission; to provide relative to per diem for commission members; to provide relative to duties of commission members; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 372—**

BY REPRESENTATIVE MORRELL  
AN ACT

To enact R.S. 9:3520(D), relative to consumer credit sales; to prohibit a seller from charging a consumer a fee for sending him an initial billing statement; to authorize a fee for additional statements; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 395—**

BY REPRESENTATIVE ANSARDI  
AN ACT

To amend and reenact R.S. 51:1407, 1901(6), and 1909.1(D) and to repeal R.S. 51:1909.1(A), relative to professional solicitors; to provide for venue to sue professional solicitors; to expand the definition of "professional solicitor"; to provide for violations and penalties; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 481—**

BY REPRESENTATIVE DOERGE  
AN ACT

To amend and reenact R.S. 45:822(A)(8)(introductory paragraph), relative to telephonic sales; to include solicitations for telephonic sales within Louisiana in the definition of "telephonic seller"; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 511—**

BY REPRESENTATIVE DEWITT  
AN ACT

To amend and reenact R.S. 4:203(A) and 217(B)(2)(e), relative to horse breeders; to provide relative to the payment of supplements and fees on Louisiana Champions Day; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 513—**

BY REPRESENTATIVE DIMOS  
AN ACT

To enact R.S. 12:224(E)(10), relative to nonpublic, nonprofit corporations; to authorize meetings and conferences by telephone or facsimile; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 566—**

BY REPRESENTATIVE TRAVIS  
AN ACT

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

Reported favorably.

**HOUSE BILL NO. 888—**

BY REPRESENTATIVE THOMPSON  
AN ACT

To amend and reenact R.S. 40:1578.6(C), relative to rules and regulations conforming to the National Fire Protection Association's Life Safety Code; to provide for the definition of "lawfully constructed and maintained" with regard to exemptions; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 955—**

BY REPRESENTATIVE TRICHE  
AN ACT

To amend and reenact R.S. 40:1563(C)(2), relative to the state fire marshal; to provide for powers and duties of the fire marshal and fire prevention bureaus; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1062—**

BY REPRESENTATIVE GREEN  
AN ACT

To enact R.S. 32:1715.1, relative to the Louisiana Towing and Storage Act; to provide for towing fees which may be charged by a private towing company or a private tow truck in parishes with a population of four hundred thousand or more; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1101—**

BY REPRESENTATIVE TRAVIS  
AN ACT

To amend and reenact R.S. 32:771, 772(F)(1), (2), and (5), 773.1(A)(1)(introductory paragraph), (a) and (b), (2)(a) through (d), (f) through (j), and (1)(introductory paragraph), and (B), 773.2(A) through (C), 774(A)(1), (B)(4)(a), (D)(2), (E), (G)(1), (J)(1), (3), and (4), and 775(A)(3) and (F)(2) and (3) and to repeal R.S. 32:755, relative to used motor vehicle dealers; to include buses, motor homes, recreational vehicles, travel trailers, and other

motor vehicles in provisions relating to used motor vehicles; to delete the requirement for a bond; to change the expiration date of licenses; and to provide for related matters.

Reported favorably.

**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.

Reported favorably.

**HOUSE BILL NO. 1115—**  
BY REPRESENTATIVE THOMPSON  
AN ACT

To amend and reenact R.S. 40:1574(D) through (J) and to enact R.S. 40:1573.1 and 1574(K), relative to the state fire marshal; to provide for the alteration or repair of certain structures; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1155—**  
BY REPRESENTATIVE THOMPSON  
AN ACT

To amend and reenact R.S. 40:1574.1(A)(introductory paragraph) and (C)(1) and (3) and to enact R.S. 40:1574.1(A)(10), (11), and (12), relative to the state fire marshal; to provide for the charging of fees for the handling of plans and other documents; to provide for the furnishing of a letter listing requirements for plans that are not approved; and to provide for related matters.

Reported with amendments.

**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.

Reported with amendments.

**HOUSE BILL NO. 1298—**  
BY REPRESENTATIVE MCCAIN  
AN ACT

To amend and reenact R.S. 40:1563.1, relative to the office of state fire marshal; to add crimes for which the state fire marshal may arrest an individual; and to provide for related matters.

Reported with amendments.

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

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

Reported with amendments.

**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.

Reported favorably.

**HOUSE BILL NO. 1541—**  
BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 37:682(1), (3), (5), (7), and (13), 688(B), 692, 693, 694(A)(2) and (B)(1), 696(A), and 697, relative to engineers and land surveyors; to revise terms regarding engineers and land surveyors in training; to provide for the deletion of expired provisions; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1557—**  
BY REPRESENTATIVE DANIEL  
AN ACT

To enact R.S. 12:23(E)(3), relative to incorporation; to provide relative to any corporation seeking a certificate of incorporation which uses the word "architect", "architectural", or "architecture" in its corporate name; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1558—**  
BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 37:154(C)(1)(a), relative to the practice of architecture; to provide relative to fines for violations of laws governing the practice of architecture; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1559—**  
BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 37:2950(D)(1), relative to the effect of a felony conviction on trade, occupational, and professional licensing; to provide for an exemption for the Louisiana State Board of Architectural Examiners; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1580—**  
BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 37:145(B) and 155(A)(2) and to enact R.S. 37:697.1, relative to engineers, land surveyors, and architects; to provide for continuing education requirements for engineers and land surveyors; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1639 (Duplicate of Senate Bill Nos. 1035 and 1250)—**  
BY REPRESENTATIVE SCHNEIDER AND SENATORS HEITMEIER AND HOLLIS  
AN ACT

To amend and reenact R.S. 9:3143(1) and (3), 3144(B)(4)(a) and (c) and (16), and 3145, relative to the New Home Warranty Act; to provide for the definitions of "builder" and "home"; to provide for exclusions to warranties; to provide for required notice; and to provide for related matters.

June 4, 1997

Reported with amendments.

**HOUSE BILL NO. 1675—**  
BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact R.S. 37:682(8), relative to the practice of engineering; to revise the definition of "practice of engineering"; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1682—**  
BY REPRESENTATIVE TRAVIS  
AN ACT

To enact R.S. 9:3409, 3410, and 3428, relative to annual reports; to require partnerships to file annual reports; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 2298—**  
BY REPRESENTATIVE PINAC  
AN ACT

To enact Subpart B of Part VIII of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:361 through 363, and to repeal Subpart B of Part VIII of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:361 through 371, relative to unfair trade; to provide for the regulation of pyramid schemes; to provide for definitions; to provide for violations and penalties; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 2317—**  
BY REPRESENTATIVES DIEZ, FORSTER, HUDSON, SCALISE, TRAVIS,  
FRITH, AND MURRAY  
AN ACT

To amend and reenact R.S. 37:2162(I) and to enact R.S. 37:2162(J), relative to contractors; to provide for fines for violations to be transferred to a special contractor's educational trust fund to be used for educational purposes; to provide relative to civil penalties collected upon a finding that a person is acting as a contractor without a valid license; and to provide for related matters.

Reported favorably.

**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.

Reported favorably.

**HOUSE BILL NO. 2379—**  
BY REPRESENTATIVE DURAND  
AN ACT

To enact R.S. 51:1265, relative to the office of tourism; to provide for the creation and establishment of a logo to indicate authentic Cajun-Creole cooking; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 2507 (Substitute for House Bill No. 2290 by Representative Hammett)—**  
BY REPRESENTATIVE HAMMETT  
AN ACT

To amend and reenact the heading of Chapter 8 of Title 37 of the Louisiana Revised Statutes of 1950 and R.S. 37:690(A), 693(B)(1)(introductory paragraph) and (c) and (2), and 694(B),

relative to engineers; to provide for various revisions to the provisions regulating engineers; to provide for receipts and disbursements; to provide for requirements for registration; to provide for application fees; and to provide for related matters.

Reported with amendments.

**HOUSE CONCURRENT RESOLUTION NO. 148—**  
BY REPRESENTATIVE MCDONALD  
A CONCURRENT RESOLUTION

To memorialize the United States Congress to amend federal bankruptcy laws to make it less attractive and more difficult to seek protection under the bankruptcy laws and to make debtors more accountable.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 150—**  
BY REPRESENTATIVE TRAVIS  
A CONCURRENT RESOLUTION

To establish a special committee to study and review federal, state, and local laws, rules, regulations, and policies to assess and report as to the impact of electric retail competition and the economic impact of electric deregulation on the revenues of the state.

Reported favorably.

Respectfully submitted,  
KEN HOLLIS  
Chairman

**REPORT OF COMMITTEE ON**

**INSURANCE**

Senator Tarver, Chairman on behalf of the Committee on Insurance, submitted the following report:

June 4, 1997

To the President and Members of the Senate:

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

**HOUSE BILL NO. 616—**  
BY REPRESENTATIVES ANSARDI, MARTINY, AND THORNHILL  
AN ACT

To amend and reenact R.S. 22:253(B) and 1212(C), to enact R.S. 22:253(D), and to repeal R.S. 22:1220(E), relative to funeral policies and burial insurers; to provide for required benefits under a funeral policy; to provide relative to burial insurers and unfair trade practices; to provide relative to burial insurers and the requirements of good faith claims settlement practices; and to provide for related matters.

Reported favorably.

**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.

Reported with amendments.

**HOUSE BILL NO. 1373—**

BY REPRESENTATIVE DONELON  
AN ACT

To amend and reenact R.S. 22:636.1(D)(3)(a), relative to cancellation of an automobile insurance policy; to provide for cancellation upon receipt of a dishonored check or negotiable instrument; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 2025—**

BY REPRESENTATIVE DONELON  
AN ACT

To enact Part XVI of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, comprised of R.S. 22:2091.12 through 2094, relative to title insurance; to provide for definitions, corporate form, and limitation of authority of title insurers; to establish certain licensing requirements for title insurance agents, preferred status of certain agents, and title insurance underwriting requirements; to provide for additional duties of title insurers; to require certain treatment of policyholders, escrow, and settlement services by title insurers and their agents; and to provide for related matters.

Reported with amendments.

**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.

Reported with amendments.

**HOUSE BILL NO. 2513 (Substitute for House Bill No. 401 by Representative Donelon)—**

BY REPRESENTATIVES DONELON, MCMAINS, CLARKSON, JOHNS, AND WIGGINS  
AN ACT

To enact the Omnibus Premium Reduction Act of 1997, to amend and reenact Civil Code Article 2924(B), R.S. 22:1406(D)(1)(a), and R.S. 32:863.1(C)(1)(b) and 863.2(A)(1) and (2) and to enact Civil Code Article 2324.3, Code of Evidence Article 416, and R.S. 32:863.1(F) and 866, all relative to the recovery of certain civil damages and other factors which relate to the availability and cost of obtaining security to cover such damages; to provide for the rate of judicial interest; to provide for the reduction of damages arising out of a motor vehicle accident by an amount paid or payable from collateral sources and for the admissibility of the payment of expenses or costs from a collateral source; to authorize the issuance of "economic-only" uninsured motorists coverage; to provide with respect to proof of compulsory motor vehicle liability security; to provide for the seizure and sequestration of vehicles which are operated without proof of insurance; to provide for the redemption of those vehicles; to provide for notification of issuance and cancellation of insurance; to reduce otherwise recoverable damages for failure to maintain liability insurance coverage; to require the reduction in automobile liability insurance rates; to provide for the filing of insurance rate reductions; to provide for contingency rules for premium rate filings; to provide with respect to the severability of provisions hereof; to authorize the taking of a declaratory judgment; to provide an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
GREGORY TARVER  
Chairman

REPORT OF COMMITTEE ON

**HEALTH AND WELFARE**

Senator Hines, Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

June 4, 1997

To the President and Members of the Senate:

I am directed by your Committee on Health and Welfare to submit the following report:

**HOUSE CONCURRENT RESOLUTION NO. 41—**

BY REPRESENTATIVES DOWNER, DEWITT, DUPRE, GAUTREAUX, JOHNS, RIDDLE, JACK SMITH, THORNHILL, AND VITTER AND SENATORS DYESS, ROBICHAUX, AND SCHEDLER

**A CONCURRENT RESOLUTION**

To authorize the Louisiana Department of Health and Hospitals to implement a Medicaid Region III managed care pilot program, a Medicaid voucher program, a Medicaid center of excellence program, and a modified community care program.

Reported with amendments.

**HOUSE CONCURRENT RESOLUTION NO. 77—**

BY REPRESENTATIVE WILKERSON

**A CONCURRENT RESOLUTION**

To urge and request the secretary of the Department of Social Services to make available to children in the state a toll-free twenty-four-hour-a-day telephone number through which children can report any case of abuse of which they are aware and to publicize such number in a manner that will ensure that children of the state are aware of it and will be inclined to use it, including but not limited to postings relative to the telephone number in schools throughout the state.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 118—**

BY REPRESENTATIVE WILKERSON

**A CONCURRENT RESOLUTION**

To urge and request the Governor's Office of Elderly Affairs to make available to elderly residents of the state a toll-free twenty-four-hour-a-day telephone number through which elderly persons can report any case of abuse of which they are aware and to publicize such number in a manner that will ensure that elderly residents of the state are aware of it and will be inclined to use it, including but not limited to postings relative to the telephone number in locations frequented by the elderly such as senior citizens centers, nursing homes, adult day care centers, grocery stores, and drug stores throughout the state.

Reported favorably.

**HOUSE CONCURRENT RESOLUTION NO. 160—**

BY REPRESENTATIVE ROUSSELLE

**A CONCURRENT RESOLUTION**

To memorialize the United States Congress to require the Health Care Financing Administration to enforce existing regulations prohibiting the improper downstreaming of hospital self-referrals from physicians they compensate and to instruct the Health Care Financing Administration to reinstitute the two "Hoyer letters" stating that hospitals referring to their own home health agencies are in violation of federal regulations on self-referral.

Reported favorably.

June 4, 1997

**HOUSE BILL NO. 188—**

BY REPRESENTATIVE FAUCHEUX  
AN ACT

To amend and reenact R.S. 40:1300.52 (B)(1), (C), and (D)(1)(introductory paragraph) and (2) and to enact R.S. 40:1300.51(6), relative to criminal history checks on certain health-related employees; to provide that criminal history checks may be performed by private agencies; to provide that such agencies must be authorized by the office of state police; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 577—**

BY REPRESENTATIVE WILKERSON  
AN ACT

To enact R.S. 46:460.4, relative to the Temporary Assistance for Needy Families Block Grant; to permit teen parents to live outside an adult-supervised living arrangement in cases of abuse; to authorize the secretary of the Department of Social Services to temporarily exempt from the work participation requirements a female recipient when sufficient evidence of domestic violence is presented; to authorize the secretary of the Department of Social Services to apply for waivers and promulgate necessary rules and regulations; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 774—**

BY REPRESENTATIVE WILKERSON  
AN ACT

To enact R.S. 46:460.4, relative to the Incentive Award Program; to require the Department of Social Services in consultation with the Department of Education to develop and implement the award program; to require the department in developing the program to define the standards to be used to measure progress; to develop the procedure to be used to collect relevant data; to require the compilation of relevant data into an annual progress report which ranks the parishes according to progress made in the past year; to provide for the delivery of such report; and to provide for at least ten parishes that will be eligible for the award; to provide for distribution of the financial award; to provide for allowable uses of the award; to condition the award upon the receipt of federal bonus award funds by the state provided for in federal welfare reform legislation; 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 favorably.

**HOUSE BILL NO. 1286—**

BY REPRESENTATIVE FORSTER  
AN ACT

To enact R.S. 40:2109(F), relative to hospital licensure; to require the secretary of the Department of Health and Hospitals to include in the minimum standards adopted relative to the operation and

maintenance of hospitals, a provision which prohibits a hospital from paying or reimbursing for, or on behalf of, a patient any sum for which the patient would be responsible, except for certain charges and expenses; to require that such payment be deemed payment for referral; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1534—**

BY REPRESENTATIVES DEWITT AND DIMOS  
AN ACT

To amend and reenact R.S. 28:2(1), 56(A), (B), and (G), and 171(Q) and Children's Code Arts. 1409(Q), 1452(A), 1454(B) and (C), and 1458(A), (C), and (D), relative to mental health patients; to limit the time period for which a person can be judicially committed; to require a showing of clear and convincing evidence in order to judicially commit a person; to require periodic review; to provide with respect to the conditional discharge of persons; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1681—**

BY REPRESENTATIVE THOMAS  
AN ACT

To amend and reenact R.S. 40:41(I), relative to vital statistics; to require the state registrar of vital statistics to issue a certified copy of a birth or death certificate to any public retirement system, fund, or plan in Louisiana upon written request of the retirement system; to limit the purposes for which the birth or death certificate may be requested; and to provide for related matters.

Reported favorably.

**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 with amendments.

**HOUSE BILL NO. 1718—**

BY REPRESENTATIVE THOMPSON  
AN ACT

To amend and reenact R.S. 37:1171(1), relative to pharmacy; to provide for the definition of "approved college of pharmacy"; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1719—**

BY REPRESENTATIVE THOMPSON  
AN ACT

To amend and reenact R.S. 37:1191, relative to pharmacists; to provide for fees to be charged to pharmacy technicians; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1728—**  
BY REPRESENTATIVE DEWITT  
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.

Reported favorably.

**HOUSE BILL NO. 1747—**  
BY REPRESENTATIVE JETSON  
AN ACT

To amend and reenact R.S. 37:2801(3), relative to the practice of chiropractic; to provide that a chiropractor may order certain diagnostic tests; and to provide for related matters.

Reported favorably.

**HOUSE BILL NO. 1748—**  
BY REPRESENTATIVE KENNEY  
AN ACT

To enact R.S. 37:2504(D) and (E), relative to the Board of Examiners of Nursing Facility Administrators; to provide that the board is authorized to operate and maintain the Certified Nurse Aide Registry through an interagency agreement with the Department of Health and Hospitals; to authorize the board to issue certificates or other paraphernalia and to charge an amount for providing them; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 1831—**  
BY REPRESENTATIVE JACK SMITH  
AN ACT

To enact R.S. 46:236.10, relative to the collection of child support in cases wherein the Department of Social Services is providing child support services; to establish a privilege in favor of the department over proceeds collected in a personal injury case for payment of past due child support; and to provide for related matters.

Reported with amendments.

**HOUSE BILL NO. 2184—**  
BY REPRESENTATIVES R. ALEXANDER, DEWITT, AND GAUTREAUX  
AN ACT

To amend and reenact R.S. 40:2009.13, 2009.14, 2009.15(A)(1) and (B), 2009.17, and 2009.20(A) and (B)(1), to enact R.S. 40:2009.15(C), and to repeal R.S. 40:2009.15(A)(2), (3), and (4) and 2009.16, relative to abuse, neglect, and violations of laws, standards, rules, regulations, and orders relating to health care providers; to provide for reports to the Department of Health and Hospitals; to expand provisions related to nursing homes to include health care providers licensed by the state or providing Medicaid or Medicare services in the state; to provide for types of complaints of allegations of abuse, neglect, or violations of laws and regulations; to change time requirements for actions by the department; to change provisions related to correction orders; to provide for sanctions for violations; to provide for persons who are required to report abuse or neglect; to delete the hearing process for persons dissatisfied with a determination or investigation by the department; and to provide for related matters.

Reported with amendments.

Respectfully submitted,  
DONALD E. HINES  
Chairman

**Senate Resolutions  
on Second Reading  
Reported by Committees**

Senator Dardenne asked for and obtained a suspension of the rules to take up at this time the following Senate Resolutions just reported by Committees.

**SENATE RESOLUTION NO. 4—**  
BY SENATOR DARDENNE  
A RESOLUTION

To enact and adopt Senate Rule No. 5.7 of the Rules of Order of the Senate, relative to the annual reporting of certain income by a Senator, his spouse or business enterprise.

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

**SENATE COMMITTEE AMENDMENTS**

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Resolution No. 4 by Senator Dardenne

AMENDMENT NO. 1

On page 1, at the beginning of line 11, delete "received" and after "year" insert "received directly"

AMENDMENT NO. 2

On page 1, line 12, after "subdivision" insert ",as defined in Article VI of the Constitution of Louisiana," and after "spouse" insert "with whom the member resides"

AMENDMENT NO. 3

On page 1, line 14, after "directly" delete "or indirectly"

AMENDMENT NO. 4

On page 2, line 1, after "spouse" insert "with whom the member resides"

AMENDMENT NO. 5

On page 2, line 3, after "spouse" insert "with whom the member resides" and on line 4 after "member's spouse" insert " with whom the member resides"

AMENDMENT NO. 6

On page 3, line 21, change "paid" to "filed" and after "income" delete "taxes" and insert "tax returns"

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

**Motion to Recommit**

Senator Ellington asked for and obtained a suspension of the rules and asked that House Bill No. 2220 be recommitted from the Committee on Insurance to the Committee on Labor and Industrial Relations.

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

**ENROLLMENTS**

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

June 4, 1997

June 4, 1997

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

**SENATE CONCURRENT RESOLUTION NO. 129—**  
BY SENATORS BAJOLE AND FIELDS  
A CONCURRENT RESOLUTION

To commend and congratulate the Baton Rouge Delta Alumnae Chapter, Delta Sigma Theta Sorority, Inc., and Baton Rouge Delta Development Corporation on the completion and opening of a sorority house at 926 Harding Boulevard.

**SENATE CONCURRENT RESOLUTION NO. 130—**  
BY SENATOR IRONS  
A CONCURRENT RESOLUTION

To designate June 3, 1997, as "Proud To Call It Home" Day in the city of New Orleans.

Respectfully submitted,  
JAY DARDENNE  
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate and the Speaker of the House of Representatives and presented to the Secretary of State by the Secretary.

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

**ENROLLMENTS**

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

June 4, 1997

To the President and Members of the Senate:

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

The following Senate Bills have been properly enrolled:

**SENATE BILL NO. 192—**  
BY SENATOR THEUNISSEN  
AN ACT

To enact R.S. 2:135.3, relative to airport authorities; to prohibit discrimination against licensed aerial applicators; to provide for official investigation of aerial applicators in certain circumstances; to authorize suspension of airport or landing strip usage in certain instances; and to provide for related matters.

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

To amend and reenact R.S. 37:751(G), 752(4) and (8), 753(B) and (E)(3), 755, 760(4), (8), (9), (10), and (12), 761.1(2) and (4), 763(B), 764.1(A), (B), and (C), 770(A)(1) and (2), 774, 776(A)(8), the introductory paragraph of 777, 777(A)(11), 778, 780(A)(2) and (B)(1), 781(B), and 782, to enact R.S. 37:751(M), 753(J), 757, 764(C), 770(A)(3), (C), and (D), 776(A)(27), (28), and (29), 777(A)(21), (22), and (23), (B), and (C), and to repeal R.S. 37:761.1(5) and 764.1(A)(4), relative to the practice of dentistry; to provide for definitions; to provide for exemptions from licensing; to provide for appointments, vacancies, compensation, and powers and duties of the Louisiana State Board of Dentistry; to provide certain requirements for applicants for licensure, license

reactivation, and renewal; to provide for refusal to issue, suspension, or revocation of a dental hygienist license and reinstatement thereof; to provide for a board hearing, notice, and penalty on charges against a licensed person; to provide relative to the issuance of subpoenas; to authorize the board to purchase immovable property; to provide for maintenance of certain records; and to provide for related matters.

**SENATE BILL NO. 1043 (DUPLICATE OF HOUSE BILL NO. 568)—**  
BY SENATOR HOLLIS AND REPRESENTATIVE TRAVIS  
AN ACT

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

**SENATE BILL NO. 1106—**  
BY SENATORS ROBICHAUX AND LANDRY  
AN ACT

To amend and reenact R.S. 49:214.30(H)(2) and to enact R.S. 49:214.30(H)(3), relative to coastal use permits; to provide for use of certain dredged material; and to provide for related matters.

**SENATE BILL NO. 1161—**  
BY SENATOR DARDENNE  
AN ACT

To amend and reenact R.S. 30:2419, relative to scrap metal recycling; to prohibit the knowing and intentional delivery of certain scrap to a scrap metal collection and recycling facility; to require persons delivering scrap to these facilities to certify that certain prohibited materials have been removed; and to provide for related matters.

**SENATE BILL NO. 1162—**  
BY SENATOR DARDENNE  
AN ACT

To enact R.S. 30:2153(1)(b)(iv), relative to the definition of solid waste; to exclude from the definition of solid waste automotive fluff from automobile shredding; and to provide for related matters.

**SENATE BILL NO. 1214—**  
BY SENATOR EWING  
AN ACT

To amend and reenact R.S. 40:1841, relative to the Louisiana Liquefied Petroleum Gas Commission; to provide for changes in composition of the commission; and to provide for related matters.

**SENATE BILL NO. 1330—**  
BY SENATOR GUIDRY  
AN ACT

To amend and reenact R.S. 48:719, relative to applicability of laws pertaining to the sale or exchange of roads and streets; to exempt cities having a population in excess of two hundred fifteen thousand persons located within a parish having a population in excess of three hundred seventy-five thousand persons from laws relative to the sale or exchange of roads and streets; and to provide for related matters.

**SENATE BILL NO. 1367—**  
BY SENATORS BAGNERIS AND JOHNSON AND REPRESENTATIVE MURRAY  
AN ACT

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

**SENATE BILL NO. 1370—**

BY SENATOR BAGNERIS

AN ACT

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

**SENATE BILL NO. 146—**

BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 51:579(A), relative to purchases of certain used materials; to require certain reporting procedures; to require delay in the use of such material by the purchaser; to make such requirements subject to criminal penalties; and to provide for related matters.

**SENATE BILL NO. 459—**

BY SENATOR HINES

AN ACT

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

**SENATE BILL NO. 465—**

BY SENATOR BAGNERIS

AN ACT

To amend and reenact R.S. 43:111(A)(7) and to enact R.S. 43:111(A)(8), relative to advertising by the state and its agencies; to authorize the office of state parks in the Department of Culture, Recreation and Tourism to advertise its programs when funds have been appropriated for that purpose; and to provide for related matters.

**SENATE BILL NO. 995—**

BY SENATOR ELLINGTON AND REPRESENTATIVE FORSTER

AN ACT

To amend and reenact R.S. 23:1208(D), relative to workers' compensation; to provide with respect to workers' compensation benefits; to provide for assessment of penalties by hearing officers; and to provide for related matters.

**SENATE BILL NO. 1169—**

BY SENATORS HAINKEL, DARDENNE, EWING, BAGNERIS AND SCHEDLER AND REPRESENTATIVES FORSTER AND MURRAY

AN ACT

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

**SENATE BILL NO. 1303—**

BY SENATOR HINES AND REPRESENTATIVE R. ALEXANDER AND CO-AUTHORED BY SENATOR SCHEDLER AND REPRESENTATIVE THOMAS

AN ACT

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

**SENATE BILL NO. 1410 (DUPLICATE OF HOUSE BILL NO. 2232)—**

BY SENATOR DARDENNE AND REPRESENTATIVE WELCH

AN ACT

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

**SENATE BILL NO. 22—**

BY SENATORS CAMPBELL, BAGNERIS, BARHAM, BEAN, BRANCH, CAIN, CASANOVA, COX, DARDENNE, DEAN, DYESS, ELLINGTON, GREENE, GUIDRY, HAINKEL, HEITMEIER, HINES, HOLLIS, JOHNSON, JORDAN, LAMBERT, MALONE, SCHEDLER, SMITH AND ULLO

AN ACT

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

**SENATE BILL NO. 130—**

BY SENATOR COX

AN ACT

To enact Code of Civil Procedure Art. 1475, relative to submission of uncontested medical bills; to provide for introduction of medical bills by affidavit; to provide for counter affidavits; to provide for assessment of costs and expenses; and to provide for related matters.

**SENATE BILL NO. 143—**

BY SENATOR COX

AN ACT

To amend and reenact R.S. 9:202(2) and to repeal R.S. 9:203(D), relative to judges who are authorized to perform marriage ceremonies; to remove the authority for federal court judges to perform marriage ceremonies within the state; and to provide for related matters.

**SENATE BILL NO. 199 (DUPLICATE OF HOUSE BILL NO. 1435)—**

BY SENATOR HEITMEIER AND REPRESENTATIVE WILKERSON

AN ACT

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

**SENATE BILL NO. 254 (DUPLICATE OF HOUSE BILL NO. 1608)—**

BY SENATOR LANDRY AND REPRESENTATIVE KENNARD

AN ACT

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

**SENATE BILL NO. 434—**

BY SENATOR HEITMEIER

AN ACT

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

**SENATE BILL NO. 496—**

BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:2224(E), relative to the Municipal Police Employees' Retirement System; to provide with respect to optional allowance selections; to prohibit a change in beneficiaries after retirement except under certain circumstances; and to provide for related matters.

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matters.

**SENATE BILL NO. 514—**  
BY SENATOR ROMERO AND REPRESENTATIVE FRITH  
AN ACT

To amend and reenact R.S. 33:4574(C)(1)(a), relative to tourist commissions; to increase the membership of the Vermilion Parish Tourist Commission by two; and to provide for related matters.

**SENATE BILL NO. 687 (DUPLICATE OF HOUSE BILL NO. 1195)—**  
BY SENATOR LANDRY AND REPRESENTATIVE WIGGINS AND COAUTHORED BY SENATORS CAIN AND SMITH  
AN ACT

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

**SENATE BILL NO. 819—**  
BY SENATORS HEITMEIER, DARDENNE, GUIDRY AND IRONS  
AN ACT

To amend and reenact R.S. 11:481(A) and (E), relative to the Louisiana State Employees' Retirement System; to provide for eligibility for survivor benefits; to provide for the payment of survivor benefits; to provide for a retroactive effective date; and to provide for related matters.

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

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

**SENATE BILL NO. 182—**  
BY SENATORS DARDENNE AND CAIN  
AN ACT

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

**SENATE BILL NO. 435—**  
BY SENATOR HEITMEIER  
AN ACT

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

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

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

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

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

**SENATE BILL NO. 918—**  
BY SENATOR LANDRY AND REPRESENTATIVE MURRAY  
AN ACT

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

**SENATE BILL NO. 987—**  
BY SENATOR ELLINGTON AND REPRESENTATIVE FORSTER  
AN ACT

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

**SENATE BILL NO. 993—**  
BY SENATOR ELLINGTON AND REPRESENTATIVE FORSTER  
AN ACT

To amend and reenact R.S. 23:1291(B)(8) and (C)(1), relative to the administration of claims; to provide with respect to the office of workers' compensation; to provide for the creation, powers, and duties of the office of workers' compensation administration; and to provide for related matters.

**SENATE BILL NO. 1019 (DUPLICATE OF HOUSE BILL NO. 1625)—**  
BY SENATOR HEITMEIER AND REPRESENTATIVE DANIEL  
AN ACT

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

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

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

Respectfully submitted,  
JAY DARDENNE  
Chairman

The foregoing Senate Bills were signed by the President of the Senate and the Speaker of the House of Representatives and presented to the Governor by the Secretary.

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Bagneris 1 Day

**Adjournment**

Senator Jones moved that the Senate adjourn until Thursday, June 5, 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 5, 1997.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON

Journal Clerk