

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

FORTIETH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, June 5, 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	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		

ABSENT

Bagneris	Robichaux
Total—2	

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

Prayer

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

Morning Hour

**Privilege Report of the
Legislative Bureau**

June 5, 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. 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 without amendments.

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.

Reported without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 901 by Representative Montgomery

AMENDMENT NO. 1

In Senate Committee Amendment No. 1, proposed by the Senate Committee on Judiciary A to Engrossed House Bill 901 adopted by the Senate on June 4, 1997, on page 1, line 2, change "(A) and (C)" to "(A) and (B)"; and on page 1, line 3, change "(B)" to "(C)"; and in Amendment No. 4, page 1, line 15, change "(C)" to "(B)"; and in Amendment No. 6, page 3, line 16, change "(B)" to "(C)"

AMENDMENT NO. 2

In Senate Committee Amendment No. 6, proposed by the Senate

Committee on Judiciary A to House Bill No. 901 adopted by the Senate on June 4, 1997, on page 3, line 1, after "his" insert "office"

HOUSE BILL NO. 983—
BY REPRESENTATIVE GULLORY
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 without amendments.

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 without amendments.

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 without amendments.

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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1203 by Representative Forster

AMENDMENT NO. 1
On page 4, line 4, following "B" and before "shall" change "above" to "of this Section"

AMENDMENT NO. 2
On page 4, line 16, following "A" and before "is" change "above" to "of this Section"

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

June 5, 1997

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 2309 by Representative Wiggins

AMENDMENT NO. 1

On page 1, line 3, following "qualifications" delete the remainder of the line and on line 4, delete "criminal and civil violations;"

AMENDMENT NO. 2

On page 1, line 4, following "interest;" delete "to" and on line 5, delete "provide for rules;"

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 without amendments.

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 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.

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 5, 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. 144—
BY SENATOR ROMERO
AN ACT

To enact R.S. 9:315.16, relative to child support; to require an accounting of the expenditure of child support payments under certain circumstances; to provide for the form, procedure, and term; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 147—
BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 56:306.1(A) and to enact R.S. 56:306(B)(6) and 306.3(D), relative to fish industry licenses; to exempt persons or businesses selling fish prepared for consumption on or off the business premises from the requirement to purchase a wholesale/retail dealer's license; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 270—
BY SENATORS ULLO AND ROBICHAUX

AN ACT

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

Reported with amendments.

SENATE BILL NO. 359—
BY SENATOR GREENE AND REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 18:21(A), 1353(C)(3), and 1371(A), relative to elections; to provide for the notification of contracts for lease of space for voting machines; to provide for the notification of contracts for the delivery of voting machines to the precincts; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1001—
BY SENATOR ELLINGTON

AN ACT

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

Reported with amendments.

SENATE BILL NO. 1285—
BY SENATORS DARDENNE, BARHAM, BEAN, GUIDRY, JOHNSON, SCHEDLER, SMITH, BAGNERIS, BAJOIE, CASANOVA, COX, CRAVINS, DEAN, DYESS, FIELDS, GREENE, HOLLIS, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SHORT, SIRACUSA, THEUNISSEN AND ULLO

AN ACT

To amend and reenact R.S. 47:463.3(A), 463.6(B)(3), 463.8(B), 463.9(B), 463.10, 463.12(B), 463.14(B), 463.15(C), 463.16(D), 463.22(B), 463.23(B), 463.24(B), 463.28(C), 463.30(B), 463.32(E), 463.33(B), 463.36(B), 463.37(B), and 463.42(B), and to enact R.S. 40:1236.5 and R.S. 47:463.46 and 463.47, relative to motor vehicles; to provide relative to certain prestige license plates; to repeal annual fee for such plates; to require one time fee for such plates; to authorize certain new prestige plates; to provide for fees; to provide for the distribution of funds for certain plates; to require the promulgation of rules relative to certain plates; to provide for the design of certain plates; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1002—
BY SENATOR ELLINGTON

AN ACT

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

Reported with amendments.

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

AN ACT

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

Reported with amendments.

SENATE BILL NO. 516—
BY SENATOR LENTINI

AN ACT

To amend and reenact the introductory paragraph of R.S. 40:1484.2 and R.S. 40:1484.2(4), (5), (6), (7), (8), (9), and (10), 1484.3(A) and (B)(1), 1484.4, 1484.5(B), 1484.6, 1484.7, 1484.8, 1484.9, 1484.10, 1484.11(2), and 1484.13 and to enact R.S. 40:1484.2(11), relative to amusement attractions or rides; to provide for certain inspections on behalf of an owner or operator's insurer prior to operation; to prohibit operation of the attraction or ride until such inspection; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 708—
BY SENATOR LANDRY

AN ACT

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

Reported with amendments.

SENATE BILL NO. 1547 (SUBSTITUTE FOR SENATE BILL 729 BY SENATOR ULLO)—
BY SENATORS ULLO, BAJOIE, COX, CRAVINS, DARDENNE, DEAN, DYESS, FIELDS, GUIDRY, JOHNSON, JORDAN, LAMBERT, LANDRY, MALONE, SHORT, SMITH AND TARVER

AN ACT

To amend and reenact R.S. 26:793(C)(1) and to enact Chapter 7 of Title 26 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 26:901 through 922, relative to tobacco products; to provide for the office of alcohol and tobacco control to issue licenses to dealers who sell or offer for sale tobacco products at wholesale, retail and through vending machines; to provide for definitions, fees, fines, rules and regulations; to change the name of the office of alcoholic beverage control to the office of alcohol and tobacco control; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 976—
BY SENATOR HEITMEIER

AN ACT

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

Reported with amendments.

June 5, 1997

SENATE BILL NO. 527—
BY SENATOR GUIDRY

AN ACT

To amend and reenact R.S. 33:4720.17, relative to the sale of abandoned property; to reduce the number of days that notice must be given prior to a post-adjudication sale of abandoned property; to provide for redemption of the property prior to sale; to provide for payment of all fees and charges assessed upon abandoned property prior to sale; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1511—
BY SENATOR BAJOEI

AN ACT

To amend and reenact Sections 2(A) and (b) and 3 of Act No. 305 of the 1978 Regular Session of the Legislature, as amended by Act No. 572 of the 1984 Regular Session of the Legislature, and Act No. 1013 of the 1993 Regular Session of the Legislature, relative to the board of commissioners for the Ernest N. Morial-New Orleans Exhibition Authority; to add one additional member to the board; to provide for confirmation of members; to provide with respect to quorum requirements; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 273—
BY SENATOR SMITH

AN ACT

To authorize and empower the director of the State Land Office to exchange title to certain described parcels of land in Winn Parish with Dr. L.R. Collier; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1152—
BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 56:700.12 (Introductory Paragraph) and (A)(3), 700.13 and 700.14(A), (B), (D) and (E), relative to oyster leases; to provide for settlement of certain claims; to provide for arbitration; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1322—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 51:2601 and 2602, relative to trade and commerce; to redesignate the Louisiana Open Housing Act as the Louisiana Equal Opportunity Act, and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1548 (SUBSTITUTE FOR SENATE BILL NO. 1427 BY SENATOR GUIDRY)—
BY SENATOR GUIDRY

AN ACT

To amend and reenact R.S. 40:381 through 382, 391 through 429, 441 through 448, 451 through 476, 478 through 481, 500 through 504, 506 through 510, 521 through 524, 531 through 539, 561 through 563, and 570 through 572 and to enact R.S. 40:383 through 385, 431 through 440, 449 through 450, 477, 482 through 490, 504.1, 511 through 520, 525 through 530, 540 through 551, 564, and 573 through 580.9, and to repeal R.S. 40:401.1 through 401.9, 491 through 499, 531.1, and 566 through 569, relative to housing; to provide for the public policy of the state with regard to residential housing; to provide that all citizens of the state have access to safe and sanitary housing facilities for rent or purchase; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 60—
BY SENATORS SCHEDLER, SHORT AND THEUNISSEN
AN ACT

To amend and reenact R.S. 29:288, relative to free tuition for children of disabled veterans; to reduce the disability rating needed by disabled veterans in order for their children to receive free tuition in state colleges; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 30—
BY SENATORS HINES, DARDENNE AND SCHEDLER
AN ACT

To amend and reenact R.S. 14:42.1(A) and 43(A)(1), relative to the crime of rape; to provide that a rape where the victim's condition is induced by administration of narcotic or anesthetic agent or controlled dangerous substance constitutes forcible rape; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1395—
BY SENATORS CAIN, BARHAM, BRANCH, CASANOVA, GREENE, HAINKEL, JORDAN, SCHEDLER AND SMITH AND REPRESENTATIVES DEWITT, KENNARD, MONTGOMERY, ODINET AND WINDHORST
AN ACT

To amend and reenact Children's Code Art. 622, relative to children; to provide with respect to placement of child in need of care cases; to establish a preference of placement; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1435—
BY SENATORS DYESS AND HEITMEIER
AN ACT

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

Reported with amendments.

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

June 5, 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. 172—
BY SENATOR HINES
AN ACT

To amend and reenact R.S. 37:1270.1(C) and (F), 1360.21(B), 1360.22(8), 1360.28(A), 1360.31, 1360.38(A), and 1731(A), relative to physician assistants; to provide for the duties and meetings of the physician assistants advisory committee; to provide for legislative intent; to revise the definition of "supervision"; to provide for the supervision of and services performed by a physician assistant; to provide for a limitation of liability for a

physician assistant who provides gratuitous services at the scene of an emergency; to provide exemptions; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 190—
BY SENATORS BEAN AND MALONE
AN ACT

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

Reported without amendments.

SENATE BILL NO. 1458—
BY SENATORS THEUNISSEN, BAGNERIS, BAJOIE, BARHAM, BEAN, BRANCH, CAIN, COX, CRAVINS, DYESS, ELLINGTON, EWING, GUIDRY, HINES, JONES, LAMBERT, ROMERO, SIRACUSA, SMITH, JOHNSON AND TARVER AND REPRESENTATIVES R. ALEXANDER, BARTON, BAUDOIN, BRUCE, CARTER, COPELIN, CURTIS, DAMICO, DANIEL, DIEZ, DOERGE, DUPRE, DURAND, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREUX, HAMMETT, HEATON, HEBERT, HILL, HOPKINS, HUDSON, HUNTER, JETSON, KENNARD, KENNEY, LEBLANC, LONG, MARIONNEAUX, McCALLUM, McDONALD, MICHOT, MONTGOMERY, MURRAY, ODINET, PIERRE, PINAC, POWELL, PRATT, RIDDLE, ROUSSELLE, SALTER, JACK SMITH, JOHN SMITH, STRAIN, THOMAS, THOMPSON, WALSWORTH, WARNER, WELCH, WRIGHT, DEWITT AND HOLDEN

AN ACT

To amend and reenact R.S. 3:3221(A), relative to registration of pesticides; to provide for annual registration fee; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 997—
BY SENATOR ELLINGTON
AN ACT

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

Reported without amendments.

SENATE BILL NO. 382—
BY SENATOR JORDAN
AN ACT

To amend and reenact R.S. 32:82(B), relative to driving on divided highways; to provide that no vehicle shall cross the painted continuous center line of a multiple lane highway; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 389—
BY SENATOR GUIDRY
AN ACT

To enact R.S. 32:354(G), relative to motor vehicles; to require rear vision mirrors on state delivery vans; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 51—
BY SENATOR HINES
AN ACT

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

Reported without amendments.

SENATE BILL NO. 782—
BY SENATOR FIELDS
AN ACT

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

Reported without amendments.

SENATE BILL NO. 550—
BY SENATORS HAINKEL, DARDENNE, EWING AND ROMERO
AN ACT

To amend and reenact R.S. 56:327.1(C)(2), relative to aquaculturally-raised fish; to clarify the reporting responsibilities; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 471—
BY SENATOR COX
AN ACT

To enact R.S. 33:441(D), relative to municipal courts; to authorize the imposition of court costs not to exceed fifty dollars for each offense, as defined by ordinance, on any defendant convicted of violating a municipal ordinance in the city of DeQuincy; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1432—
BY SENATOR HINES
AN ACT

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

Reported without amendments.

SENATE BILL NO. 536—
BY SENATORS DARDENNE, HAINKEL AND EWING
AN ACT

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

Reported without amendments.

SENATE BILL NO. 475—
BY SENATOR JORDAN
AN ACT

To amend and reenact R.S. 39:1214, relative to invitations to bid for fiscal agency; to provide that the term of such contracts with the Lafayette Parish Clerk of Court may not exceed the term of the clerk; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 439—
BY SENATOR HEITMEIER
AN ACT

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

Reported without amendments.

June 5, 1997

SENATE BILL NO. 891—
BY SENATOR JORDAN

AN ACT

To amend and reenact Code of Civil Procedure Art. 4843(C) and to enact Code of Civil Procedure Art. 4843 (F), relative to the City Court of Lafayette; to provide relative to the jurisdiction of such court; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 1399—
BY SENATOR CAMPBELL

AN ACT

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

Reported without amendments.

SENATE BILL NO. 1466—
BY SENATOR ROMERO

AN ACT

To enact R. S. 45:816(9) and Chapter 8-E of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:840 through 844, relative to telephone calls; to provide for calls placed to inform the public of an emergency; to define terms; to provide for emergency alert services; to provide for listed and unlisted telephone numbers; to authorize the use of automatic dialing and announcing devices; and to provide for related matters.

Reported without amendments.

SENATE BILL NO. 960—
BY SENATOR GUIDRY

AN ACT

To enact Part V-A of Chapter 2 of Code Title XII of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3541.21 and 3541.22, relative to home solicitation of aged persons; to provide definitions; to provide for prohibited practices; and to provide for related matters.

Reported without amendments.

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

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

June 5, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 20—
BY SENATOR LAMBERT

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study the need for and feasibility of establishing a two-year community college in Ascension Parish to be named the River Parishes Community College, as an institution of higher education under the management of the Board of Trustees for State Colleges and Universities.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 25—
BY SENATOR COX

A CONCURRENT RESOLUTION

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

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 7—
BY SENATORS HINES AND EWING

A CONCURRENT RESOLUTION

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

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 48—
BY SENATOR CAIN AND REPRESENTATIVE HILL

A CONCURRENT RESOLUTION

To direct the Department of Wildlife and Fisheries and the Wildlife and Fisheries Commission to study further the impact of moving a portion of Deer Hunting Area 2 into Deer Hunting Area 3 for the 1997 deer season and to leave the areas as they presently are.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 15—
BY SENATOR GREENE

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to coordinate a statewide system of providing braille books to visually impaired students by tracking the braille books already available and supplying funding for those books which are needed.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 21—
BY SENATOR LAMBERT

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to enact legislation allowing the employees of the Lafourche Basin Levee District to opt-out of the Social Security System and to join the Louisiana State Employees' Retirement System, effective January 1, 1998.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 80—
BY SENATOR JONES

A CONCURRENT RESOLUTION

To authorize the governor, on behalf of the state, to enter into one or more cooperative endeavor agreements with the states of Arkansas and Mississippi for the purpose of enhancing or maintaining the economic well-being of the tri-state delta region.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 62—
BY SENATORS BRANCH, FIELDS AND THEUNISSEN

A CONCURRENT RESOLUTION

To suspend R.S. 17:3042.34(A)(4) until sixty days after final adjournment of the 1998 Regular Session of the Legislature of Louisiana or until an audit of the implementation of the Honors Scholarship Program at every public college and university has been completed and the law can have uniform application, whichever is earlier.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 31—

BY SENATOR LANDRY

A CONCURRENT RESOLUTION

To extend the Public Bid Law Study Commission created by Senate Concurrent Resolution No. 176 of the 1991 Regular Session and to reappoint the current commission members.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 75—

BY SENATOR LAMBERT

A CONCURRENT RESOLUTION

To create the Lower Mississippi River Water Safety Study Commission to study and make recommendations relative to the safety of vessel traffic on the Mississippi River from the northernmost portion of West Feliciana Parish and the northernmost portion of Pointe Coupee Parish which border the river, respectively, south to its mouth at the Gulf of Mexico.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 11—

BY SENATOR ULLO

A CONCURRENT RESOLUTION

To create a Select Council on Shrimp Management and a Shrimp Industry Review Panel to study the current and future management of Louisiana's shrimp resources and to make recommendations for future management objectives.

Reported with amendments.

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

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 135—

BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To commend Judge Charles R. Ward for his many contributions to the citizens of Louisiana through his service as an assistant district attorney in Orleans Parish and as a district and appeals court judge.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—35

NAYS

Total—0

ABSENT

Bagneris

Lambert

Dyess

Robichaux

Total—4

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

Messages from the House

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

Message from the House

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

June 5, 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. 2071—

BY REPRESENTATIVES CLARKSON, BAUDOIN, BRUCE, DURAND, HOLDEN, PRATT, WELCH, WESTON, WILLARD-LEWIS, WILKERSON, AND WINSTON AND SENATOR BAJOIE

AN ACT

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

HOUSE BILL NO. 2067—

BY REPRESENTATIVE LEBLANC

AN ACT

To provide for the establishment and re-establishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary funds, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

HOUSE BILL NO. 1686—

BY REPRESENTATIVES R. ALEXANDER AND DEWITT AND SENATOR HINES

AN ACT

To enact R.S. 40:2006, relative to the Department of Health and Hospitals; to prohibit the department from licensing or completing surveys upon health care providers not located within the state boundaries; to provide exclusions and exceptions; to provide for definitions; and to provide for related matters.

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

House Bills and Joint Resolutions

Senator Landry asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House which were taken up, read a first and second

June 5, 1997

time by their titles and acted upon as follows:

HOUSE BILL NO. 1686—
BY REPRESENTATIVES R. ALEXANDER AND DEWITT AND SENATOR HINES

AN ACT

To enact R.S. 40:2006, relative to the Department of Health and Hospitals; to prohibit the department from licensing or completing surveys upon health care providers not located within the state boundaries; to provide exclusions and exceptions; to provide for definitions; 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. 2067—
BY REPRESENTATIVE LEBLANC

AN ACT

To provide for the establishment and re-establishment of agency ancillary funds, to be specifically known as internal service funds, auxiliary funds, or enterprise funds for certain state institutions, officials, and agencies; to provide for appropriation of funds; and to regulate the administration of said funds.

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

HOUSE BILL NO. 2071—
BY REPRESENTATIVES CLARKSON, BAUDOIN, BRUCE, DURAND, HOLDEN, PRATT, WELCH, WESTON, WILLARD-LEWIS, WILKERSON, AND WINSTON AND SENATOR BAJOIE

AN ACT

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

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

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 5, 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. 47—
BY REPRESENTATIVE JOHN SMITH

A CONCURRENT RESOLUTION

To approve the Coastal Wetlands Conservation and Restoration Plan for Fiscal Year 1997-1998, prepared by the Wetlands Conservation and Restoration Authority.

HOUSE CONCURRENT RESOLUTION NO. 119—
BY REPRESENTATIVE LONG

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, office of public health, to take steps necessary to provide for the development and implementation of electronic issuance of benefits under the Special Supplemental Nutrition Program for Women, Infants, and Children to eligible recipients beginning no later than March 1, 1998.

HOUSE CONCURRENT RESOLUTION NO. 172—
BY REPRESENTATIVE HAMMETT

A CONCURRENT RESOLUTION

To create a task force to study the potential use of Department of Wildlife and Fisheries public lands by political subdivisions for the purposes of satisfying wetland mitigation requirements.

HOUSE CONCURRENT RESOLUTION NO. 175—
BY REPRESENTATIVE DOWNER

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations to the legislature for a less onerous method of garnishment under a writ of fieri facias with respect to the third party garnishee.

HOUSE CONCURRENT RESOLUTION NO. 189—
BY REPRESENTATIVE WELCH

A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Social Services to consider implementing a School Bus Attendant Community Service Program which will allow recipients of public assistance enrolled in the program to be considered as working for work participation purposes.

HOUSE CONCURRENT RESOLUTION NO. 197—
BY REPRESENTATIVE DIMOS

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations to the legislature relative to the requirement of fault as a prerequisite to a divorce.

HOUSE CONCURRENT RESOLUTION NO. 180—
BY REPRESENTATIVES R. ALEXANDER, HUNTER, MORRELL, MURRAY, QUEZAIRE, JETSON, LANDRIEU, MONTGOMERY, RIDDLE, CLARKSON, GLOVER, WESTON, PRATT, AND GUILLORY AND SENATORS BAJOIE, IRONS, AND SHORT

A CONCURRENT RESOLUTION

To authorize the Department of Social Services to proceed with the implementation of the Electronic Benefit Transfer Program for the issuance of benefits in the Food Stamp Program and the Family Independence Temporary Assistance Program statewide.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 47—
BY REPRESENTATIVE JOHN SMITH

A CONCURRENT RESOLUTION

To approve the Coastal Wetlands Conservation and Restoration Plan for Fiscal Year 1997-1998, prepared by the Wetlands Conservation and Restoration Authority.

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

HOUSE CONCURRENT RESOLUTION NO. 119—

BY REPRESENTATIVE LONG

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, office of public health, to take steps necessary to provide for the development and implementation of electronic issuance of benefits under the Special Supplemental Nutrition Program for Women, Infants, and Children to eligible recipients beginning no later than March 1, 1998.

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

HOUSE CONCURRENT RESOLUTION NO. 172—

BY REPRESENTATIVE HAMMETT

A CONCURRENT RESOLUTION

To create a task force to study the potential use of Department of Wildlife and Fisheries public lands by political subdivisions for the purposes of satisfying wetland mitigation requirements.

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

HOUSE CONCURRENT RESOLUTION NO. 175—

BY REPRESENTATIVE DOWNER

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations to the legislature for a less onerous method of garnishment under a writ of fieri facias with respect to the third party garnishee.

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

HOUSE CONCURRENT RESOLUTION NO. 180—

BY REPRESENTATIVES R. ALEXANDER, HUNTER, MORRELL, MURRAY, QUEZAIRE, JETSON, LANDRIEU, MONTGOMERY, RIDDLE, CLARKSON, GLOVER, WESTON, PRATT, AND GUILLORY AND SENATORS BAJOIE, IRONS, AND SHORT

A CONCURRENT RESOLUTION

To authorize the Department of Social Services to proceed with the implementation of the Electronic Benefit Transfer Program for the issuance of benefits in the Food Stamp Program and the Family Independence Temporary Assistance Program statewide.

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

HOUSE CONCURRENT RESOLUTION NO. 189—

BY REPRESENTATIVE WELCH

A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Social Services to consider implementing a School Bus Attendant Community Service Program which will allow recipients of public assistance enrolled in the program to be considered as working for work participation purposes.

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

HOUSE CONCURRENT RESOLUTION NO. 197—

BY REPRESENTATIVE DIMOS

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations to the legislature relative to the requirement of fault as a prerequisite to a divorce.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

FINANCE

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

June 4, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 1255—

BY SENATOR JONES

AN ACT

To enact R.S. 38:345, relative to levee districts; to require certain levee districts to develop a flood prevention plan; to require funding for such levee districts; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JOHN HAINKEL
Chairman

REPORT OF COMMITTEE ON

NATURAL RESOURCES

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

June 5, 1997

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 147—

BY REPRESENTATIVE THOMPSON

A CONCURRENT RESOLUTION

To create and provide with respect to the Ancient Mounds Heritage Area and Trails Advisory Commission to study, make recommendations, and advise with regard to the development of the ancient mounds heritage area and trails as a cultural, recreational, and educational attraction, to help preserve Louisiana's prehistoric patrimony, and to better understand the state's heritage in order to enhance the development of tourism in the state.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 165—

BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

To memorialize U.S. Congress to standardize administration and regulation of federal laws on the taking of migratory game birds.

Reported favorably.

HOUSE BILL NO. 801—

BY REPRESENTATIVE ROUSSELLE

AN ACT

To amend and reenact R.S. 56:303.6(A)(1) and (B), relative to the oyster harvester license; to provide for who must have such license; to provide for use of revenues generated by such license; and to provide for related matters.

June 5, 1997

Reported favorably.

HOUSE BILL NO. 1610—
BY REPRESENTATIVE ROUSSELLE
AN ACT

To amend and reenact R.S. 56:428(B), relative to oyster leases; to require that renewed leases shall retain the same lease number as the original lease; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1993—
BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 56:263(A) and 307.1(A), relative to fishing and fish industry licensing; to provide resident and nonresident fees for certain licenses required for transport, for alligator parts dealers, and for retailers purchasing for retail sale finished alligator parts; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2000—
BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 56:301.2, relative to fishing licenses; to require notification be given to the Department of Wildlife and Fisheries of any changes of licensure information; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2037—
BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 40:1846(D) and (E) and to enact R.S. 40:1842(10), (11), and (12) and 1846(G), relative to the Liquefied Petroleum Gas Commission; to provide relative to manufacturers, dealers, and resellers of liquefied petroleum gas; to provide definitions, requirements, and exclusions; to provide for the obtaining of a permit and payment of a permit fee by certain persons; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2295—
BY REPRESENTATIVE DAMICO
AN ACT

To enact R.S. 40:1846(B)(3)(f), relative to liquefied petroleum gas; to provide for the commission; to provide for rules; to provide for mobile air conditioning systems; to provide for prohibitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2297—
BY REPRESENTATIVE MCCALLUM
AN ACT

To amend and reenact R.S. 40:1849(C), relative to the Liquefied Petroleum Gas Commission; to provide for rules; to provide for reciprocal agreements; to provide for examination requirements; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2383—
BY REPRESENTATIVE ROUSSELLE
AN ACT

To amend and reenact R.S. 56:495(A)(47) through (60), (62), and (100) and to enact R.S. 56:495(A)(46.1), (46.2), (47.1), (47.2), (48.1), (48.2), (51.1), (52.1), (52.2), (52.3), (52.4), (54.1), (54.2), (55.1), (55.2), (56.1), (56.2), (56.3), (56.4), (56.5), (56.6), and (99.1), relative to the boundary between inside and outside waters

for purposes of shrimping; to move the boundary line in and around Plaquemines Parish to conform to the current coastline; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2409—
BY REPRESENTATIVE MARIONNEAUX
AN ACT

To enact R.S. 56:318.1, relative to fishing; to provide relative to fishing tournaments; to provide definitions, terms, conditions, requirements, and procedures; to provide for special permits for the possession of certain fish; to provide for applications; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CRAIG F. ROMERO
Chairman

**REPORT OF COMMITTEE ON
LOCAL AND MUNICIPAL AFFAIRS**

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

June 5, 1997

To the President and Members of the Senate:

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

HOUSE BILL NO. 117—
BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 33:132(B)(4) and (6), relative to Jefferson Parish membership on the New Orleans area regional planning commission; to provide for the appointment of certain mayors from such parish to such commission; to provide relative to their terms of office; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 329—
BY REPRESENTATIVE PINAC
AN ACT

To enact R.S. 33:423.9, relative to the city of Crowley; to authorize the chief of police of the city of Crowley to appoint, discipline, and discharge police personnel subject to budgetary limitations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 659—
BY REPRESENTATIVE PINAC
AN ACT

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

Reported favorably.

HOUSE BILL NO. 971—

BY REPRESENTATIVE BARTON

AN ACT

To amend and reenact R.S. 43:142(A)(4), 171(A)(2)(d), 181(A)(2)(c), 201(B)(4), and 202(A), relative to the selection of newspapers for official advertisements and publications; to require a newspaper to be entered in a U.S. post office under a periodical permit rather than a second class mailing permit to qualify as an official journal and for the publication of certain advertisements and notices; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1058—

BY REPRESENTATIVE DURAND

AN ACT

To enact Part I-B of Chapter 5 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:2456, to provide with respect to the city of St. Martinville; to authorize the municipal governing authority to establish a civil service system for municipal employees by ordinance; to provide procedures for adoption of such ordinance; to provide for abolition or change in such civil service system; to provide for applicability of the system; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1401—

BY REPRESENTATIVE SCHNEIDER AND SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 33:1704.3(A), relative to fees of office of Slidell city marshal; to provide for an increase in fees in civil matters; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1650—

BY REPRESENTATIVE STELLY

AN ACT

To enact R.S. 33:1236.23, relative to Calcasieu Parish; to authorize the parish to initiate procedures to improve a road and accept it into the parish road system simultaneously; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1661—

BY REPRESENTATIVE HAMMETT

AN ACT

To enact Part III of Chapter 12-A of Title 33 of the Revised Statutes of 1950, to be comprised of R.S. 33:4709.11, to create and provide for a special municipal district consisting of property owned by the town of Vidalia to be known as the Tacony Restoration District which district shall govern the restoration and preservation of the Tacony House and other property and facilities within the district; to provide for the governing authority of such district and its authority with respect to such property; to provide relative to the transfer of property; to provide for a plan for the restoration, preservation, and development of property in the district; to provide with respect to the funds of the district; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1668—

BY REPRESENTATIVE WALSWORTH

AN ACT

To enact R.S. 33:1415(I) and R.S. 46:1051(E), relative to Hospital Service District No. 1 of the Parish of Ouachita; to provide relative to the abolition or alteration of the boundaries of the district; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1715—

BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 33:3689.1, relative to special assessments levied by parish governing authorities to pay for road construction and improvement; to provide that property to be assessed for such purpose shall not include bodies of water; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1750—

BY REPRESENTATIVE MCCAIN

AN ACT

To enact R.S. 33:103(C)(1)(j) and 2536.3 and R.S. 40:401.10, relative to the compensation of members of certain boards in certain municipalities; to authorize payment of per diem to members of such boards for attendance at meetings and to provide otherwise relative to such per diem; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1878—

BY REPRESENTATIVE WALSWORTH

AN ACT

To amend and reenact R.S. 33:381(A), 386(A), and 461 and to enact R.S. 47:2051.1, relative to the collection of municipal ad valorem taxes in Ouachita Parish; to authorize an agreement between the sheriff, the parish assessor, and the governing authority of certain municipalities in the parish which agreement would provide for the collection by the sheriff of taxes and other amounts on the municipal tax rolls; to provide relative to the contents of such an agreement; to provide for a public hearing; to provide relative to the Lawrason Act requirements for municipal tax assessment and collection as they relate to such agreements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1908—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 33:4574.1-A(A)(1)(f) and R.S. 47:332.2(B) and to enact R.S. 33:4754.1-A(G), relative to funding for the East Baton Rouge Parish Riverside Centroplex Arena and Exhibition Center and other riverfront projects; to authorize the Baton Rouge Area Convention and Visitors Commission to levy an additional hotel occupancy tax and to provide that the proceeds of such additional tax shall be used for capital improvements and expansion of the center; to provide limitations; to provide for uses of monies in the East Baton Rouge Parish Riverside Centroplex Fund; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2055—

BY REPRESENTATIVE THORNHILL

AN ACT

To amend and reenact Section 2(B)(8) of Act No. 180 of the 1984 Regular Session of the Legislature, as amended by Act No. 999 of the 1991 Regular Session of the Legislature and Act No. 570 of the 1992 Regular Session of the Legislature, relative to the St. Tammany Parish Hospital Service District No. 2; to provide relative to the compensation and expenses of board members; and to provide for related matters.

Reported favorably.

June 5, 1997

HOUSE BILL NO. 2069—

BY REPRESENTATIVE FRUGE

AN ACT

To enact R.S. 33:4575.11, to create a special taxing district in Ward 4 of Acadia Parish for the purpose of building and operating a community center; to provide for governance of the district and the powers, duties, and responsibilities of the governing authority including the authority to levy taxes and incur debt; to provide for termination of the district under specified circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2123—

BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 33:362(A)(2)(d) and R.S. 33:1236(64), relative to the powers of governing authorities; to authorize governing authorities to seek reimbursement from former employees on whose behalf the governing authority paid licensure fees for a commercial driver's license under certain circumstances; to limit reimbursement to the amount of the licensure fee paid by the municipality or parish; to provide for liability of the former employee; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2176—

BY REPRESENTATIVE DUPRE

AN ACT

To amend and reenact R.S. 46:1053(M) and to enact R.S. 33:4341.1 and R.S. 46:1064.1, relative to Hospital Service District No. 1 of Terrebonne Parish; to establish limits on the terms commissioners of the district may serve; to provide relative to the sale or lease of the Terrebonne General Medical Center by the governing authority of the district; to provide relative to requirements for any offer for sale or lease of the hospital; to provide relative to approval of the sale or lease; to provide relative to hearings and meetings to discuss the sale or lease; to provide relative to the applicability of the procedures; to provide for use of the proceeds of any sale or lease; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2392—

BY REPRESENTATIVE HOLDEN

AN ACT

To amend and reenact R.S. 33:4574(A)(2)(f) and (C)(1)(a) and (b) and 4574.1-A(A)(1)(f) and to repeal Act No. 62 of the 1972 Regular Session of the Legislature of Louisiana, relative to the Baton Rouge Area Convention and Visitors Commission; to change the name of the commission; to provide for membership on the commission and the terms of members; to authorize an increase in the hotel occupancy tax collected by the commission; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2400—

BY REPRESENTATIVE MURRAY

AN ACT

To enact R.S. 33:2923.1, relative to local finance; to authorize political subdivisions to issue certificates of indebtedness for certain customary and necessary benefits; to provide for terms and procedures for such issuance; and to provide for related matters.

Reported favorably.

Respectfully submitted,

DIANA E. BAJOIE
Chairwoman

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

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

SENATE BILL NO. 1255—

BY SENATOR JONES

AN ACT

To enact R.S. 38:345, relative to levee districts; to require certain levee districts to develop a flood prevention plan; to require funding for such levee districts; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 1255 by Senator Jones

AMENDMENT NO. 1

On page 1, line 13, after "includes" add "more than one, but"

AMENDMENT NO. 2

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

AMENDMENT NO. 3

On page 1, line 15 change "shall" to "may"

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

**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. 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.

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 Engrossed House Bill No. 63 by Representative Guillory

AMENDMENT NO. 1

On page 2, line 7, after "records." insert "The registrar shall retain the statement of disability for thirty days after the election."

On motion of Senator Dardenne, 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. 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 by the Committee on Health and Welfare. 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. 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 by the Committee on Commerce and Consumer Protection. 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. 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 by the Committee on Commerce and Consumer Protection. 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. 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 by the Committee on Commerce and Consumer Protection. 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. 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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Engrossed House Bill No. 368 by Representative Travis

AMENDMENT NO. 1
On page 1, line 2, after "32:772" insert "(A)(1),"

AMENDMENT NO. 2
On page 1, line 7, after "32:772" insert "(A)(1),"

AMENDMENT NO. 3
On page 1, after line 9, insert the following:
"A.(1) There is hereby created the Louisiana Used Motor Vehicle and Parts Commission within the Department of Economic Development to be composed of ~~eleven~~ **twelve** members all appointed by the governor with the consent of the Senate. Five members shall be licensed used motor vehicle dealers, one selected from each Public Service Commission district. One member shall be a licensed automotive dismantler or parts recycler, two members shall be consumers selected from the state at large, one member shall be a licensed motorcycle dealer, one member shall be a licensed marine dealer, **one member shall be a representative of the recycling industry** and one member shall be a representative of a manufacturer licensed by this commission. Such manufacturer representative shall be a resident of Louisiana. The chairman shall be designated by the governor."

On motion of Senator Hollis, 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. 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 by the Committee on Commerce and Consumer Protection. 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. 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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Reengrossed House Bill No. 395 by Representative Ansardi

AMENDMENT NO. 1
On page 2, line 8, after "made." insert "It being against the public policy of the state of Louisiana to allow a contractual selection of venue or jurisdiction contrary to the provisions of the Louisiana Code of Civil Procedure, no provision of any contract which purports to waive these provisions of venue, or to waive or select venue or jurisdiction in advance of the filing of any civil action, may be enforced against any plaintiff in an action brought in these courts."

On motion of Senator Hollis, 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.

June 5, 1997

HOUSE BILL NO. 422—
BY REPRESENTATIVE VITTEK
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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 422 by Representative Vitte

AMENDMENT NO. 1
On page 1, line 4, after "board" insert "; to provide for certain exceptions; and to provide for related matters"

AMENDMENT NO. 2
On page 1, after line 6, insert:

"Section 2. The provisions of this Act shall not apply to any school bus driver who also serves as a school board member on the effective date of this Act."

On motion of Senator Dardenne, 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. 423—
BY REPRESENTATIVE VITTEK
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 by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 424—
BY REPRESENTATIVE VITTEK
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 by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 426—
BY REPRESENTATIVE VITTEK
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 by the Committee on Senate and Governmental

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

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 by the Committee on Commerce and Consumer Protection. 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. 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 by the Committee on Commerce and Consumer Protection. 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. 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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Reengrossed House Bill No. 513 by Representative Dimos

AMENDMENT NO. 1
On page 1, line 18, after "can" delete "hear and"

On motion of Senator Hollis, 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. 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 by the Committee on Commerce and Consumer Protection. 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. 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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 577 by Representative Wilkerson

AMENDMENT NO. 1
On page 2, line 26, delete "full"

On motion of Senator Hines, 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. 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 by the Committee on Insurance. 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. 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 by the Committee on Senate and Governmental Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

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 by the Committee on Health and Welfare. The bill was read by title and recommitted to the Committee on Finance.

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 by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 785 by Representative Hudson

AMENDMENT NO. 1
On page 1, after "To" delete the remainder of the line and insert the following:

"enact R.S. 22:657(G) and R.S."

AMENDMENT NO. 2
On page 1, line 8, after "Section 1." delete the remainder of the line and insert the following:

"R.S. 22:657(G)"

AMENDMENT NO. 3
On page 1, line 9, delete "reenacted" and change "is" to "are"

AMENDMENT NO. 4
On page 1, delete lines 13 through 17 and delete pages 2 through 5

AMENDMENT NO. 5
On page 6, delete lines 1 through 24 and insert the following:

* * *

G. Enrollee claims for reimbursement of covered services arising under the terms of health maintenance organization subscriber agreements shall be paid not more than thirty days from the date upon which written notice and proof of claim, in the form required by the terms of the subscriber agreement, are furnished to the health maintenance organization unless just and reasonable grounds, such as would put a reasonable and prudent businessman on his guard, exist. Failure to comply with the provisions of this Section shall subject the health maintenance organization to a penalty payable to the enrollee of double the amount of the benefits due under the terms of the policy or contract during the period of delay, together with attorney's fees to be determined by the court. Any court of competent jurisdiction in the parish where the insured lives or has his domicile, excepting a justice of the peace court, shall have jurisdiction to try such cases."

On motion of Senator Tarver, 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.

June 5, 1997

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

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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 863 by Representative Murray

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 24:31," delete the remainder of the line

AMENDMENT NO. 2

On page 1, delete line 3 in its entirety and insert "relative to the compensation of"

AMENDMENT NO. 3

On page 1, line 4, after "legislature;" delete the remainder of the line and delete lines 5 through 7 in their entirety and insert "to change the per diem"

AMENDMENT NO. 4

On page 1, line 8, after "legislature;" delete the remainder of the line and on line 9 delete "allowance to members of the legislature;"

AMENDMENT NO. 5

On page 1, delete line 12 and insert the following:

"Section 1. R.S. 24:31"

AMENDMENT NO. 6

On page 1, delete line 13 and insert "is hereby amended and reenacted to"

AMENDMENT NO. 7

On page 2, line 1, after "members;" delete the remainder of the line and delete line 2

AMENDMENT NO. 8

On page 2, delete lines 3 through 26 in their entirety and insert "Effective the second Monday in January, 2000, the compensation of the members of the legislature shall be equal to the rate allowable for per diem deduction under Section 162(h)(1)(B)(ii) of Title 26 of the United

States Code for the location of the state capitol."

AMENDMENT NO. 9

Delete pages 3, 4, 5, 6, and 7 in their entirety

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

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 by the Committee on Commerce and Consumer Protection. 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. 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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Reengrossed House Bill No. 955 by Representative Triche

AMENDMENT NO. 1

On page 1, delete lines 13 through 17, and on page 2, delete lines 1 through 11, and insert the following"

"(2) In such cases, the fire marshal shall not make or supervise those inspections and investigations unless specifically requested by the fire prevention bureau or the local governing body of that jurisdiction or upon complaint from any citizen, The state fire marshal shall monitor inspections performed on behalf of the state fire marshal by certified local fire prevention bureaus to ensure the equal, effective enforcement of the state's adopted fire protection, life safety and handicapped accessibility laws, codes, rules, and regulations by:

(i) Requiring adoption as a minimum standard those codes as adopted and enforced by the state fire marshal.

(ii) Requiring copies of inspection reports to be filed with the state fire marshal's office.

(iii) Requiring continuing education as necessary to maintain competence through a training program recognized by the state fire marshal.

(iv) Revoking certification of local fire prevention bureaus for cause after an administrative hearing, in accordance with the Administrative Procedure Act."

On motion of Senator Hollis, 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. 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 by the Committee on Commerce and Consumer Protection. 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. 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 (l)(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 by the Committee on Commerce and Consumer Protection. 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. 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 by the Committee on Commerce and Consumer Protection. The bill was read by title and recommitted to the Committee on Finance.

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 by the Committee on Commerce and Consumer Protection. 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. 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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Engrossed House Bill No. 1155 by Representative Thompson

AMENDMENT NO. 1

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

"However, postage and handling fees shall not apply to exemption requests and facsimile transmissions."

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

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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Reengrossed House Bill No. 1194 by Representative Triche

AMENDMENT NO. 1

On page 6, at the beginning of line 2, insert ", except in New Orleans"

AMENDMENT NO. 2

On page 6, at the end of line 3, insert ", the city of New Orleans excepted,"

AMENDMENT NO. 3

On page 6, line 5, after "the" change "National" to "assistant secretary to perform such work"

AMENDMENT NO. 4

On page 6, at the beginning of line 6, delete "Assessment Institute"

On motion of Senator Hollis, 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. 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

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violations by certain political committees; and to provide for related matters.

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

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

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 by the Committee on Health and Welfare. The bill was read by title and recommitted to the Committee on Finance.

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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 1286 by Representative Forster

AMENDMENT NO. 1

On page 1, line 6, after "reimbursing" delete the remainder of the line and delete line 7 in its entirety and insert the following:

"any sum for leave of absence days for any patient admitted to the hospital from a nursing home facility; to"

AMENDMENT NO. 2

On page 2, line 1, after "reimburse" delete the remainder of the line and delete lines 2 through 4 in their entirety and insert the following:

", directly or indirectly, any sum for leave of absence days for any patient admitted to the hospital, directly or indirectly, from a nursing home facility. Any such payment"

On motion of Senator Hines, 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. 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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Engrossed House Bill No. 1298 by Representative McCain

AMENDMENT NO. 1

On page 2, line 6, after "fireman;" insert "R.S. 22:1243 and 1244, insurance fraud;"

On motion of Senator Hollis, 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. 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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 1317 by Representative Lancaster

AMENDMENT NO. 1

On page 2, line 2, after "jurisdiction." insert "The nature of the irregularity shall be specified in the affidavit."

AMENDMENT NO. 2

On page 2, line 4, after "filed" insert ", and shall notify the opponents of the candidate of the filing of the affidavit. The clerk shall also supply a copy of the affidavit to each opponent of the candidate."

On motion of Senator Dardenne, 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. 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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Engrossed House Bill No. 1339 by Representative Barton

AMENDMENT NO. 1

On page 1, line 14, after "in" delete the remainder of the line and insert "writing, before accepting any payment or obligation to pay:"

On motion of Senator Hollis, 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. 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 by the Committee on Insurance. 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. 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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 1534 by Representative DeWitt

AMENDMENT NO. 1

On page 2, line 7, delete "All" and insert "(a) Except as provided in Subparagraph (b) of this Paragraph, all"

AMENDMENT NO. 2

On page 2, delete line 19, and insert "shall expire at the end of the judicial commitment period."

AMENDMENT NO. 3

On page 2, line 20, delete "judgment."

AMENDMENT NO. 4

On page 2, at the end of line 22, insert the following:

"If the court finds by clear and convincing evidence that the patient is dangerous to self or others or is gravely disabled as a result of mental illness, it shall render a judgment for his commitment for an additional period. Except as provided in Subparagraph (b) of this Paragraph, each additional judicial commitment shall expire after one hundred eighty days."

AMENDMENT NO. 5

On page 3, delete lines 4 through 8 in their entirety and insert the following:

"(b) If a person has been judicially committed for four consecutive one hundred and eighty day periods pursuant to the provisions of Subparagraph (a) of this Paragraph and during this time has not been conditionally discharged, the period of a subsequent judicial commitment may exceed one hundred and eighty days but shall not exceed one year."

On motion of Senator Hines, 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. 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 by the Committee on Commerce and Consumer Protection. The bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

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 by the Committee on Commerce and Consumer Protection. 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. 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 by the Committee on Commerce and Consumer Protection. 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. 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.

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Reported favorably by the Committee on Commerce and Consumer Protection. 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. 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 by the Committee on Commerce and Consumer Protection. 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. 1564—

BY REPRESENTATIVES DOWNER, R. ALEXANDER, BARTON, COPELIN, DEVILLE, DIMOS, DUPRE, FLAVIN, FONTENOT, FORSTER, HUNTER, JOHNS, LANCASTER, LEBLANC, MCCAIN, MCDONALD, MCMAINS, MICHOT, PIERRE, SCALISE, JOHN SMITH, STELLY, TRICHE, WALSWORTH, WELCH, WIGGINS, WINDHORST, WINSTON, ANSARDI, BAUDOIN, BAYLOR, BRUCE, CARTER, CLARKSON, CRANE, DAMICO, DOERGE, DONELON, DURAND, FARVE, FAUCHEUX, FRITH, FRUGE, GUILLORY, HAMMETT, HEBERT, HILL, HOLDEN, JETSON, KENNARD, KENNEY, LANDRIEU, LONG, MARIONNEAUX, MARTINY, MCCALLUM, MITCHELL, MONTGOMERY, MORRELL, ODINET, PERKINS, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, ROUSSELLE, SALTER, SHAW, THOMAS, THOMPSON, THORNHILL, TRAVIS, VITTER, WARNER, WILLARD-LEWIS, AND WRIGHT

AN ACT

To enact R.S. 24:15, relative to the legislature; to create the Broadcast Education Network; to provide for the responsibilities and functions of the legislature and the Louisiana Educational Television Authority in relation thereto; and to provide for related matters.

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

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

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.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Reengrossed House Bill No. 1639 by Representative Schneider

AMENDMENT NO. 1

On page 3, line 8, change "prior to construction" to "at the time of the closing"

On motion of Senator Hollis, 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. 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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Reengrossed House Bill No. 1675 by Representative Hammett

AMENDMENT NO. 1

On page 2, line 21, after "involve" insert "the public welfare or the"

AMENDMENT NO. 2

On page 2, line 23, change "Engineering surveys include" to "The practice of engineering includes"

On motion of Senator Hollis, 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. 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 by the Committee on Health and Welfare. 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. 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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Reengrossed House Bill No. 1682 by Representative Travis

AMENDMENT NO. 1

On page 1, after line 20, insert the following:
"C. The provisions of this Section shall not apply to a partnership which does not have a written agreement."

AMENDMENT NO. 2

On page 3, after line 8, insert the following:
"C. The provisions of this Section shall not apply to a partnership which does not have a written agreement."

On motion of Senator Hollis, 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. 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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 1707 by Representative Riddle

AMENDMENT NO. 1

On page 3, line 2, between "prosecution" and "as" insert "by the state or by any district attorney in the state"

AMENDMENT NO. 2

On page 3, line 23, between "A" and "health" insert "private"

AMENDMENT NO. 3

On page 3, line 24, between "other" and "health" insert "private"

On motion of Senator Hines the committee amendment was

adopted. The amended bill was read by title and recommitted to the Committee on Finance.

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 by the Committee on Health and Welfare. 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. 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 by the Committee on Health and Welfare. 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. 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 by the Committee on Health and Welfare. The bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

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 by the Committee on Health and Welfare. 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. 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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 1748 by Representative Kenney

AMENDMENT NO. 1

On page 1, line 6, after "or" delete "other paraphernalia" and insert "certification cards"

AMENDMENT NO. 2

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On page 2, line 1, delete "other"

AMENDMENT NO. 3

On page 2, line 2, delete "paraphernalia" and insert "certification cards"

AMENDMENT NO. 4

On page 2, line 5, delete "paraphernalia" and insert "certification cards"

On motion of Senator Hines, 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. 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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 1831 by Representative Jack D. Smith

AMENDMENT NO. 1

On page 2, line 3, delete "if," and insert "against the noticed person if and when,"

AMENDMENT NO. 2

On page 2, line 6, delete "is filed in"

AMENDMENT NO. 3

On page 2, line 7, delete "any" and insert "named in a"

AMENDMENT NO. 4

On page 2, line 8, delete the comma " ," and insert "is served on"

AMENDMENT NO. 5

On page 2, line 9, delete "all" and insert "any"

AMENDMENT NO. 6

On page 2, line 26, after "privilege" delete the remainder of the line and insert the following:

" . The liability created under this privilege shall not exceed the amount paid to the injured person, or to the attorney, heirs, or legal representatives of the injured person."

AMENDMENT NO. 7

On page 3, line 1, delete "exceed the amount paid."

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

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

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

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

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 by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 2025 by Representative Donelon

AMENDMENT NO. 1

On page 1, line 3, change "2094" to "2095"

AMENDMENT NO. 2

On page 1, line 13, change "2094" to "2095"

AMENDMENT NO. 3

On page 3, line 10, after "performed" delete "by the insurer or agent"

AMENDMENT NO. 4

On page 3, line 14, after "money," delete "the term" and insert "or" and after "as" insert "that term is"

AMENDMENT NO. 5

On page 3, line 15, after "and" delete "the term" and after "as" insert "that term is"

AMENDMENT NO. 6

On page 3, line 17, after "written" insert "instructions or"

AMENDMENT NO. 7

On page 3, line 21, after "written" insert "instructions or"

AMENDMENT NO. 8

On page 3, line 23, after "natural" insert "or juridical" and after "person," insert "or any"

AMENDMENT NO. 9

On page 4, line 5, after "powers" change the period "." to a semicolon ";,"

AMENDMENT NO. 10

On page 4, line 6, after "federal" delete "and" and insert "or"

AMENDMENT NO. 11

On page 4, line 7, after "having" delete "regulator" and insert "regulatory" and after "trust" delete "companies." and insert "companies; and"

AMENDMENT NO. 12

On page 4, line 11, after "mean" insert "an agreement by which"

AMENDMENT NO. 13

On page 4, at the beginning of line 12, insert "are"

AMENDMENT NO. 14

On page 4, line 15, between "policy" and the period "." insert "policy over a specific exception to coverage"

AMENDMENT NO. 15

On page 4, line 18, after "title." delete the remainder of the line and delete lines 19 and 20

AMENDMENT NO. 16

On page 4, line 24, delete "policies." and insert "policies; and"

AMENDMENT NO. 17

On page 5, line 1, after "collects" delete the remainder of the line and insert the following:

", disburses or receives premiums, escrow, settlement"

AMENDMENT NO. 18

On page 5, line 2, delete "funds." and insert "funds; or"

AMENDMENT NO. 19

On page 5, line 3, delete "closings." and insert "closings; or"

AMENDMENT NO. 20

On page 5, line 4, delete "business." and insert "business; or"

AMENDMENT NO. 21

On page 5, line 9, delete "policy" and insert "policy; or"

AMENDMENT NO. 22

On page 5, line 20, delete "reinsurance." and insert "reinsurance; or"

AMENDMENT NO. 23

On page 5, line 21, delete "titles; or" and insert "titles, but only through attorneys duly licensed and authorized to practice law in Louisiana; or"

AMENDMENT NO. 24

On page 5, line 22, change "(vii)" to "(c)"

AMENDMENT NO. 25

On page 6, line 22, after "state" delete "for the purpose of transacting" and insert "to transact"

AMENDMENT NO. 26

On page 6, line 24, after "the" delete the remainder of the line and insert "acceptance or rejection of"

AMENDMENT NO. 27

On page 6, line 25 change "the risk" to "risk"

AMENDMENT NO. 28

On page 7, line 3, after "insurer" insert "or a title insurance agent"

AMENDMENT NO. 29

On page 7, line 8, change "business." to "business; or"

AMENDMENT NO. 30

On page 7, line 9, change "policies." to "policies; or"

AMENDMENT NO. 31

On page 7, line 10, after "Perform" insert ", or cause to be performed,"

AMENDMENT NO. 32

On page 7, line 15, after "policy" delete the period "." and insert "; however, any such activities that are defined by R.S. 37:212 as the practice of law shall only be performed by an attorney duly licensed and authorized to practice law in Louisiana."

AMENDMENT NO. 33

On page 7, line 18, change "business" to "insurance"

AMENDMENT NO. 34

On page 8, line 6, change "shall" to "may"

AMENDMENT NO. 35

On page 8, line 9, change "funds." to "funds; or"

AMENDMENT NO. 36

On page 8, line 24, between "maintain" and "for" insert "an errors and omissions policy"

AMENDMENT NO. 38

On page 9, line 1, after "availability" delete the remainder of the line, delete line 2 and insert "thereof."

AMENDMENT NO. 39

On page 9, line 5, after "records" insert "related to the title insurance business"

AMENDMENT NO. 40

On page 9, at the beginning of line 11, change "contract." to "contract between the parties."

AMENDMENT NO. 41

On page 9, line 13, change "the responsibility" to "such responsibilities"

AMENDMENT NO. 42

On page 9, line 15, after "upon" delete "the"

AMENDMENT NO. 43

On page 10, line 2, between "solicitations." and the period "." insert "and underwriting activity"

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AMENDMENT NO. 44

On page 10, line 23, after "agent" insert "related to the agent's title insurance business"

AMENDMENT NO. 45

On page 11, line 10, change "examinations." to "examinations; and"

AMENDMENT NO. 46

On page 11, line 16, change "insurer." to "insurer; or"

AMENDMENT NO. 47

On page 11, line 17, delete "director, officer, controlling shareholder, or" and insert "of its directors, officers, controlling shareholders or employees"

AMENDMENT NO. 48

On page 11, line 18, delete "employee"

AMENDMENT NO. 49

On page 11, line 26, after "under" insert "common"

AMENDMENT NO. 50

On page 12, line 10, change "account" to "accounts"

AMENDMENT NO. 51

On page 12, line 11, after "the" delete the remainder of the line and insert "underwriting and claims"

AMENDMENT NO. 52

On page 12, line 22, change "thirty" to "five"

AMENDMENT NO. 53

On page 13, line 13, after "under" insert "common"

AMENDMENT NO. 54

On page 13, between lines 13 and 14, insert the following:

"(3) Engage in the practice of law as defined by R.S. 37:212."

AMENDMENT NO. 55

On page 14, line 19, change "an escrow" to "a closing escrow"

AMENDMENT NO. 56

On page 14, line 21, after "with" delete the remainder of the line and insert the following "any closing or escrow agreement or security arrangement"

AMENDMENT NO. 57

On page 14, line 24, after change "recission" to "rescission"

AMENDMENT NO. 58

On page 14, line 26, change "recission" to "rescission"

AMENDMENT NO. 59

On page 15, line 3, between "insurance" and the period "." insert "agent"

AMENDMENT NO. 60

On page 15, line 5, change "instruction," to "escrow instructions,"

AMENDMENT NO. 61

On page 15, delete lines 6 and 7 and insert the following:

"for each depositor in a manner that"

AMENDMENT NO. 62

On page 15, line 9, after "terms" insert "of the escrow"

AMENDMENT NO. 63

On page 15, line 10, after "instructions" insert a period "." and delete the remainder of the line

AMENDMENT NO. 64

On page 15, line 12, change "instruction" to "instructions"

AMENDMENT NO. 65

On page 15, line 14, after "security" delete the remainder of the line and insert the following:

"agreement for the purpose of clearing, writing over or insuring over an exception to title shall be disbursed only"

AMENDMENT NO. 66

On page 15, line 20, change "except" to "exception"

AMENDMENT NO. 67

On page 15, between lines 21 and 22 insert the following:

"(4) Funds held in connection with a real estate closing where no escrow or security agreement is applicable shall be disbursed in accordance with a signed closing or disbursement statement."

AMENDMENT NO. 68

On page 16, line 2, after "transfers" delete the remainder of the line and insert the following:

"such that funds have been unconditionally"

AMENDMENT NO. 69

On page 16, line 9, after "and" delete "for which funds have been unconditionally"

AMENDMENT NO. 70

On page 16, line 12, change "has" to "have"

AMENDMENT NO. 71

On page 16, line 15, after "checks" delete "unconditionally"

AMENDMENT NO. 72

On page 16, between lines 19 and 20 insert the following:

"(g) A check or checks, drawn on the trust account or sales escrow account of a real estate broker licensed under R.S. 37:1430 et seq., in an amount up to the amount of the then current guarantee provided by the Real Estate Recovery Fund as established in R.S. 37:1463.

(h) A personal or commercial check or checks in an aggregate amount not exceeding two thousand five hundred dollars per closing if the settlement agent making the deposit has reasonable and prudent grounds to believe that the deposit will be irrevocable credited to the settlement agent's trust or escrow account."

AMENDMENT NO. 73

On page 16, line 21, delete "fiduciary trust" and insert "escrow"

AMENDMENT NO. 74

On page 16, line 22, between "escrow," and "settlement" delete "or closing" and insert the following:

"closing and/or"

AMENDMENT NO. 75

On page 18, after line 22, insert the following:

"§2095. Limits of scope

Nothing contained in this Act shall be deemed to amend, supersede, or repeal any provision of R.S. 37:212 and 213."

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

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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 2184 by Representative Rodney Alexander, et al.

AMENDMENT NO. 1

On page 1, at the end of line 2, insert "2009.16,"

AMENDMENT NO. 2

On page 1, line 4, delete "and 2009.16"

AMENDMENT NO. 3

On page 1, line 14, after "neglect;" delete the remainder of the line and delete lines 15 in its entirety and insert the following:

"to provide for an informal reconsideration; to provide for a hearing for certain complaints;"

AMENDMENT NO. 4

On page 1, line 16, delete "department;"

AMENDMENT NO. 5

On page 2, line 1, between "(B)," and "2009.17" insert "2009.16,"

AMENDMENT NO. 6

On page 2, line 9, between "Louisiana" and the period "." insert "provided the provisions of these Sections shall not prevent the institution

of judicial action" and at the end of the line, change "sections," to "Sections:"

AMENDMENT NO. 7

On page 2, line 20, after "services," insert "and", after "facilities" insert a period "." and delete the remainder of the line, and delete lines 21 and 22 in their entirety

AMENDMENT NO. 8

On page 2, line 24, delete "including an owner or"

AMENDMENT NO. 9

On page 2, line 25, delete "employee of a health care provider," and after "knowledge" delete "or suspects"

AMENDMENT NO. 10

On page 3, line 5, change "shall" to "may"

AMENDMENT NO. 11

On page 3, at the beginning of line 13, delete "reported complaints" and insert "reports"

AMENDMENT NO. 12

On page 3, line 15, change "4009.20" to "2009.20"

AMENDMENT NO. 13

On page 3, line 16, change "reported complaint" to "report"

AMENDMENT NO. 14

On page 3, line 18, change "reported complaint" to "report"

AMENDMENT NO. 15

On page 3, line 19, change "or" to "of" and change "general" to "general's office"

AMENDMENT NO. 16

On page 3, line 26, change "reported" to "report"

AMENDMENT NO. 17

On page 4, line 1, delete "complaint"

AMENDMENT NO. 18

On page 4, line 4, change "complaints" to "reports"

AMENDMENT NO. 19

On page 4, line 7, change "reported complaint" to "report" and at the end of line 7, change "reported" to "report"

AMENDMENT NO. 20

On page 4, line 8, delete "complaint"

AMENDMENT NO. 21

On page 4, line 9, change "reported complaint" to "report"

AMENDMENT NO. 22

On page 4, line 12, change "reported complaint" to "report"

AMENDMENT NO. 23

On page 4, line 14, change "reported complaint" to "report"

AMENDMENT NO. 24

On page 4, delete lines 23 through 26 and insert the following:

"(b) A "complaint" is an allegation that an event has occurred or is occurring and has the potential for causing more than minimal harm to a consumer or consumers."

AMENDMENT NO. 25

On page 5, delete lines 1 through 8 and insert the following:

"(c) An "outdated report" is a report pertaining to an incident

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that occurred one hundred twenty or more days prior to it being reported to the office.

(d) A "trivial report" is a report of a allegation that an incident has occurred to a consumer or consumers that causes no physical or emotional harm and has no potential for causing harm to the consumer or consumers.

(e) "Minimal harm" is an incident that causes no serious temporary or permanent physical or emotional damage and does not materially interfere with the consumer's activities of daily living."

AMENDMENT NO. 26

On page 5, line 17, between "noncompliance" and "at" insert "by telephone, provider report, or"

AMENDMENT NO. 27

On page 5, delete line 19 in its entirety and insert "(4) Results of any investigation of a compliant shall be communicated in writing to the"

AMENDMENT NO. 28

On page 6, line 1, change "substance" to "nature"

AMENDMENT NO. 29

On page 6, delete line 10 in its entirety and insert the following:

"A.(1) The report of the investigation report of the by the department shall state"

AMENDMENT NO. 30

On page 8, delete line 10 in its entirety and insert the following:

§2009.16. Hearing

A.(1) A complainant or nursing home who is dissatisfied with the determination or investigation by the department may request a hearing. A request for a hearing shall be submitted in writing to the secretary within thirty days after the report of the department has been mailed in accordance with the provisions of R.S. 40:2009.15(A). Notice of the time and place fixed for the hearing shall be sent to the complainant and the nursing home. All appeal procedures shall be conducted in accordance with the Administrative Procedure Act or appeals mechanism presently promulgated by the department. An informal reconsideration shall constitute final action by the department except in those complaints in which the health standards section of the of the bureau of health services financing determines that the complaint concerns a consumer in a facility and involves issues that have resulted or are likely to result in serious harm or death to the consumer. In those complaints involving the issues of serious harm or death, as determined by the health standards section, the complainant or the provider may appeal the informal reconsideration finding to the bureau of appeals within the department. All appeals and hearings shall conform with the rules established by the department.

(2) For purposes of this Section, "serious harm" is an incident which involves unconsciousness; physical pain evidenced by objective findings; disfigurement; loss or impairment of the function of a body member, organ, or mental faculty; or severe emotional distress.

B. The hearing before the bureau of appeals shall be limited to the evidence presented at the informal reconsideration unless the complainant or provider has obtained additional evidence important to the issues which he could not have with due diligence obtained before or during the informal reconsideration.

C. An administrative law judge shall make a determination on the appeal based on the evidence presented as to whether the investigation was conducted properly or improperly. If the administrative law judge determines that the investigation was not conducted properly, he shall designate in writing and with specificity the methods by which a reinvestigation shall be conducted. No appeal shall lie from a reinvestigation upon a prima facie showing that the reinvestigation was conducted in accordance

with the designations of the administrative law judge."

AMENDMENT NO. 31

On page 9, line 3, change "moral" to "mental"

AMENDMENT NO. 32

On page 9, line 12, after "worker," insert "physician's assistant, physical therapist," and after "having" delete "cause to believe" and insert "knowledge"

AMENDMENT NO. 33

On page 9, line 19, after "(4)" delete "and 2009.16"

On motion of Senator Hines, 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. 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 by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 2219 by Representative Landrieu

AMENDMENT NO. 1

On page 4, delete lines 15 through 17 and insert:

"E. Any coverage required under the provisions of this Section shall not be subject to any policy or health coverage plan deductible amount."

AMENDMENT NO. 2

On page 4, between lines 21 and 22, insert the following:

"G. The provisions of this Section shall not apply to individually underwritten, guaranteed renewable or renewable limited benefit supplemental health insurance policies authorized to be issued in this state."

On motion of Senator Tarver, 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. 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 by the Committee on Commerce and Consumer Protection. 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. 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 by the Committee on Commerce and Consumer Protection. 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. 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 by the Committee on Commerce and Consumer Protection. The bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Engrossed House Bill No. 2379 by Representative Durand

AMENDMENT NO. 1
On page 1, line 3, after "authentic" insert "Louisiana"

AMENDMENT NO. 2
On page 1, at the beginning of line 4, change "cooking" to "cuisine"

AMENDMENT NO. 3
On page 1, line 7, after "authentic" insert "Louisiana" and change "cooking" to "cuisine"

AMENDMENT NO. 4
On page 1, after line 17, insert the following:
"(5) Any restaurant located in Louisiana shall be eligible to utilize the Louisiana Cajun-Creole cuisine logo."

On motion of Senator Hollis, 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. 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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 2455 by Representative Windhorst

AMENDMENT NO. 1
On page 1, line 2, after "reenact R.S. 49:" delete the remainder of the line and delete lines 3 and 4 and on line 5, delete "legislative committee" and insert:

"992(D)(1) and 995(B)(1) and to enact R.S. 49:992(D)(8), (9) and (10), relative to the division of administrative law; to provide for the term of the director; to provide for the exemption of the Department of Public Safety and Corrections, the office of alcoholic beverage control and the Public Service Commission from provisions requiring adjudications by the division of administrative law"

AMENDMENT NO. 2
On page 1, line 7, after "R.S. 49:" delete the remainder of the line and insert "992(D)(1) and 995(B)(1) are hereby amended and reenacted and R.S. 992(D)(8), (9) and (10) are hereby enacted to read as"

AMENDMENT NO. 3
On page 1, delete lines 9 through 17 and insert the following:

§992. Applicability; exemptions

* * *

D.(1) Except as provided in Paragraphs (2) through ~~(7)~~(10) of this Subsection, the provisions of this Chapter shall apply to any board, commission, department, or agency of the executive branch of state government, ~~which shall include but shall not be limited to the Public Service Commission.~~

* * *

R.S. 49:992(D)(8) is all proposed new law.

(8) The Department of Public Safety and Corrections shall be exempt from the provisions of this Chapter.

R.S. 49:992(D)(9) is all proposed new law.

(9) The office of alcoholic beverage control shall be exempt from the provisions of this Chapter.

R.S. 49:992(D)(10) is all proposed new law.

(10) The Public Service Commission shall be exempt from the provisions of this Chapter.

* * *

§995. Director

* * *

B. (1) The director shall ~~serve a six-year term and may be reappointed and confirmed for subsequent six-year terms without limitation~~ **be appointed for a term of four years to run concurrently with the term of the governor making the appointment.**

* * *

AMENDMENT NO. 4
On page 2, delete lines 1 through 13

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

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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 2472 by Representative Windhorst

AMENDMENT NO. 1

On page 1, line 2, after "(D)(1)" delete "and (2)" and insert ",(2) and (4) and 995(B)(1) and to enact R.S. 49:992(D)(8), (9), (10) and (11)"

AMENDMENT NO. 2

On page 1, line 4, after "administrative law;" insert the following:

"to provide for the term of the director; to provide for the office of regulatory services; to provide for the exemption of the Department of Public Safety and Corrections, the office of alcoholic beverage control, the Public Service Commission and the Department of Insurance from provisions requiring adjudications by the division of administrative law;"

AMENDMENT NO. 3

On page 1, line 7, after "(D)(1)" delete the remainder of the line and line 8 and insert ",(2) and (4) and 995(B)(1) are hereby amended and reenacted and R.S. 49:992(D)(8), (9), (10) and (11) are hereby enacted to read as follows:"

AMENDMENT NO. 4

On page 1, line 11, delete "(7)" and insert "(11)"

AMENDMENT NO. 5

On page 1, line 14, after "government" delete the "," and insert a "." and delete the remainder of the line and line 15

AMENDMENT NO. 6

On page 2, after line 7, insert the following:

"(4) The office of employment security regulatory services in the Department of Labor shall be exempt from the provisions of this Chapter.

R.S. 49:992(D)(8) is all proposed new law.

(8) The Department of Public Safety and Corrections shall be exempt from the provisions of this Chapter.

R.S. 49:992(D)(9) is all proposed new law.

(9) The office of alcoholic beverage control shall be exempt from the provisions of this Chapter.

R.S. 49:992(D)(10) is all proposed new law.

(10) The Public Service Commission shall be exempt from the provisions of this Chapter.

R.S. 49:992(D)(11) is all proposed new law.

(11) The Department of Insurance shall be exempt from the provisions of this Chapter.

* * *

§995. Director

* * *

B. (1) The director shall ~~serve a six-year term and may be reappointed and confirmed for subsequent six-year terms without limitation~~ be appointed for a term of four years to run concurrently with the term of the governor making the appointment.

* * *"

On motion of Senator Dardenne, 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. 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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Engrossed House Bill No. 2507 by Representative Hammett

AMENDMENT NO. 1

On page 3, line 23, after "passed the" insert "written"

On motion of Senator Hollis, 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. 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 by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 2513 by Representative Donelon

AMENDMENT NO. 1

On page 1, line 4, change "32:863.1(C)(1)(b)" to "32:863.1(C) and (D)"

AMENDMENT NO. 2

On page 1, line 6, between "866," and "all relative" insert the following:

"and R.S. 32:863.2(A)(5),"

AMENDMENT NO. 3

On page 3, line 1, after "Reduced" delete the remainder of the line and insert in lieu thereof the following:

"special damages; motor vehicle"

AMENDMENT NO. 4

On page 3, delete lines 3 through 14 in their entirety and insert in lieu thereof the following:

"A. Any and all evidence of sources of payments of lost income and wages and/or medical and/or disability loss arising out of the operation, maintenance, or use of a motor vehicle is admissible and is to be considered in evidence.

B. In no event shall an award be made allowing double recovery for past or future lost wages or past or future medical expenses except for social security benefits.

C. In all events first party coverage shall be considered primary and nothing herein shall prohibit such first party carrier from exercising rights of subrogation or reimbursement.

D. A claimant may submit a sworn affidavit setting forth that they have no available collateral source to recover from. Such affidavit may be countermanded by evidence."

AMENDMENT NO. 5

On page 6, delete lines 25 and 26 in their entirety and insert in lieu thereof the following:

"B. In a jury trial, the evidence described in Paragraph A of this Article shall not be submitted to the jury. The court shall determine from the evidence whether any plaintiff has recovered from any collateral source, as provided in this Article, and shall decrease any award of damages to the applicable plaintiff by the amount recovered from such collateral source. The court shall decrease any award of damages to the applicable plaintiff by the amount recovered from any collateral sources as provided in this

Article."

AMENDMENT NO. 6

On page 7, delete lines 1 through 4 in their entirety.

AMENDMENT NO. 7

On page 9, line 20, change "32:863.1(C)(1)(b)" to "32:863.1(C) and (D)"

AMENDMENT NO. 8

On page 9, line 21, between "866" and "are" insert "and 863.2(A)(5)"

AMENDMENT NO. 9

On page 10, delete lines 4 through 26 in their entirety and insert in lieu thereof the following:

"Substantial rewording. See R.S. 32:863.1(C) for present law.

C. In the case where the driver of the car is a minor child, the owner of the vehicle shall be responsible under this Section. If the owner of the vehicle is the minor child, the parents of the minor child shall be jointly subject to the provisions of this Section along with the minor child, unless said minor has been adjudicated emancipated or is in the sole custody of another or only one parent under the law. If the minor child is in the sole custody of another or only one parent, under the law, then the other person or parent in whose sole custody the minor child has been placed will be jointly responsible with the minor child under this Section.

Substantial rewording. See R.S. 32:863.1(D) for present law.

D.(1) In addition to the other requirements of this Section, every insurer issuing policies on motor vehicles in Louisiana or in the case of self-insured vehicles pursuant to R.S. 32:851 et seq., the Department of Public Safety and Corrections, shall be required to issue stickers to those persons owning valid and current insurance as required in R.S. 32:851 et seq., within five working days of binding coverage, in compliance with rules and regulations promulgated by the commissioner in consultation with the Department of Insurance. The Department of Public Safety and Corrections, in consultation with the Department of Insurance, shall adopt rules and regulations to implement the provisions of this Subsection.

(2) The insured shall be required to place the decal in the upper left corner of the windshield of the driver's side of the insured motor vehicle or in such other location on the motor vehicle as set forth by rules and regulations that shall be established by the Department of Public Safety and Corrections. The failure to display the decal in an approved location on the vehicle or the displaying of an expired decal shall subject the vehicle to being towed and impounded immediately unless the driver can show that the vehicle is covered by a valid policy of insurance in place pursuant to this Chapter before towing of the vehicle. The only acceptable means of proof of a valid policy of insurance shall be those provided in this Section.

(3) If the operator of the motor vehicle is unable to show compliance with the provisions of this Part by producing acceptable proof of insurance when requested to do so, the operator shall be issued a notice of noncompliance with the provisions of this Part on a form developed by the department. The notice of noncompliance shall serve as a notice of administrative hearing rights. A copy of the notice of noncompliance shall be provided to the towing or storage company and a copy shall be forwarded to the office of motor vehicles within three calendar days after the notice of noncompliance was served.

(4) The administrative hearing shall be limited to a review of the issue of whether the vehicle was covered by a valid policy of insurance at the time of the alleged violation. The records of the

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department on the particular violation shall be prima facie proof of the violation, and the owner or operator shall have the burden of proving that the vehicle was covered by a valid policy of insurance at the time of the violation. A request for a hearing shall not stay the sanctions required by this Part. If it is determined at the administrative hearing that the vehicle was covered by a valid policy of insurance at the time of the violation, but that such proof was not presented to the law enforcement officer at the time the vehicle was impounded, then the vehicle owner shall be required to pay the storage and wrecker fees of the person or company who impounded and towed the subject vehicle. The department or other agency that conducts the hearings, shall promulgate such rules and regulations as are necessary to implement the requirements of this Section. Any action for judicial review of the decision from the administrative hearing shall be in the same manner and under the same conditions as provided in R.S. 32:414. No court shall issue an injunction, stay or other process preventing the enforcement of the sanctions required by this Part pending the hearing provided for in this Part, except as provided by R.S. 49:964.

(5) After impoundment of the vehicle, if the owner is unable to show proof of compliance by way of a valid insurance policy or other financial security required by law in effect on the vehicle impounded at the time of the violation, or if the owner has not purchased such insurance within thirty days of the date of the issuance of the notice of noncompliance, then the owner of the vehicle shall have his driver's license suspended until such time as proof of purchase of a valid policy of insurance is provided to the Department of Public Safety and Corrections. The impounded vehicle shall remain impounded until such time as proof of valid insurance is given to the Department of Public Safety and Corrections. Notwithstanding any other provision of law to the contrary, in no event shall a car be released from impoundment until such time as proof, in writing, has been presented from the Department of Public Safety and Corrections that all penalties, fees, fines and requirements of this Section have been met.

(6) There will be a fifteen day grace period on the expiration of a decal before any law enforcement action may be taken. All penalties and exceptions contained in this Section shall be applicable to this Subsection, and the sticker required herein shall be required in addition to the other requirements contained in this Section.

(7) In those instances when there are passengers in the motor vehicle under the age of twelve or when the driver or a passenger in the motor vehicle is handicapped, then the law enforcement officer enforcing the provision of this Section may in lieu of the impoundment provisions of this Section, seize the license plate and issue a temporary sticker valid for that day only allowing the operator to drive vehicle home or to another location. The vehicle may not be driven after that day until the owner has complied with the requirements of this Section other than the impoundment of the vehicle. In the event the vehicle is being driven after the expiration of the temporary sticker provided for herein, all provisions of this Section shall apply."

AMENDMENT NO. 10

On page 11, delete lines 1 through 26 and on page 12, delete lines 1 through 11 in their entirety.

AMENDMENT NO. 11

On page 13, line 6, change "five" to "fifteen"

AMENDMENT NO. 12

On page 13, line 13, change "five" to "fifteen"

AMENDMENT NO. 13

On page 13, between lines 15 and 16, insert the following:

"(5) If any cancellation of a motor vehicle liability policy

occurs at the request of the insured, the insurer shall not be obligated to cancel such policy earlier than ten days prior to the date of the request for cancellation by the insured.
* * *

AMENDMENT NO. 14

On page 16, line 1, between "its" and "rates" insert "combined"

AMENDMENT NO. 15

On page 16, line 2, between "liability" and "by" insert the following:

"and property damage liability"

AMENDMENT NO. 16

On page 16, line 4, change the comma "," to a period "." and delete the remainder of the line and delete lines 5 through 8 in their entirety.

AMENDMENT NO. 17

On page 16, line 16, change the comma "," to a period "." and delete the remainder of the line and delete lines 17 through 20 in their entirety.

AMENDMENT NO. 18

On page 19, line 19, change "5" to "4"

On motion of Senator Tarver, 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.

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 391 from the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 391—

BY REPRESENTATIVE TRICHE AND SENATOR DEAN
A JOINT RESOLUTION

Proposing to add Article VI, Section 38(A)(3) and (4) of the Constitution of Louisiana, to provide that the legislature may abolish a levee district or levee and drainage district; to provide for the transfer of the powers, duties, functions, and responsibilities of the board of commissioners; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 2007 from the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 2007—

BY REPRESENTATIVES JACK SMITH, DEWITT, FAUCHEUX, AND FRITH
AN ACT

To amend and reenact R.S. 56:301.7(B), 303(A), (B), and (D), 303.1, 303.4(A), and Subpart F of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:306 through 306.6, and to enact R.S. 56:301.7(C), relative to commercial fishing and seafood dealers' licenses; to create the "retail seafood dealers" license and provide relative thereto; to create the "wholesale/retail seafood dealer" license and to provide relative thereto, to increase fees for certain licenses; to provide for the dedication of revenues derived from the licenses; and to provide for related matters.

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

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 2012 from the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 2012— BY REPRESENTATIVE DEWITT AN ACT

To amend and reenact R.S. 56:152(A), relative to the Louisiana Duck Stamp program; to increase the fee for a stamp; and to provide for related matters.

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

Rules Suspended

Senator Short asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 36 from the Committee on Education.

SENATE BILL NO. 36— BY SENATOR SHORT AN ACT

To enact R.S. 17:10.1, relative to the employment of teaching personnel; to require that the State Board of Elementary and Secondary Education authorize and provide for the employment of certain persons to teach in public secondary schools; to provide with regard to the status of such persons; and to provide for related matters.

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

Rules Suspended

Senator Short asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 275 from the Committee on Education.

SENATE BILL NO. 275— BY SENATOR SHORT AN ACT

To amend and reenact R.S. 17:416(D), relative to the discipline of students; to provide relative to the school enrollment of a student convicted of a felony; to permit a school system superintendent to decide whether such a student will be admitted to one school in the school district; to provide for an appeal of the decision to the city or parish school board; and to provide for related matters.

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

Rules Suspended

Senator Short asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 848 from the Committee on Transportation, Highways, and Public Works.

SENATE BILL NO. 848— BY SENATOR SHORT AN ACT

To amend and reenact R.S. 32:301, relative to motor vehicles; to provide for the operation of headlights and windshield wipers; and to provide for related matters.

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

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. 149— BY REPRESENTATIVE ROUSSELLE AN ACT

To enact R.S. 34:851.27(B)(7) and (8), relative to regulation of vessels and motorboats; to authorize and provide for the enforcement as to vessels and motorboats of state and local laws and ordinances prohibiting trespass and unauthorized entry; to provide for regulation of watercraft operating near structures in Lake Pontchartrain which are leased by a local governing authority for recreational purposes; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Table with 3 columns: Bagneris, Dyess, Robichaux, Cox, Lentini, Total—5

The Chair declared the 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. 163— BY REPRESENTATIVE MONTGOMERY AN ACT

To amend and reenact R.S. 47:463.2(B), relative to personalized license plates for motor vehicles; to provide for eligibility for a personalized license plate; and to provide for related matters.

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

June 5, 1997

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Dyess	Robichaux
Cox	Lentini	
Total—5		

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. 283—
BY REPRESENTATIVE MCCAIN
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Jordan
Bajoie	Fields	Lambert
Barham	Greene	Landry
Bean	Guidry	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones	Ullo
Total—33		

NAYS

Total—0

ABSENT

Bagneris	Dyess	Malone
Cox	Lentini	Robichaux
Total—6		

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

HOUSE BILL NO. 287—
BY REPRESENTATIVE ROUSSELLE
AN ACT

To amend and reenact R.S. 37:1437(C)(6)(c)(iv), relative to real estate brokers and salespersons; to permit brokers and salespersons who have been on inactive status to cumulate continuing education hours; 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	Lambert
Bajoie	Fields	Landry
Barham	Greene	Malone
Bean	Guidry	Schedler
Branch	Hainkel	Short
Cain	Heitmeier	Siracusa
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Cravins	Johnson	Ullo
Dardenne	Jones	
Dean	Jordan	
Total—34		

NAYS

Total—0

ABSENT

Bagneris	Lentini	Romero
Dyess	Robichaux	
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. 292—
BY REPRESENTATIVE THERIOT
AN ACT

To amend and reenact R.S. 38:291(P)(2), relative to the South Lafourche Levee District; to provide for the composition of the members of the board of commissioners; and to provide for related matters.

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

HOUSE BILL NO. 304—
BY REPRESENTATIVE DOWNER
AN ACT

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

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

NAYS

Total—0

ABSENT

Bagneris	Dyess	Lentini
Campbell	Greene	Robichaux
Total—6		

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. 305—

BY REPRESENTATIVE DOWNER
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lambert
Bajoie	Greene	Landry
Barham	Guidry	Romero
Bean	Hainkel	Schedler
Branch	Heitmeier	Short
Cain	Hines	Siracusa
Campbell	Hollis	Smith
Cox	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones	Ullo
Ellington	Jordan	
Total—32		

NAYS

Total—0

ABSENT

Bagneris	Dyess	Robichaux
Casanova	Lentini	
Cravins	Malone	
Total—7		

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

HOUSE BILL NO. 351—

BY REPRESENTATIVE CRANE
AN ACT

To enact R.S. 49:121(I), relative to identifying insignia on public vehicles; to require that police vehicles engaged in certain traffic operations bear identifying insignia; to provide exceptions for hazardous situations; 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. 351 by Representative Crane

AMENDMENT NO. 1

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 351 and adopted by the Senate on May 22, 1997, on page 1, line 26 after "state," delete the remainder of the line and on line 27 delete "Interstate Highway."

AMENDMENT NO. 2

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 351 and adopted by the Senate on May 22, 1997, on page 1, line 28 after "Section" insert "and bar lights or grill lights"

On motion of Senator Cain, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Lentini
Dyess	Robichaux
Total—4	

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

June 5, 1997

HOUSE BILL NO. 502—

BY REPRESENTATIVE WESTON
AN ACT

To amend and reenact R.S. 51:1903, relative to law enforcement solicitations; to permit law enforcement entities to designate one benevolent organization as its "sanctioned benevolent organization"; to provide relative to disclosure and billing; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Lentini
Dyess	Robichaux
Total—4	

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

HOUSE BILL NO. 538—

BY REPRESENTATIVES MCCAIN, BRUCE, PINAC, DOERGE, AND JOHNS
AN ACT

To enact R.S. 47:463.46, relative to motor vehicle registration; to provide for special prestige license plates for members of Lions International; to provide for fees; to provide for the disbursement of those fees; to provide for the procedure for issuing the plates; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dean	Jones
Bajoie	Ellington	Lambert
Barham	Fields	Landry
Bean	Greene	Malone
Branch	Guidry	Romero
Cain	Hainkel	Schedler
Campbell	Heitmeier	Short
Casanova	Hines	Siracusa
Cox	Hollis	Smith

Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Total—33		

NAYS

Total—0

ABSENT

Bagneris	Jordan	Robichaux
Dyess	Lentini	Ullo
Total—6		

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

HOUSE BILL NO. 545—

BY REPRESENTATIVES MURRAY, BARTON, DUPRE, FLAVIN, FRITH, HILL, HOPKINS, POWELL, THOMPSON, AND TRAVIS
AN ACT

To amend and reenact R.S. 9:3542(B), relative to credit life insurance; to reduce the per-dollar premium rate assessed and collected on credit life insurance, joint credit life insurance, level term credit life insurance, and joint level term insurance; 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	Malone
Barham	Greene	Romero
Bean	Guidry	Schedler
Branch	Hainkel	Short
Cain	Heitmeier	Siracusa
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Cravins	Jones	Ullo
Dardenne	Jordan	
Dean	Lambert	
Total—34		

NAYS

Total—0

ABSENT

Bagneris	Johnson	Robichaux
Dyess	Lentini	
Total—5		

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

HOUSE BILL NO. 548—

BY REPRESENTATIVE RIDDLE
AN ACT

To amend and reenact R.S. 23:1393(B), relative to the Louisiana Workers' Compensation Corporation; to provide that Jones Act coverage may only be issued when such coverage is incidental to certain other policies; 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	Dyess	Jordan
Bajoie	Ellington	Lambert
Barham	Fields	Landry
Bean	Greene	Malone
Branch	Guidry	Romero
Cain	Hainkel	Schedler
Campbell	Heitmeier	Short
Casanova	Hines	Siracusa
Cox	Hollis	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bagneris	Lentini	Robichaux
Total—3		

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

HOUSE BILL NO. 648—
BY REPRESENTATIVE FRITH

AN ACT

To enact R.S. 34:851.20(M), relative to registration of motorboats and sailboats; to require inspection of homemade boats; to provide for the fee for such registration; to provide for the expenditure of funds generated; to provide relative to notification of receipt of certain aluminum boats upon sale for salvage or scrap; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Robichaux
Lentini	Tarver

Total—4

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

HOUSE BILL NO. 730—

BY REPRESENTATIVES FORSTER, BRUNEAU, LANCASTER, SCALISE, VITTER, WINDHORST, BARTON, BOWLER, CRANE, DEVILLE, MICHOT, AND POWELL AND SENATOR ELLINGTON

AN ACT

To enact R.S. 23:642, relative to the establishment of a minimum wage rate; to prohibit a local governmental subdivision from establishing a minimum wage rate; and to provide for related matters.

Motion

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

Senator Fields objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Heitmeier	Short
Casanova	Hines	Siracusa
Dardenne	Hollis	Smith
Dean	Lambert	Tarver
Dyess	Landry	Theunissen
Ellington	Malone	Ullo
Greene	Romero	
Hainkel	Schedler	
Total—22		

NAYS

Bajoie	Fields	Jones
Branch	Guidry	Jordan
Cain	Johnson	
Total—8		

ABSENT

Mr. President	Campbell	Irons
Bagneris	Cox	Lentini
Bean	Cravins	Robichaux
Total—9		

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

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 motion by Senator Hainkel. He had intended to vote yea on the motion. He asked that the Official Journal so state.

Personal Privilege

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

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

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ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Schedler
Barham	Greene	Short
Bean	Hainkel	Siracusa
Branch	Heitmeier	Smith
Casanova	Hines	Theunissen
Dardenne	Hollis	Ullo
Dean	Malone	
Dyess	Romero	
Total—22		

NAYS

Bajoie	Fields	Lambert
Cain	Guidry	Landry
Campbell	Johnson	Tarver
Cox	Jones	
Cravins	Jordan	
Total—13		

ABSENT

Bagneris	Lentini
Irons	Robichaux
Total—4	

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

Rules Suspended

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

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Ellington	Schedler
Bean	Greene	Short
Campbell	Hainkel	Siracusa
Casanova	Heitmeier	Smith
Dardenne	Hines	Tarver
Dean	Hollis	Theunissen
Dyess	Romero	Ullo
Total—21		

NAYS

Bajoie	Guidry	Landry
Branch	Johnson	Malone
Cain	Jones	
Fields	Jordan	
Total—10		

ABSENT

Mr. President	Cravins	Lentini
Bagneris	Irons	Robichaux
Cox	Lambert	
Total—8		

The Chair declared the rules were suspended and 5 minute cloture was invoked.

HOUSE BILL NO. 920—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 51:911.24(C)(3) and to repeal R.S. 51:911.24(C)(2), relative to manufactured housing; to repeal domiciliary and prior service requirements for licensure of manufactured housing dealers; to delete domiciliary requirements for licensure of salesmen; 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	Lambert
Bajoie	Fields	Landry
Barham	Greene	Malone
Bean	Guidry	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Ullo
Dean	Jordan	
Total—35		

NAYS

Total—0

ABSENT

Bagneris	Lentini
Dyess	Robichaux
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.

HOUSE BILL NO. 921—

BY REPRESENTATIVE DIEZ

AN ACT

To repeal R.S. 51:911.26 and 911.30(B), relative to manufactured housing; to repeal requirements of inspection by the fire marshal, the affixing of seals, labels, and certifications, and the placing of serial numbers on applications to the fire marshal.

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

Dean	Lambert	
Total—32		
	NAYS	
Total—0		
	ABSENT	
Bagneris	Guidry	Robichaux
Bajoie	Jordan	
Dyess	Lentini	
Total—7		

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

HOUSE BILL NO. 922—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 51:911.23(D)(2) and (E), relative to manufactured housing; to provide for revisions to the Uniform Standards Code; to provide for the location of offices where documents will be held; 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	Fields	Landry
Bajoie	Greene	Malone
Barham	Guidry	Romero
Bean	Hainkel	Schedler
Branch	Heitmeier	Short
Cain	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Ullo
Dean	Jordan	
Ellington	Lambert	
Total—34		
	NAYS	
Total—0		
	ABSENT	
Bagneris	Dyess	Robichaux
Campbell	Lentini	
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. 923—

BY REPRESENTATIVE DIEZ

AN ACT

To repeal Part XIV-A of Chapter 2 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:912 through 912.10, relative to remanufactured housing; to repeal the Uniform Standards Code for Remanufactured Housing.

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

ROLL CALL

The roll was called with the following result:

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

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

HOUSE BILL NO. 1044—

BY REPRESENTATIVES R. ALEXANDER, DEWITT, AND DURAND

AN ACT

To amend and reenact R.S. 28:200 and 206(A) and (B), relative to community mental health services; to provide for the establishment and administration of a community-based system of care; to provide for a continuum of care for emotionally and behaviorally disturbed children and adults; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

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

The Chair declared the bill was passed. The title was read and

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

HOUSE BILL NO. 1049—

BY REPRESENTATIVES R. ALEXANDER, DEWITT, GAUTREAU, JOHNS, RIDDLE, THORNHILL, VITTER, AND WALSWORTH AND SENATORS DYESS AND ROBICHAUX

AN ACT

To amend and reenact R.S. 40:2116(D), 2116.32(F)(2), and 2116.35(A) and to enact R.S. 28:567(E) and R.S. 40:2103(C), relative to licensure of health care facilities; to provide for a moratorium on the licensure of mental health clinics and mental health centers; to extend the moratorium on certified beds for nursing facilities and new nursing facilities; to extend the moratorium on licensure of home health agencies; to require new locations of existing licensed home health agencies to be licensed; to provide for a moratorium on the licensure of long-term care hospital facilities and beds in such facilities; and to provide for related matters.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Reengrossed House Bill No. 1049 by Representative Rodney Alexander, et al.

AMENDMENT NO. 1

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on May 22, 1997, on line 6, delete "July 1, 1997" and insert "the effective date of this Subsection"

On motion of Senator Hines, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fields, Landry, Barham, Greene, Malone, Bean, Guidry, Romero, Branch, Hainkel, Schedler, Campbell, Heitmeier, Short, Casanova, Hines, Siracusa, Cox, Hollis, Smith, Dardenne, Irons, Tarver, Dean, Jones, Theunissen, Dyess, Jordan, Ullo, Ellington, Lambert, Total—32

NAYS

Table with 3 columns: Bajoie, Cain, Johnson, Total—3

ABSENT

Table with 2 columns: Bagneris, Lentini, Cravins, Robichaux, Total—4

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

HOUSE BILL NO. 1059—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To enact R.S. 22:674, relative to health and accident insurance; to require notice of health insurance payments; to provide that the notice be forwarded to the patient, policyholder, or insured; to provide for sanctions for the failure to comply; 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. 1059 by Representative Fauchaux

AMENDMENT NO. 1

On page 2, after line 4, insert the following:

"Section 2. The provisions of this Section shall not apply if the health insurer or other payor of health care benefits making payments to the health care provider sends notification of payment to the health care provider to the patient, policyholder or insured."

On motion of Senator Landry, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: 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, Dardenne, Johnson, Tarver, Dean, Jones, Theunissen, Dyess, Jordan, Ullo, Total—36

NAYS

Total—0

ABSENT

Table with 3 columns: Bagneris, Cravins, Robichaux, Total—3

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

HOUSE BILL NO. 1077—

BY REPRESENTATIVES RIDDLE, DEWITT, DURAND, AND JOHNS

AN ACT

To amend and reenact R.S. 40:2013, relative to the Department of Health and Hospitals; to designate the Department of Health and Hospitals as the agency responsible for carrying out the purposes of the Alcohol, Drug Abuse and Mental Health Administration Reorganization Act; 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

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Bajoie, Barham, etc.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names like Bagneris, Total—3.

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. 1127— BY REPRESENTATIVE WRIGHT AN ACT

To enact R.S. 47:463.46 and R.S. 56:10(B)(8), relative to motor vehicle registration; to provide for special prestige license plates for Ducks Unlimited; to provide for fees; to provide for the disposition of those fees; to provide for the establishment of an account in the Conservation Fund; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Bajoie, Barham, etc.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names like Bagneris, Total—3.

Total—3

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

HOUSE BILL NO. 1147— BY REPRESENTATIVE MURRAY AN ACT

To amend and reenact R.S. 6:956(F)(2), relative to retail installment contracts; to provide relative to the premium rates charged for credit life insurance; and to provide for related matters.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed House Bill No. 1147 by Representative Murray

AMENDMENT NO. 1

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

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

On motion of Senator Heitmeier, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Bajoie, Barham, etc.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names like Bagneris, Total—3.

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

HOUSE BILL NO. 1156— BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY AN ACT

To amend and reenact R.S. 6:254(A)(introductory paragraph), relative to authority of state banks; to provide relative to approval of and notice to commissioner of issuance of rights and options; and to provide for related matters.

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

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

HOUSE BILL NO. 1176—
BY REPRESENTATIVE LANDRIEU
AN ACT

To amend and reenact R.S. 40:2175(A) and (B)(2), 2176(A), and 2178 and to enact R.S. 40:2175.1, relative to basic care facilities; to provide with respect to the licensure of basic care facilities; to provide procedures and fees; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

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

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

HOUSE BILL NO. 1182—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 47:463.23(B) and 463.30, relative to prestige license plates for professional firefighters; to provide for an initial fee; to provide for the revocation of such plates; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

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

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. 1275—
BY REPRESENTATIVE DIEZ
AN ACT

To enact Part XIV-B of Chapter 2 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:912.21 through 912.28, relative to manufactured housing; to provide minimum standards for installation; to provide for definitions; to provide standards for foundations and piers; to provide installation standards for anchors and tie-downs; to provide installation standards for used manufactured homes and mobile homes in hurricane zones; to provide for licensure of installers, the adoption of rules, and compliance with installation instructions; to provide for violations; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—36

NAYS

Total—0

ABSENT

Bagneris	Lentini	Robichaux
Total—3		

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

HOUSE BILL NO. 1277—
BY REPRESENTATIVE DURAND AND SENATOR DYESS
AN ACT

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

Floor Amendments Sent Up

Senator Guidry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Guidry to Engrossed House Bill No. 1277 by Senator Durand

AMENDMENT NO. 1
On page 1, line 13, change "forty" to "twenty-five"

Senator Guidry moved adoption of the amendments.

Senator Dyess objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields	Jordan
Cain	Guidry	Landry
Campbell	Heitmeier	Tarver
Casanova	Hollis	Theunissen
Cox	Irons	
Ellington	Johnson	

Total—16

NAYS

Bean	Hainkel	Schedler
Branch	Hines	Short
Dean	Jones	Smith
Dyess	Lambert	Ullo
Greene	Malone	

Total—14

ABSENT

Mr. President	Cravins	Robichaux
Bagneris	Dardenne	Romero
Barham	Lentini	Siracusa
Total—9		

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—33

NAYS

Landry
Total—1

ABSENT

Bagneris	Lentini	Siracusa
Cravins	Robichaux	
Total—5		

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

Personal Privilege

Senator Landry 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. 1277. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

HOUSE BILL NO. 1480—
BY REPRESENTATIVES TRICHE AND THORNHILL AND SENATOR SHORT
AN ACT

To enact R.S. 38:313, relative to levee and levee and drainage districts; to provide that a district shall cease to exist if the district has not completed the construction of a protection levee within five years of the district's creation; and to provide for related matters.

Floor Amendments Sent Up

Senator Ullo sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ullo to Reengrossed House Bill No. 1480 by Representative Triche

AMENDMENT NO. 1
On page 2, at the end of line 13, insert "Grand Isle Independent Levee

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District,"

On motion of Senator Ullo, the amendments were adopted.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Schedler and Short to Reengrossed House Bill No. 1480 by Representative Triche

AMENDMENT NO. 1

On page 2, line 2, after "collected." insert:

"In the case of transfer to a parish governing authority or authorities, such authority or authorities shall be exclusively responsible for the levy district or levy and drainage district and shall bear all liability or causes of actions arising out of the failure of such levy district or levy and drainage district. In any such transfer, the parish governing authority or authorities shall be responsible to expend any revenues which have been transferred to the taxing district(s) from which they were derived."

On motion of Senator Schedler, the amendments were adopted.

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Lambert and Branch to Reengrossed House Bill No. 1480 by Representative Triche

AMENDMENT NO. 1

On page 2, at the end of line 13, after "Pontchartrain Levee Basin District," insert "Amite River Basin Drainage and Water Conservation District,"

On motion of Senator Lambert, the amendments were adopted.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 1480 by Representative Triche

AMENDMENT NO. 1

On page 2, at the end of line 13, after "Pontchartrain Levee Basin District," insert "Orleans Levee District,"

On motion of Senator Heitmeier, the amendments were adopted.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Reengrossed House Bill No. 1480 by Representative Triche

AMENDMENT NO. 1

On page 2, at the end of line 13, after "Pontchartrain Levee Basin District," insert "Red River, Atchafalaya, and Bayou Beouf Levee

District"

On motion of Senator Hines, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

HOUSE BILL NO. 1490—

BY REPRESENTATIVES DEVILLE, DEWITT, AND DURAND
AN ACT

To amend and reenact R.S. 40:1232(A)(3) and (4) and to enact R.S. 40:1232(A)(5) and to enact R.S. 36:259(M), relative to emergency medical services; to provide that the Department of Health and Hospitals shall promulgate rules and regulations to establish a list of medical and safety equipment required to be carried by all ambulances; to establish and provide relative to an advisory committee to be known as the Ambulance Standards Committee; and to provide for related matters.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Reengrossed House Bill No. 1490 by Representative Deville

AMENDMENT NO. 1

On page 3, between lines 15 and 16, insert the following:

"(xiv) The Professional Firefighters Association of Louisiana."

On motion of Senator Hines, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean
Total—1

ABSENT

Bagneris	Schedler
Robichaux	Short
Total—4	

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

HOUSE BILL NO. 1492—
BY REPRESENTATIVES FONTENOT, DEWITT, AND BAUDOIN
AN ACT

To amend and reenact R.S. 40:4(A)(8) and 5.8, relative to the State Sanitary Code; to require the state health officer to provide for a strategy for public water systems to comply with federal and state drinking water regulations; to define types of public water systems; 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	Lambert
Bajoie	Fields	Landry
Barham	Greene	Lentini
Bean	Guidry	Malone
Branch	Hainkel	Romero
Cain	Heitmeier	Short
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Ullo
Dyess	Jordan	
Total—35		

NAYS

Dean
Total—1

ABSENT

Bagneris	Robichaux	Schedler
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Total—3

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. 1493—
BY REPRESENTATIVES SHAW, DEWITT, AND DURAND
AN ACT

To amend and reenact R.S. 28:21, relative to state mental health institutions; to authorize the assistant secretary of the office of mental health of the Department of Health and Hospitals to reorganize and consolidate the administration of state mental health institutions to comply with the State Mental Health Plan; to provide for the authority of the assistant secretary to establish community cottages; 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	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 Hines moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 1514—
BY REPRESENTATIVES DOWNER, ANSARDI, DONELON, AND JOHN SMITH
AN ACT

To enact R.S. 39:14(6), relative to state lands; to exempt the Military Department, state of Louisiana, from certain provisions relative to the administration of state lands; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields	Landry
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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
Dean	Jordan	Ullo
Ellington	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Dyess
Bagneris	Robichaux
Total—4	

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

HOUSE BILL NO. 1690—

BY REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 36:401(C)(1), 405(A)(1)(b), and 408(D)(introductory paragraph), relative to the office of state fire marshal; to change the name to the office of code enforcement and building safety; 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

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

NAYS

Dean
Total—1

ABSENT

Mr. President	Dyess
Bagneris	Robichaux
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. 1723—

BY REPRESENTATIVES WESTON, CLARKSON, JETSON, RIDDLE, BARTON, BAUDOIN, BAYLOR, BRUCE, BRUNEAU, DOERGE, DOWNER, DUPRE, FAUCHEUX, FLAVIN, FRITH, FRUGE, GUILLORY, HEBERT, HILL, HOLDEN, HUNTER, ILES, JOHNS, LANDRIEU, MARIONNEAUX, MARTINY, MCDONALD, MICHOT, MURRAY, ODINET, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, ROMERO, ROUSSELLE, SCHNEIDER, STELLY, TRAVIS, WELCH, WIGGINS, WILKERSON, AND WILLARD-LEWIS

AN ACT

To enact R.S. 46:286.1, relative to the Kinship Foster Care Program; to provide for definitions; to establish the Kinship Foster Care Program in the office of community services of the Department of Social Services; to require the office of community services to attempt to place children in its custody with a relative for kinship care; to allow the kinship foster parent to receive payment for the full foster care rate available to other foster parents; to require kinship foster parents to be reimbursed according to the system established by the department; to require the office of community services to establish eligibility standards for kinship foster parents; to require completion of a criminal history investigation of the prospective kinship foster parent and any other adult residing in the prospective parents' home; to make the disclosure of information obtained in the investigation unlawful, except for purposes of determining eligibility; to provide for the procedure by which the office of community services shall determine eligibility; to require the development of a kinship foster care plan; to require payment for child care, subject to appropriation; to provide for the rights of the kinship foster parent; to require the department to promulgate rules and regulations; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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
Dean	Jordan	Ullo
Ellington	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Dyess
Bagneris	Robichaux
Total—4	

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

HOUSE BILL NO. 1781—

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 30:129(A), relative to the State Mineral Board; to provide relative to the powers, duties, and authority of the board; to provide relative to pooling agreements and operating units; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean
Total—1

ABSENT

Mr. President	Dyess
Bagneris	Robichaux
Total—4	

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. 1783—
BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 30:148.2, relative to the Department of Natural Resources; to provide relative to duties and powers of the office of mineral resources; to provide relative to lands which may be leased; to authorize the granting of surface/subsurface agreements for the erection and use of certain facilities or equipment where appropriate on unleased acreage; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Bagneris	Robichaux
Total—3		

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. 1789—
BY REPRESENTATIVE FLAVIN
AN ACT

To enact R.S. 30:27, relative to orders of the commissioner of conservation in the Department of Natural Resources; to provide that work orders or compliance orders of the commissioner are sufficient to authorize the entering of lands of another person; to provide terms, conditions, and requirements for such entry; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Landry
Total—1

ABSENT

Mr. President	Bagneris	Robichaux
Total—3		

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

HOUSE BILL NO. 1792—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 30:11.1, relative to filing and recording of orders creating drilling or production units by the commissioner of conservation; to provide for the filing of copies of such orders; and to provide for related matters.

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

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ROLL CALL

The roll was called with the following result:

YEAS

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

Total—36

NAYS

Total—0

ABSENT

Mr. President	Bagneris	Robichaux
Total—3		

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

HOUSE BILL NO. 1853—

BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact R.S. 22:1388, relative to the Louisiana Insurance Guaranty Association (LIGA); to provide that the commissioner of insurance shall only determine LIGA's accounting and reporting methods; to provide for retroactivity; and to provide for related matters.

Floor Amendments Sent Up

Senator Bean sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bean to Engrossed House Bill No. 1853 by Representative Donelon

AMENDMENT NO. 1

In Senate Committee Amendment No. 4 proposed by the Senate Committee on Insurance and adopted by the Senate on May 22, 1997, on page 1, line 19, between "selected" and "by" insert ", at the next available opening,"

On motion of Senator Bean, 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. 1853 by Representative Donelon

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 4, proposed by the Senate Committee on Insurance and adopted by the Senate on May 22, 1991.

AMENDMENT NO. 2

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

"§ 1381. Board of Directors

A.(1) The board of directors of the association shall consist of nine persons serving terms as established in the plan of operation. The board shall be composed of two consumer representatives appointed by the commissioner, one person appointed by the president of the Senate, one person appointed by the speaker of the House of Representatives, all of whom shall be residents of the state of Louisiana, and five additional persons selected by member insurers, one of which shall be a representative selected by the membership of the Louisiana Association of Fire and Casualty Companies (LAFAC), subject to the approval of the commissioner. Vacancies in the positions for which persons are selected by member insurers shall be filled until the next regularly scheduled election for a member of the board by a majority vote of the remaining members, subject to the approval of the commissioner. At the next regularly scheduled election for a member of the board, the member insurers shall select a member to serve the remainder of the unexpired term of any member appointed by the board, subject to the approval of the commissioner. No person shall serve as a member after his replacement has been either appointed or selected by member insurers and approved by the commissioner. The commissioner shall transmit to the board his approval or disapproval of new board members within thirty days after he has been notified of their selection, and he shall accompany any disapproval of a board member with his written reasons for such disapproval.

* * *

On motion of Senator Lentini, the amendments were adopted.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed House Bill No. 1853 by Representative Donelon

AMENDMENT NO. 1

On page 1, line 4, delete "only"

On motion of Senator Hainkel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

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Barham	Fields	Malone
Bean	Greene	Romero
Branch	Heitmeier	Short
Cain	Hines	Siracusa
Campbell	Hollis	Smith
Casanova	Irons	Tarver
Cox	Johnson	Theunissen
Cravins	Jones	Ullo
Dardenne	Jordan	
Dean	Lambert	
Total—34		

NAYS

Guidry
Total—1

ABSENT

Bagneris	Robichaux
Hainkel	Schedler
Total—4	

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. 2050—
BY REPRESENTATIVES RIDDLE AND DEWITT
AN ACT

To amend and reenact R.S. 40:29, relative to laboratories operated by the office of public health of the Department of Health and Hospitals; to provide for a schedule of fees to be charged by such laboratories; to provide for the collection of such fees; to provide exceptions; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—0

ABSENT

Bagneris	Hainkel	Robichaux
Total—3		

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. 2060—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 6:646(A)(3) and (4) and to enact R.S. 6:646(A)(5), relative to the merger or conversion of federally chartered credit unions; to permit federally chartered credit unions to convert to or merge with state-chartered credit unions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Robichaux
Hainkel	Ullo
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. 2072—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 37:1783, 1787(E), 1788(C), 1799(A), and 1807(A), and to enact R.S. 37:1796(A)(8), relative to pawnbrokers; to provide relative to the notice given to the commissioner of change of location by a pawnbroker; to provide relative to bonding and net worth requirements; to provide relative to pawn transactions; to provide relative to records that must be kept; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bajoie	Ellington	Landry
Barham	Fields	Lentini
Bean	Greene	Malone
Branch	Guidry	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Short

Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Jordan	
Total—35		

NAYS

Total—0

ABSENT

Bagneris	Robichaux
Hainkel	Ullo
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. 2156—
BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 9:3531, 3532(A), 3548(B) and 3550(E)(3) and (H), relative to consumer credit transactions; to provide relative to the fees that can be charged for the prepayment of a consumer transaction; to provide relative to the return of unearned insurance premiums; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Robichaux
Hainkel	Ullo
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. 2205—
BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 6:416 and 707(D), to enact R.S. 6:1208.1, and to repeal R.S. 6:707(E), relative to the purchase of stock by financial institutions; to provide relative to the purchase of its own stock by a financial institution; and to provide for related matters.

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Engrossed House Bill No. 2205 by Representative Travis

AMENDMENT NO. 1

On page 1, line 2, after "reenact R.S." insert "6:236(B)(2),"

AMENDMENT NO. 2

On page 1, line 7, after "R.S." insert "6:263(B)(2),"

AMENDMENT NO. 3

On page 1, between line 8 and 9, insert the following"

"§263. Dividends; stock repurchase or redemption; capital surplus required

* * *

B. * * *

(2) Prior approval of the commissioner shall be required if the total of all dividends declared and paid by the state bank and amounts used to redeem or repurchase the state bank's stock during any one year would exceed the total of its net profits of that year combined with the net profits from the immediately preceding year. For the purposes of this Section, "net profits" is defined as the remainder of all earnings from current operations and other assets, after deducting from the total thereof all current operating expenses, paid and accrued dividends on preferred stock, if any, all federal and state taxes, dividends on common stock paid or accrued and amounts paid or accrued to redeem or repurchase stock over the calculation period. Negative net profits shall not be rounded to zero in the calculation."

AMENDMENT NO. 4

On page 2, line 6, after the word "purchase" insert "or redeem" and on line 7, after "stock" delete "subject to redemption"

On motion of Senator Hollis, the amendments were adopted.

The bill was read by title. Senator Hollis moved final passage of the amended 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
Cox	Hollis	Siracusa
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones	Theunissen
Dyess	Jordan	Ullo
Ellington	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Casanova
Bagneris	Robichaux
Total—4	

June 5, 1997

The Chair declared the amended 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. 2228—
BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact R.S. 22:2004(C)(12) and (13), 2017(C), 2018(A), 2021, and 2026(B) and to enact R.S. 22:2004(D)(1)(f), 2022(D), and 2026(C) and (D), relative to health maintenance organizations; requires health maintenance organizations to explain all terms for payment or payment reductions; establishes accreditation standards for quality assurance; establishes minimum requirements for utilization review and grievance requirements; requires establishment of provider grievance procedures; requires notice to enrollees regarding benefits and coverage; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Lambert	Robichaux
Total—3		

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

HOUSE BILL NO. 2353 (Substitute for House Bill No. 1787 by Representative DeWitt)—
BY REPRESENTATIVES JOHN SMITH, FAUCHEUX, AND FRITH
AN ACT

To amend and reenact R.S. 36:358(D)(2) and R.S. 38:3098.5 and to enact R.S. 17:1492, relative to the Louisiana Geological Survey; to transfer such entity from the Department of Natural Resources to Louisiana State University; 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	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 Lambert moved to reconsider the vote by which the bill was passed and laid the motion on the table.

HOUSE BILL NO. 7—
BY REPRESENTATIVE BRUNEAU
AN ACT

To enact Code of Criminal Procedure Art. 890.2, relative to criminal sentencing; to provide that costs of incarceration may be assessed to be paid by a defendant as an element of a sentence; and to provide for related matters.

Floor Amendments Sent Up

Senator Fields sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Fields to Engrossed House Bill No. 7 by Representative Bruneau

AMENDMENT NO. 1

On page 2, at the end of line 20, insert "However, ten percent of the funds shall go to the Crime Victims' Reparation Fund as provided in R.S. 46:1816"

On motion of Senator Fields, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

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HOUSE BILL NO. 87—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To enact R.S. 13:2111, relative to the clerk of the city court of Leesville; to require an assessment of a nonrefundable fee for filing of a civil suit or proceeding; to provide for the disposition of such fee; 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

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

NAYS

Total—0

ABSENT

Mr. President	Cravins
Cox	Robichaux
Total—4	

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. 578—
BY REPRESENTATIVE WINDHORST
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bagneris	Ellington	Lentini
Bajoie	Greene	Malone
Barham	Hainkel	Romero
Bean	Heitmeier	Schedler
Branch	Hines	Short
Cain	Hollis	Siracusa
Campbell	Johnson	Smith
Dardenne	Jones	Tarver
Dean	Jordan	Theunissen

Dyess	Landry	Ullo
Total—30		

NAYS

Guidry	Irons
Total—2	

ABSENT

Mr. President	Cravins	Robichaux
Casanova	Fields	
Cox	Lambert	
Total—7		

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. 667—
BY REPRESENTATIVES BRUNEAU AND WINDHORST
A JOINT RESOLUTION

Proposing to amend Article I, Section 18 of the Constitution of Louisiana, relative to right to bail; to provide that a defendant is not bailable if after a hearing a judge determines that he may flee or poses an imminent danger to others; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

HOUSE BILL NO. 668—
BY REPRESENTATIVES BRUNEAU AND WINDHORST
AN ACT

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

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

HOUSE BILL NO. 972—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 13:1373.1(A) and (B) and to repeal R.S. 13:1373.1(B) as amended by Acts 1981, No. 636, relative to the Criminal District Court for the parish of Orleans; to provide for additional court reporters and deputy court reporters; 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

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

Ellington
Total—34

Landry
NAYS

Total—0

ABSENT

Mr. President
Casanova
Total—5

Cox
Hainkel
Robichaux

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. 1094—
BY REPRESENTATIVES WINDHORST, DEWITT, AND SCHNEIDER
AN ACT

To amend and reenact R.S. 15:574.2(C)(7) and to enact R.S. 15:574.2(C)(11), relative to the Board of Parole; to provide for rulemaking authority for the Board of Parole; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President
Casanova
Total—5

Cox
Dean
Robichaux

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. 1309—
BY REPRESENTATIVE WILKERSON
AN ACT

To amend and reenact R.S. 28:841, R.S. 36:258(C) and (E)(1), and R.S. 47:9021, relative to compulsive or problem gambling; to transfer responsibility for operation of certain programs related to compulsive or problem gambling from the office of mental health of the Department of Health and Hospitals to the office of alcohol and drug abuse of the department; 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

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

NAYS

Total—0

ABSENT

Mr. President
Casanova
Total—4

Cox
Robichaux

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. 1860—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 33:4861.12(A)(2)(b), relative to charitable gaming; to authorize increased compensation for employees assisting in holding, operating, or conducting charitable games of chance; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bagneris	Greene	Lentini
Bajoie	Guidry	Malone
Barham	Hainkel	Romero
Bean	Heitmeier	Schedler
Branch	Hines	Short
Cain	Hollis	Siracusa
Campbell	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones	Theunissen
Ellington	Lambert	Ullo
Fields	Landry	
Total—32		

NAYS

Total—0

ABSENT

Mr. President
Casanova
Cox
Total—7

Cravins
Dyess
Jordan
Robichaux

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

HOUSE BILL NO. 2068—

BY REPRESENTATIVES DOWNER, BRUN, MCDONALD, LONG, DEWITT, ALARIO, CRANE, DANIEL, DUPRE, ILES, JOHNS, KENNEY, LEBLANC, MCCAIN, MCMAINS, MICHOT, POWELL, SALTER, SHAW, THOMAS, WALSWORTH, WIGGINS, DOERGE, R. ALEXANDER, BAUDOIN, BAYLOR, BOWLER, BRUCE, CLARKSON, DIMOS, DONELON, FLAVIN, FORSTER, FRITH, HEATON, HILL, KENNARD, LANCASTER, MITCHELL, MURRAY, PIERRE, RIDDLE, SCALISE, SCHNEIDER, JOHN SMITH, STRAIN, AND THOMPSON AND SENATORS DARDENNE, EWING, HAINKEL, BEAN, SCHEDLER, SMITH, AND THEUNISSEN

AN ACT

To enact R.S. 17:10.1 through 10.3 and R.S. 36:651(G)(3) and to repeal Subpart B of Part III of Chapter 39 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3917 through 3919, relative to school performance accountability; to provide for the development and implementation of a school and district accountability system; to provide for the implementation of such system to include both incentives and corrective actions to encourage excellent performance; to provide for the responsibilities and duties of the state Department of Education and the State Board of Elementary and Secondary Education; to create and provide for the School and District Accountability Advisory Commission; to establish and provide relative to a special fund for use in the program; to repeal the School Incentive Program established as part of the Children First Act; and to provide for related matters.

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

HOUSE BILL NO. 2138—

BY REPRESENTATIVES WINDHORST AND DEWITT

AN ACT

To amend and reenact R.S. 40:1375, to designate the State Police Training Academy the "Donald J. Thibodeaux Training Complex"; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Cox
Casanova	Robichaux
Total—4	

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

HOUSE BILL NO. 2233—

BY REPRESENTATIVES LONG, BARTON, BAUDOIN, CRANE, DOERGE, FARVE, MCDONALD, POWELL, PRATT, SALTER, SHAW, THOMPSON, WRIGHT, DOWNER, ALARIO, BAYLOR, BRUCE, BRUN, BRUNEAU, CARTER, CLARKSON, COPELIN, CURTIS, DEWITT, DIEZ, DONELON, DUPRE, DURAND, FONTENOT, FORSTER, FRITH, FRUGE, GLOVER, GUILLORY, HEBERT, HILL, HUDSON, HUNTER, ILES, KENNARD, KENNEY, LANDRIEU, MARTINY, MCCAIN, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MURRAY, PERKINS, PIERRE, PINAC, QUEZAIRE, RIDDLE, ROUSSELLE, SCALISE, SCHNEIDER, JACK SMITH, STRAIN, THOMAS, TRAVIS, VITTER, WALSWORTH, WARNER, WELCH, WIGGINS, WILKERSON, AND WILLARD-LEWIS

AN ACT

To enact R.S. 17:24.9, relative to the Quality Early Reading Initiative; to provide for the development and implementation of the Quality Early Reading Initiative; to provide for legislative findings; to provide for criteria and evaluation of the initiative; and to provide for related matters.

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

HOUSE BILL NO. 340—

BY REPRESENTATIVE TOOMY

AN ACT

To repeal R.S. 36:706(B), relative to the Board of Commissioners for the Promotion of Uniformity of Legislation in the United States and the Louisiana Commission on Legal Education and Clinical Services; to remove such agencies within the Department of Justice; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Cox
Casanova	Robichaux
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. 365—

BY REPRESENTATIVES TRAVIS, BARTON, DURAND, FRITH, GAUTREAU, HILL, MICHOT, MURRAY, PINAC, POWELL, SCHNEIDER, AND WESTON

AN ACT

To amend and reenact R.S. 51:1752(4), relative to the economically disadvantaged business development program; to provide for the definition of "economically disadvantaged person"; 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

Table listing YEAS for House Bill No. 365, including names like Bagneris, Bajoie, Barham, Branch, Cain, Campbell, Cravins, Dardenne, Dean, Dyess, Ellington, Fields, and totals.

NAYS

Total—0

ABSENT

Table listing ABSENT for House Bill No. 365, including Mr. President, Casanova, Robichaux, Bean, Cox, and total.

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. 389—

BY REPRESENTATIVE MCMAINS

AN ACT

To enact R.S. 37:93 through 117 and 250 through 273, relative to certified public accountants and attorneys; to provide for the establishment and functions of public accountant review panels and attorney review panels; to provide for the review and evaluation of professional negligence claims against certified public accountants and attorneys; to provide for the selection and duties of the members of the review panel; to provide for compensation; to provide for the payment of costs; and to provide for related matters.

Floor Amendments Sent Up

Senator Jordan sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jordan to Reengrossed House Bill No. 389 by Representative McMains

AMENDMENT NO. 1

On page 12, line 23, delete "admissibility of opinions as evidence; and delete lines 25 and 26 in its entirety, and on page 13, deletes lines 1 through 5 in their entirety and on line 6 delete "party calling him"

Senator Jordan moved adoption of the amendments.

Senator Theunissen objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing YEAS for House Bill No. 389, including Barham, Dardenne, Ellington, Jordan, Lentini, and total.

NAYS

Table listing NAYS for House Bill No. 389, including Bagneris, Bajoie, Bean, Branch, Cain, Dean, Dyess, Fields, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Lambert, Landry, Malone, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo, and total.

ABSENT

Table listing ABSENT for House Bill No. 389, including Mr. President, Campbell, Casanova, Cox, Cravins, Greene, Robichaux, Romero, and total.

The Chair declared the amendments were rejected.

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

Table listing YEAS for House Bill No. 389, including Bagneris, Bajoie, Barham, Bean, Branch, Cain, Campbell, Dardenne, Dyess, Ellington, Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Johnson, Jones, Lambert, Landry, Lentini, Malone, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo, and total.

NAYS

Table listing NAYS for House Bill No. 389, including Dean, Irons, Jordan, and total.

ABSENT

Table listing ABSENT for House Bill No. 389, including Mr. President, Casanova, Cox, Cravins, Robichaux, and total.

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.

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HOUSE BILL NO. 417—
 BY REPRESENTATIVES TRAVIS, BARTON, DURAND, FRITH,
 GAUTHREAU, HILL, MICHOT, MURRAY, PINAC, POWELL, SCHNEIDER,
 AND WESTON

AN ACT

To enact R.S. 51:2312(G), relative to the Louisiana Economic Development Corporation; to require all persons receiving financial assistance or grants or participating in investment programs be United States citizens; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Cox	Robichaux
Casanova	Hollis	
Total—5		

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. 418—
 BY REPRESENTATIVES TRAVIS, BARTON, DURAND, FLAVIN, FRITH,
 GAUTREAU, HILL, MICHOT, MURRAY, PINAC, POWELL, SCHNEIDER,
 AND WESTON

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bagneris	Fields	Landry
Bajoie	Greene	Lentini
Barham	Guidry	Malone
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Short
Campbell	Hollis	Siracusa

Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones	Theunissen
Dyess	Jordan	Ullo
Ellington	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Mr. President	Cox
Casanova	Robichaux
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. 469—
 BY REPRESENTATIVE GREEN
 AN ACT

To enact R.S. 10:4A-209(e), relative to banks; to prohibit banks from charging a beneficiary a fee for cashing a check; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Cox
Casanova	Robichaux
Total—4	

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

HOUSE BILL NO. 471—
 BY REPRESENTATIVES GREEN AND MURRAY
 AN ACT

To amend and reenact R.S. 9:3527(D), relative to consumer credit transactions; to require a creditor to notify a consumer before converting a precomputed consumer credit transaction into a simple interest transaction; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Cox
Casanova	Robichaux
Total—4	

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

HOUSE BILL NO. 499—
BY REPRESENTATIVE MICHOT
AN ACT

To amend and reenact R.S. 51:1909.1(A) and to enact R.S. 51:1901(8) and 1901.2, relative to commercial co-venturers; to provide a definition; to provide for final accounting for charitable sales promotions; to provide for the promulgation of rules for disclosure of the percentage of funds collected by commercial co-venturers that actually goes to the charitable organization; to provide for violations and penalties; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Cox	Robichaux
Casanova	Cravins	
Total—5		

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

HOUSE BILL NO. 553—
BY REPRESENTATIVE TRAVIS
AN ACT

To enact R.S. 37:2156.1(D)(3), relative to the licensure of contractors; to provide for ineligibility of service as a qualifying party for any person found cheating on a board examination; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bagneris	Greene	Lentini
Bajoie	Guidry	Malone
Barham	Heitmeier	Romero
Bean	Hines	Schedler
Branch	Hollis	Short
Cain	Irons	Siracusa
Campbell	Johnson	Smith
Dardenne	Jones	Tarver
Dean	Jordan	Theunissen
Dyess	Lambert	Ullo
Ellington	Landry	
Total—32		

NAYS

Total—0

ABSENT

Mr. President	Cravins	Robichaux
Casanova	Fields	
Cox	Hainkel	
Total—7		

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. 554—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 37:2150.1(7), relative to contractors; to provide for definition of "person"; and to provide for related matters.

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Reengrossed House Bill No. 554 by Representative Travis

AMENDMENT NO. 1

In Senate Committee Amendments Number 1 of amendments proposed by the Senate Committee on Commerce and adopted by the Senate on May 29, 1997, on line 3, after "project" insert the following: "which

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exceeds the contract limits provided in R.S. 38:2212 and"

On motion of Senator Hollis, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bagneris, Bajoie, Barham, Branch, Cain, Campbell, Cravins, Dardenne, Dean, Dyess, Ellington, Fields, Total—34; 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

Table with 3 columns: Mr. President, Bean, Total—5; Casanova, Cox; Robichaux.

The Chair declared the amended 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. 555— BY REPRESENTATIVE TRAVIS AN ACT

To amend and reenact R.S. 37:2150.1(4), relative to contractors; to provide for definition of "contractor"; 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

Table with 3 columns of names: Bajoie, Barham, Bean, Branch, Cain, Campbell, Cravins, Dardenne, Dean, Dyess, Fields, Total—33; Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert; Landry, Lentini, Malone, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Table with 2 columns: Bagneris, Total—2; Ellington.

ABSENT

Table with 2 columns: Mr. President, Casanova, Total—4; Cox, Robichaux.

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. 556— BY REPRESENTATIVE TRAVIS AN ACT

To amend and reenact R.S. 37:2152(A)(3)(a) and (4)(a), relative to State Licensing Board for Contractors; to provide for appointments from the field of mechanical construction; to provide for appointments from the field of electrical construction; and to provide for related matters.

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Engrossed House Bill No. 556 by Representative Travis

AMENDMENT NO. 1

On page 1, line 2, after "(A)" insert "(2)(a)(i),"

AMENDMENT NO. 2

On page 1, line 8, after "(A)" insert "(2)(a)(i),"

AMENDMENT NO. 3

On page 1, after line 13 insert the following: "(2)(a)(i) The Board of Directors of the Louisiana A.G.C. Council, Inc., shall submit a list of not less than ten names by certification of its president and secretary of state at the state capitol within fifteen days from September 9, 1988."

On motion of Senator Hollis, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bagneris, Bajoie, Barham, Bean, Branch, Cain, Campbell, Cravins, Dardenne, Dean, 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

Table with 3 columns: Casanova, Cox, Robichaux.

Total—3

The Chair declared the amended 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. 557—
BY REPRESENTATIVE TRAVIS
AN ACT

To enact R.S. 37:2153(F), relative to contractors; to provide for powers of the State Licensing Board for Contractors; to allow for delegation of powers and duties; 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	Fields	Landry
Bagneris	Greene	Lentini
Bajoie	Guidry	Malone
Barham	Hainkel	Romero
Bean	Heitmeier	Schedler
Branch	Hines	Short
Cain	Hollis	Siracusa
Campbell	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Dyess	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Casanova	Ellington
Cox	Robichaux
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. 558—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 37:2156.1(C) and (D)(1)(introductory paragraph) and (c), relative to licensure of contractors; to provide for requirements for issuance of a license; to provide for qualification as a qualifying party; 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	Ellington	Lambert
Bagneris	Fields	Landry
Bajoie	Greene	Lentini
Barham	Guidry	Malone
Bean	Hainkel	Romero

Branch	Heitmeier	Schedler
Cain	Hines	Short
Campbell	Hollis	Siracusa
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones	Theunissen
Dyess	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Casanova	Cox	Robichaux
Total—3		

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

HOUSE BILL NO. 559—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 37:2162(A), relative to violations of the provisions regulating contractors; to provide for payment of litigation expenses; 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	Fields	Landry
Bagneris	Greene	Lentini
Bajoie	Guidry	Malone
Barham	Hainkel	Romero
Bean	Heitmeier	Schedler
Branch	Hines	Short
Cain	Hollis	Siracusa
Campbell	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones	Theunissen
Dyess	Jordan	Ullo
Ellington	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Casanova	Cravins
Cox	Robichaux
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. 560—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 37:2158(A)(introductory paragraph) and to enact R.S. 37:2158(A)(8) and (9), relative to contractors; to provide relative to revocation, suspension, and renewal of license; to provide for issuance of cease and desist orders; and to provide for related matters.

June 5, 1997

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

Total—34

NAYS

Total—0

ABSENT

Casanova	Cravins	Robichaux
Cox	Ellington	

Total—5

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. 561—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 37:2163(E), relative to contractors; to provide for hearings and imposition of fines by the board for violations of bid procedures; 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	Ellington	Landry
Bagneris	Fields	Lentini
Bajoie	Greene	Malone
Barham	Guidry	Romero
Bean	Hainkel	Schedler
Branch	Heitmeier	Short
Cain	Hines	Siracusa
Campbell	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jones	Ullo
Dean	Jordan	
Dyess	Lambert	

Total—34

NAYS

Total—0

ABSENT

Casanova	Johnson	Tarver
Cox	Robichaux	

Total—5

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. 567—

BY REPRESENTATIVES TRAVIS, BARTON, DURAND, FLAVIN, FRITH, GAUTREAU, HILL, MICHOT, MURRAY, PINAC, POWELL, SCHNEIDER, AND WESTON

AN ACT

To enact R.S. 49:191(11) and to repeal R.S. 49:191(8)(b), relative to the Department of Economic Development, including provisions to provide for the re-creation of the Department of Economic Development 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.

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

Total—34

NAYS

Total—0

ABSENT

Casanova	Cravins	Tarver
Cox	Robichaux	

Total—5

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. 590—

BY REPRESENTATIVE LANCASTER AND SENATOR DARDENNE

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Hainkel	Malone
Total—2	

ABSENT

Bajoie	Cox	Robichaux
Casanova	Cravins	
Total—5		

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. 591—
BY REPRESENTATIVE LANCASTER AND SENATOR DARDENNE
AN ACT

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

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

NAYS

Total—0

ABSENT

Casanova	Cravins	Robichaux
Cox	Ellington	

Total—5

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. 592—
BY REPRESENTATIVE LANCASTER AND SENATOR DARDENNE
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Casanova	Cravins
Cox	Robichaux
Total—4	

On motion of Senator Dardenne, the amendments were adopted.

HOUSE BILL NO. 606—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 37:3276(E), 3277(A)(3), 3279(C), 3283(A)(3) and (4)(a), 3284(C), (D)(2), (H), and (J), and 3290(C)(2) and to repeal R.S. 37:3290(C)(1), relative to licensed private security officers; to provide for the minimum amount of liability insurance required; to provide relative to reexamination and submission of information to the board; to provide relative to registration, training, and uniforms; 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

June 5, 1997

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

NAYS

Dean
Total—1

ABSENT

Casanova	Cravins	Hines
Cox	Ellington	Robichaux
Total—6		

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. 607—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 51:1258(B), relative to the office of tourism; to provide for appointment of the assistant secretary by the lieutenant governor; 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	Fields	Landry
Bagneris	Greene	Lentini
Bajoie	Guidry	Malone
Barham	Hainkel	Romero
Bean	Heitmeier	Schedler
Branch	Hines	Short
Cain	Hollis	Siracusa
Campbell	Irons	Smith
Dardenne	Jones	Tarver
Dyess	Jordan	Theunissen
Ellington	Lambert	Ullo
Total—33		

NAYS

Dean
Total—1

ABSENT

Casanova	Cravins	Robichaux
Cox	Johnson	
Total—5		

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. 784—
BY REPRESENTATIVE HOLDEN
AN ACT

To amend and reenact R.S. 40:941(C), relative to handling of meat not slaughtered under license; to add field dressing of wild game intended for human consumption to the listing of exceptions to the licensure requirement; to provide that the Louisiana Department of Health and Hospitals promulgate rules and regulations addressing the field dressing of wild game; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bean	Cox	Robichaux
Casanova	Hollis	
Total—5		

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. 793—
BY REPRESENTATIVE MICHOT
AN ACT

To enact R.S. 37:3503(8)(b)(x), relative to certified public accountants; to exempt certified public accountants from the definition of "private investigator" or "private detective"; 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	Greene	Lentini
Bagneris	Guidry	Malone
Barham	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Short
Campbell	Hollis	Siracusa
Cravins	Irons	Smith
Dardenne	Johnson	Tarver

Dean	Jones	Theunissen
Dyess	Jordan	Ullo
Ellington	Lambert	
Fields	Landry	
Total—34		

NAYS

Total—0

ABSENT

Bajoie	Casanova	Robichaux
Bean	Cox	
Total—5		

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. 809—
BY REPRESENTATIVE WESTON
AN ACT

To amend and reenact R.S. 25:783 and R.S. 36:208(E) and to enact Chapter 21-A of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:911 through 913, relative to the Department of Culture, Recreation and Tourism; to establish the division of historic preservation within the office of cultural development of the department; to provide with respect to such division including matters of authority, duties, responsibilities, organization, governance, and placement within the executive branch of state government; 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	Fields	Landry
Bagneris	Greene	Lentini
Bajoie	Guidry	Malone
Barham	Hainkel	Romero
Branch	Heitmeyer	Schedler
Cain	Hines	Short
Campbell	Hollis	Siracusa
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones	Theunissen
Dyess	Jordan	Ullo
Ellington	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Bean	Cox
Casanova	Robichaux
Total—4	

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. 932—
BY REPRESENTATIVE GREEN
AN ACT

To amend and reenact R.S. 22:2021, relative to health maintenance organizations (HMOs); to require HMOs to approve or disapprove a request for certain medical testing or treatment within forty-eight hours of receipt of the request; and to provide for related matters.

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

HOUSE BILL NO. 956—
BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 40:1563.4 and to repeal R.S. 40:1637(B), relative to the state fire marshal; to provide for the imposition of civil penalties for violations; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Landry
Bagneris	Greene	Lentini
Bajoie	Guidry	Malone
Barham	Hainkel	Romero
Branch	Heitmeyer	Schedler
Cain	Hines	Short
Campbell	Hollis	Siracusa
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones	Theunissen
Dyess	Jordan	
Ellington	Lambert	
Total—34		

NAYS

Total—0

ABSENT

Bean	Cox	Ullo
Casanova	Robichaux	
Total—5		

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. 1046—
BY REPRESENTATIVES R. ALEXANDER, DEWITT, AND DURAND
AN ACT

To amend and reenact R.S. 28:426 and to enact R.S. 40:2009.6(B)(5), relative to licenses issued by the Department of Health and Hospitals; to authorize the department to revoke the license of a provider of mental retardation and developmental disabilities services, residential living options, or both, who fails to timely report or pay any fee or who becomes delinquent in the payment of any fee owed to the department; to authorize revocation or denial of renewal of a nursing home license for the failure to timely report or pay any fee or delinquency in payment of any fee owed to the department; to specify that such fees include provider fees imposed by law; and to provide for related matters.

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

June 5, 1997

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—35

NAYS

Total—0

ABSENT

Casanova	Robichaux
Cox	Tarver

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. 1048—

BY REPRESENTATIVES R. ALEXANDER, DEWITT, DURAND, GAUTREAUX, JOHNS, RIDDLE, THOMPSON, THORNHILL, AND VITTER AND SENATOR ROBICHAUX

AN ACT

To enact R.S. 36:254(D)(2) and (3), relative to the powers and duties of the secretary of the Department of Health and Hospitals; to provide for powers and duties of the secretary relative to the Medical Assistance Program; 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
Bagneris	Fields	Landry
Bajoie	Greene	Lentini
Barham	Guidry	Malone
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Siracusa
Campbell	Hollis	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones	Ullo
Dyess	Jordan	

Total—35

NAYS

Total—0

ABSENT

Casanova	Robichaux
Cox	Short

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. 1086—

BY REPRESENTATIVE WESTON

AN ACT

To amend and reenact R.S. 25:341(A), (D), and (E), 342(A)(1), (2)(c), (5), (6), and (8), (B)(2) and (3), and (C), 343, 344, 345(A), (B), (C)(2), 349, and 351 and R.S. 36:207(A)(2) as amended and reenacted by Act No. 687 of the 1983 Regular Session of the Legislature and 909 and to repeal R.S. 25:342(F) and R.S. 36:207(A)(2) as amended and reenacted by Act No. 688 of the 1983 Regular Session of the Legislature, to provide relative to the Louisiana State Museum and the office of the state museum of the Department of Culture, Recreation and Tourism; to provide for the operation and management of the museum and the office; to provide for the holdings of the museum; to provide for the Board of Directors of the Louisiana State Museum, including membership, powers and duties, and the executive committee; to provide for the director of the museum and the assistant secretary of the office of the state museum; to provide for fees, contracts, leases, and donations; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—32

NAYS

Ellington	Hainkel
-----------	---------

Total—2

ABSENT

Bagneris	Cox	Robichaux
Casanova	Dyess	

Total—5

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

HOUSE BILL NO. 1095—

BY REPRESENTATIVES GREEN AND MURRAY

AN ACT

To amend and reenact R.S. 6:315.1(A), relative to banks and banking; to provide for the transfer of small deposits to the surviving spouse or heirs upon the death of an intestate depositor; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Cox
Casanova	Robichaux
Total—4	

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

HOUSE BILL NO. 1104—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 37:493(A)(1), (B), (D), (G), and (H), 496, 497(A), 498(G), 499, 504(6) through (8), 504.1(6) through (8), 509(A)(1) and (C), 512(B), 516(A)(1), 541(A) and (C), 543, 544, and 554, to enact R.S. 37:493(I) and (J), 499.1, and 509.1, and to repeal R.S. 37:493(C)(3), 497(B), 498(E), and 509(E), relative to cosmetology; to provide relative to the Louisiana State Board of Cosmetology, its members and its duties; to provide for compensation, expenses, and duties of board members, the chief inspector, and the executive director; to provide for inspections and inspectors; to provide for an examination team; and to provide for related matters.

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Reengrossed House Bill No. 1104 by Representative Travis

AMENDMENT NO. 1

Delete Senate Committee Amendments proposed by the Senate Committee on Commerce and Consumer Protection and adopted by the Senate on May 29, 1997.

AMENDMENT NO. 2

On page 4, line 14, delete "thirty" and insert "fifty"

AMENDMENT NO. 3

On page 4, line 22, delete "twenty-five" and insert "fifty"

Senator Hollis moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Greene	Landry
Barham	Guidry	Lentini
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Short
Campbell	Hollis	Siracusa
Dardenne	Irons	Smith
Ellington	Jordan	Tarver
Fields	Lambert	Ullo
Total—27		

NAYS

Dean	Malone	Theunissen
Total—3		

ABSENT

Bagneris	Cox	Johnson
Bajoie	Cravins	Jones
Casanova	Dyess	Robichaux
Total—9		

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Greene	Lambert
Barham	Guidry	Lentini
Bean	Hainkel	Malone
Branch	Heitmeier	Romero
Campbell	Hines	Schedler
Dardenne	Hollis	Short
Dean	Irons	Siracusa
Ellington	Jones	Ullo
Fields	Jordan	
Total—26		

NAYS

Cain	Landry	Theunissen
Dyess	Smith	
Total—5		

ABSENT

Bagneris	Cox	Robichaux
Bajoie	Cravins	Tarver
Casanova	Johnson	
Total—8		

The Chair declared the amended 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.

Personal Privilege

Senator Ellington asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the

June 5, 1997

amendment by Senator Hollis to House Bill No. 1104. He voted yea on the amendment and had intended to vote nay. He asked that the Official Journal so state.

Personal Privilege

Senator Ellington 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. 1104. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

HOUSE BILL NO. 1193—

BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 40:1573, relative to the state fire marshal; to provide for the definition of "structure"; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris Cox Robichaux
Casanova Hainkel
Total—5

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. 1237—

BY REPRESENTATIVES THOMAS, DEWITT, AND DURAND
AN ACT

To amend and reenact R.S. 40:17 and to enact R.S. 40:31.22(E), relative to tuberculosis; to authorize the detention of an individual with active and communicable tuberculosis by execution of an emergency certificate; to provide for the maximum period of detention; to provide for the transfer of a patient to a tuberculosis unit or clinic; to provide for penalties for violation of an emergency certificate and release of the patient upon expiration of the emergency certificate; to establish a procedure for the preparation and issuance of an emergency certificate including procedures for the examination of the patient, factors to be used by a physician when determining if an emergency certificate should be executed, and follow-up examination procedures; to require the inpatient treatment facility to determine if a patient in a facility for tuberculosis is in need of medical stabilization for other conditions and to provide for the temporary transfer of such patient for

medical stabilization treatment when necessary; 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
Bean Hainkel Romero
Branch Heitmeier Schedler
Cain Hines Short
Campbell Hollis Siracusa
Cravins Irons Smith
Dardenne Johnson Tarver
Dean Jones Theunissen
Dyess Jordan Ullo
Ellington Lambert
Total—35

NAYS

Total—0

ABSENT

Bagneris Cox
Casanova Robichaux
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. 1337—

BY REPRESENTATIVES ANSARDI, DONELON, DOWNER, BAYLOR, CLARKSON, DUPRE, PIERRE, PRATT, QUEZAIRES, ROUSSELLE, WESTON, WILLARD-LEWIS, WINSTON, AND WRIGHT
AN ACT

To amend and reenact the title of Chapter 18 of Title 25 of the Louisiana Revised Statutes of 1950 and R.S. 25:851 and 856, to rename the "Louisiana Military History and State Weapons Museum" as the "Ansel M. Stroud, Jr. Military History and Weapons Museum"; and to provide for related matters.

Rules Suspended

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

Senator Branch objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bean Hines Romero
Cravins Hollis Schedler
Dean Irons Short
Ellington Jordan Siracusa
Fields Lambert Smith
Greene Landry Theunissen
Guidry Lentini Ullo
Hainkel Malone
Total—23

NAYS

Barham	Cain	Heitmeier
Branch	Dardenne	Tarver
Total—6		

ABSENT

Mr. President	Casanova	Jones
Bagneris	Cox	Robichaux
Bajoie	Dyess	
Campbell	Johnson	
Total—10		

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

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

Rules Suspended

Senator Short asked for and obtained a suspension of the rules for the purpose of reverting to the order of

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

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

Called from the Calendar

Senator Jones asked that Senate Bill No. 1124 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 1124—
BY SENATOR JONES

AN ACT

To enact R.S. 51:1941(2)(e) and Civil Code Art. 2523, relative to civil actions; to provide for certain actions filed by the attorney general; and to provide for related matters.

Floor Amendments Sent Up

Senator Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Engrossed Senate Bill No. 1124 by Senator Jones

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "enact R.S. 51:1941(2)(e) and" and insert "amend and reenact" and after "25" delete "23" and insert "45"

AMENDMENT NO. 2

On page 1, line 3, after "actions" delete "filed by the attorney general"

AMENDMENT NO. 3

On page 1, delete lines 6 through 16

AMENDMENT NO. 4

On page 2, delete lines 1 and 2

AMENDMENT NO. 5

On page 2, line 3, after "Section" change "2" to "1"

AMENDMENT NO. 6

On page 2, line 3, after "25" change "23" to "45" and after "hereby" delete "enacted" and insert "amended and reenacted"

AMENDMENT NO. 7

On page 2, line 4, after "25" delete "23" and insert "45" and delete the remainder of the line and insert "Liability of seller who knows of the defect; presumptions of knowledge"

AMENDMENT NO. 8

On page 2, delete lines 5 through 11, and insert the following:

"A seller who ~~knows~~ **has actual knowledge or should have had actual knowledge prior to the sale** that the thing he sells has a defect but omits to declare it, or a seller who declares that the thing has a quality that he knows it does not have, is liable to the buyer for the return of the price with interest from the time it was paid, for the reimbursement of the reasonable expenses occasioned by the sale and those incurred for the preservation of the thing, and also for damages and reasonable attorney fees. **The seller who had actual knowledge of the defect prior to the sale shall also be liable for three times the amount of actual damages.** ~~If the use made of the thing, or the fruits it might have yielded, were of some value to the buyer, such a seller may be allowed credit for such use of fruits.~~

A seller is deemed to know that the thing he sells has a redhibitory defect when he is a manufacturer of that thing."

On motion of Senator Jones, the amendments were adopted.

Floor Amendments Sent Up

Senator Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Engrossed Senate Bill No. 1124 by Senator Jones

AMENDMENT NO. 1

Delete Senate Floor Amendment No. 8 proposed by Senator Jones and adopted by the Senate on June 5, 1997.

AMENDMENT NO. 2

On page 2, delete lines 5 through 11, and insert the following:

"A seller who ~~knows~~ **has actual knowledge or should have had actual knowledge prior to the sale** that the thing he sells has a defect but omits to declare it, or a seller who declares that the thing has a quality that he knows it does not have, is liable to the buyer for the return of the price with interest from the time it was paid, for the reimbursement of the reasonable expenses occasioned by the sale and those incurred for the preservation of the thing, and also for damages and reasonable attorney fees. **The seller who had actual knowledge of the defect prior to the sale shall also be liable for three times the amount of actual damages.** ~~If the use made of the thing, or the fruits it might have yielded, were of some value to the buyer, such a seller may be allowed credit for such use of fruits.~~

A seller is deemed to know that the thing he sells has a redhibitory defect when he is a manufacturer of that thing."

On motion of Senator Jones, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Jones
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June 5, 1997

Bagneris	Guidry	Jordan
Bajoie	Heitmeier	Landry
Dean	Irons	Tarver
Total—12		
NAYS		
Barham	Ellington	Schedler
Bean	Hainkel	Short
Branch	Hollis	Smith
Cain	Lentini	Theunissen
Dardenne	Malone	Ullo
Total—15		
ABSENT		
Campbell	Dyess	Lambert
Casanova	Greene	Robichaux
Cox	Hines	Romero
Cravins	Johnson	Siracusa
Total—12		

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

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

Called from the Calendar

Senator Jones asked that Senate Bill No. 1490 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 1490—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 27:306(A)(5), relative to the Video Draw Poker Devices Control Law; to provide with respect to the licensure of qualified truck stop facilities; to provide for the leasing of aspects of the business within qualified truck stop facilities; and to provide for related matters.

Floor Amendments Sent Up

Senator Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Engrossed Senate Bill No. 1490 by Senator Jones

AMENDMENT NO. 1

On page 2, between lines 15 and 16, insert the following:

"(c) The lessee shall not benefit in the lessor-lessee relationship as a result of an increase or decrease in video draw poker revenue."

Senator Jones moved adoption of the amendments.

Senator Jordan objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dean	Smith
Bagneris	Hainkel	Tarver

Bajoie	Heitmeier	Theunissen
Bean	Hollis	Ullo
Cain	Johnson	
Dardenne	Jones	
Total—16		
NAYS		
Branch	Irons	Schedler
Ellington	Jordan	Short
Fields	Lentini	
Guidry	Malone	
Total—10		
ABSENT		
Barham	Dyess	Robichaux
Campbell	Greene	Romero
Casanova	Hines	Siracusa
Cox	Lambert	
Cravins	Landry	
Total—13		

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 1490 by Senator Jones

AMENDMENT NO. 1

On page 2, line 5, after "restaurant" change the comma to "or" and after "store" delete the remainder of the line and on line 6, delete "other business"

AMENDMENT NO. 2

On page 2, line 10, after "devices." insert "If such lease or sublease is granted, the owner or lessor of such qualified truck stop facility shall maintain ultimate supervision and control of his entire truck stop premise."

AMENDMENT NO. 3

On page 2, line 12, after "revenue" insert "or unless he exercises some management or control over video draw poker devices"

AMENDMENT NO. 4

On page 2, after line 15, insert the following:

"(c) Any licensee who has leased or subleased a restaurant or convenience store prior to August 15, 1997, which lease does not meet the requirements provided in Subparagraph (b) of this Paragraph shall have until June 30, 1998 to comply with such provisions.

(d) After June 30, 1998, no licensee of a qualified truck stop facility may have the fuel facility portion of the qualified truck stop facility under a lease or sublease."

Rules Suspended

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

Senator Fields objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bagneris	Ellington	Schedler
Bajoie	Johnson	Smith
Barham	Jones	Tarver
Bean	Jordan	Theunissen
Dardenne	Landry	Ullo
Dean	Lentini	
Total—17		

NAYS

Branch	Guidry	Irons
Cain	Heitmeier	
Fields	Hollis	
Total—7		

ABSENT

Mr. President	Dyess	Malone
Campbell	Greene	Robichaux
Casanova	Hainkel	Romero
Cox	Hines	Short
Cravins	Lambert	Siracusa
Total—15		

The Chair declared the Senate refused to suspend the rules.

Motion

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

Senator Jones objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Hainkel	Short
Branch	Hollis	Smith
Cain	Jordan	Ullo
Dardenne	Malone	
Total—11		

NAYS

Bagneris	Fields	Landry
Bajoie	Heitmeier	Lentini
Bean	Irons	Schedler
Dean	Johnson	Tarver
Ellington	Jones	Theunissen
Total—15		

ABSENT

Mr. President	Dyess	Robichaux
Campbell	Greene	Romero
Casanova	Guidry	Siracusa
Cox	Hines	
Cravins	Lambert	
Total—13		

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

On motion of Senator Dardenne, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Guidry	Landry
Bagneris	Heitmeier	Schedler
Bajoie	Irons	Tarver
Bean	Johnson	Theunissen
Fields	Jones	
Total—14		

NAYS

Barham	Ellington	Malone
Branch	Hainkel	Short
Cain	Hollis	Smith
Dardenne	Jordan	Ullo
Dean	Lentini	
Total—14		

ABSENT

Campbell	Dyess	Robichaux
Casanova	Greene	Romero
Cox	Hines	Siracusa
Cravins	Lambert	
Total—11		

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

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

Rules Suspended

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 136—
BY SENATOR GUIDRY

A CONCURRENT RESOLUTION

To memorialize the Congress to enact a procedure for states to call a constitutional convention under Article V of the United States Constitution proposing one or more amendments.

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

Reports of Committees

The following reports of committees were received and read:

SUPPLEMENTAL

REPORT OF COMMITTEE ON

June 5, 1997

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:

HOUSE CONCURRENT RESOLUTION NO. 5—

BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION

To urge and request the Public Service Commission to petition the Federal Communications Commission for authority to regulate the rates charged by commercial mobile service, commercial mobile radio service as defined by the Federal Communications Commission, or private mobile service providers.

Reported with amendments.

Respectfully submitted,
KEN HOLLIS
Chairman

REPORT OF COMMITTEE ON

TRANSPORTATION, HIGHWAYS, AND PUBLIC WORKS

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

June 5, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 840—
BY SENATORS HAINKEL, DARDENNE AND EWING
AN ACT

To enact R.S. 38:2211(A)(12) and (13), and 2212.5 and 2212.6, relative to public contracts; to define debarment and suspension of contractors; to provide for the suspension or debarment of contractors for certain causes; to provide for the appeal of a suspension or debarment; to provide for judicial review; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 153—

BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to submit to the House and Senate Committees on Transportation, Highways and Public Works a full report on the present conditions of the state's railroad crossings including recommendations based on certain reports on how to improve safety at these crossings.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 184—

BY REPRESENTATIVES ALARIO, BOWLER, AND SCALISE
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and

Development to provide for two-way traffic on the Huey P. Long Bridge in Jefferson Parish, Louisiana, during general roadway surface repair work on the bridge.

Reported favorably.

HOUSE BILL NO. 111—
BY REPRESENTATIVE SALTER
AN ACT

To enact R.S. 32:1717(B)(4), relative to financial responsibility for tow truck operators; to authorize the use of self-insurance as proof of financial responsibility in lieu of insurance; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 306—
BY REPRESENTATIVE DOWNER
AN ACT

To amend and reenact R.S. 32:411(B)(2) and to enact R.S. 32:393(H) and 398(I), relative to drivers' licenses; to require law enforcement officers to take certain actions when it is determined that a driver who has been involved in an accident or is charged with a traffic violation has a medical condition which could result in possible suspension or revocation of his driver's license; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 357—
BY REPRESENTATIVES MCCAIN AND KENNEY
AN ACT

To amend and reenact R.S. 38:2212(A)(1)(d)(introductory paragraph), relative to contracts for public works; to provide for an increase in the contract limit over which such contracts must be advertised and let by contract to the lowest bidder; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 550—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact R.S. 32:63.1, relative to speed limits; to establish maximum speed limits in parts of St. Tammany Parish and adjacent areas; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 726—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact Chapter 26 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2021 through 2026, relative to the South Central Regional Transportation Authority; to create the South Central Regional Transportation Authority and to establish the boundaries thereof; to provide for a board of commissioners; to provide for the membership of such board and its powers, duties, and functions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 831—
BY REPRESENTATIVE WELCH
AN ACT

To enact R.S. 47:463.48, relative to motor vehicle registration; to provide for special prestige license plates for Laos War veterans; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 840—
BY REPRESENTATIVES MARTINY AND FAUCHEUX
AN ACT

To amend and reenact R.S. 47:532.1(A)(4) and (7) and to enact R.S. 47:532.1(A)(8), relative to public license tag agents; to delete the prohibition on advertising by such agents; to expand the authority of such agents to collect taxes on motor vehicle sales; to authorize certain auto title companies to qualify as public license tag agents; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 885—
BY REPRESENTATIVES MARIONNEAUX AND THOMPSON
AN ACT

To enact R.S. 32:387.8, relative to special permits; to provide for a special permit for trucks hauling certain agricultural products; to provide for weight limits under the special permit; to provide for prohibitions; and to provide for related matters.

Reported favorably.

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

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

Reported favorably.

HOUSE BILL NO. 918—
BY REPRESENTATIVES DIEZ AND DEWITT
AN ACT

To enact R.S. 49:191(10)(g) and to repeal R.S. 49:191(8)(g), relative to the Department of Transportation and Development; to provide for the re-creation, effective July 1, 1997, of the Department of Transportation and Development and the statutory entities made a part of the Department of Transportation and Development by the Executive Reorganization Act; 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 with amendments.

HOUSE BILL NO. 919—
BY REPRESENTATIVES DIEZ AND DEWITT
AN ACT

To amend and reenact R.S. 48:191, 192, 224.1, 228, and 229, relative to the state highway system; to create a system of state highways consisting of twelve functional classifications; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1113—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To direct and empower the Department of Transportation and Development to transfer title to certain property located in St. John the Baptist Parish to the descendants of and buyers from the original owners; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1151—
BY REPRESENTATIVE JACK SMITH
AN ACT

To require the Department of Transportation and Development to erect "Advance Warning" and "School Zone" signs and flashing caution lights on Louisiana Highway 70 in Stevensville, Louisiana, which is located in St. Martin Parish on both sides of the Stevensville Elementary School property and to erect "Advance Warning" and "School Zone" signs and flashing caution lights on Louisiana Highway 92 in the vicinity of the school grounds in Milton, Louisiana; to erect an "Advance Warning" sign on a specified area of Highway 61 in East Baton Rouge Parish; to erect flashing caution lights at the intersection of Louisiana Highway 70 and Louisiana Highway 1016-1 in Assumption Parish; to erect a red light at the intersection of Louisiana Highway 1 North and Fort Street in the city of Plaquemine which is located in Iberville Parish; to erect a traffic signal light at a certain intersection in the parish of Lafourche; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1152—
BY REPRESENTATIVES JACK SMITH, A. ALEXANDER, ANSARDI, CLARKSON, COPELIN, DAMICO, DANIEL, DEVILLE, DOERGE, DURAND, FRITH, FRUGE, GUILLORY, HEATON, HEBERT, HOLDEN, ILES, KENNEY, MARTINY, MCCAIN, McDONALD, MICHOT, MONTGOMERY, MURRAY, PERKINS, QUEZAIRE, ROMERO, JOHN SMITH, WALSWORTH, WARNER, WESTON, WIGGINS, WILLARD-LEWIS, WINDHORST, AND WRIGHT
AN ACT

To enact R.S. 48:261.1 and to require the Department of Transportation and Development to erect various signs and lights, to generally improve the conditions of various highways and intersections in the state and to notify the motoring public of certain areas; to provide for the establishment of the Highway Maintenance Program; to provide for implementation and termination of the program; to provide for the funding of the program; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1190—
BY REPRESENTATIVE ROUSSELLE
AN ACT

To amend and reenact R.S. 38:2215(A) and to enact R.S. 38:2215(E), relative to the Public Bid Law; to provide for the period of review of bids for political subdivisions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1481—
BY REPRESENTATIVES DIEZ AND DEWITT
AN ACT

To amend and reenact R.S. 48:381(E)(1) and (2) and to enact R.S. 48:381.2, relative to use and occupancy of highway rights-of-way; to provide for permitting of certain telecommunications installations within highway rights-of-way; to provide for exceptions; to delete the requirement for reimbursement of expenses by and for rural water districts; to create the Right-of-Way Permit Processing Fund and provide for deposit and expenditure of funds; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1482—
BY REPRESENTATIVES DIEZ, DEWITT, BRUCE, AND ILES
AN ACT

To enact R.S. 32:398(I) and (J), relative to accident reports; to require all law enforcement agencies to contact the Department of Transportation and Development when department property is damaged in an accident; to require the forwarding of accident reports which indicate such damage to the department; and to provide for related matters.

Reported with amendments.

June 5, 1997

HOUSE BILL NO. 1483—
BY REPRESENTATIVES DIEZ, DEWITT, BRUCE, AND ROUSSELLE
AN ACT

To designate one of the Canal Street ferries which travels from the east bank of the Mississippi River in New Orleans to the west bank of the Mississippi River in Algiers as the Louis B. Porterie Ferry; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1484—
BY REPRESENTATIVES DIEZ AND DEWITT
AN ACT

To amend and reenact R.S. 32:387(C)(3)(e), (4), and (5), relative to special permits; to provide for an increase in fees for special permits relative to vehicles transporting certain oversize loads on highways; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1485—
BY REPRESENTATIVES DIEZ AND DEWITT
AN ACT

To amend and reenact R.S. 48:228.1(A), relative to the master characterization plan for maintenance prepared by the Department of Transportation and Development; to delete the prohibition of utilizing the master maintenance plan in preparation of the highway needs study; to delete the provision relative to the master plan superseding the Highway Priority Program; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1510—
BY REPRESENTATIVES DONELON, DUPRE, HUDSON, AND POWELL AND SENATOR SHORT
AN ACT

To amend and reenact R.S. 32:295(A), (C), (D), and (H), relative to safety restraint systems in motor vehicles; to provide for the age at which child restraint systems must be used; to provide relative to penalties for lack of use of safety restraint systems; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1662—
BY REPRESENTATIVE KENNEY
AN ACT

To amend and reenact Sections 1 and 5 of Act No. 1153 of the 1995 Regular Session of the Louisiana Legislature, relative to the Bayou de Chene Reservoir; to increase the pool level of the reservoir; to redefine the boundaries of the reservoir and other lands within the authority of the Bayou de Chene Reservoir Commission; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1669—
BY REPRESENTATIVE CHAISSON
AN ACT

To amend and reenact R.S. 34:2471(A)(introductory paragraph) and (1) (introductory paragraph), (2)(introductory paragraph), (3)(introductory paragraph), (4), and (5)(a), relative to the South Louisiana Port Commission; to provide for its membership; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1706—
BY REPRESENTATIVES PERKINS AND WESTON
AN ACT

To amend and reenact R.S. 38:3301, relative to the Amite River Basin Drainage and Water Conservation District; to provide relative to its geographical boundaries; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1813—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact Chapter 20 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3381 through 3384, to create the Intermodal Transportation Act; to provide for cooperative agreements involving all forms of commercial transportation; to authorize the creation of and to provide relative to the South Louisiana Port and Intermodal Transportation Commission by the governing authority of St. John the Baptist Parish and the South Louisiana Port Commission; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1926—
BY REPRESENTATIVE SALTER
AN ACT

To enact R.S. 38:2241.2, relative to construction contracts reporting requirements; to provide for reporting requirements for certain Department of Transportation and Development contracts; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2267—
BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 32:295.1(C), relative to safety belt use; to exempt motor vehicles operated by newspaper delivery persons from mandatory safety belt use; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2291—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To designate Interstate 220 in Bossier City and Shreveport as the "Joseph D. Waggoner, Jr. Highway"; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2395—
BY REPRESENTATIVES WINSTON, SCHNEIDER, AND JENKINS AND SENATORS HANKEL, SCHEDLER, AND SHORT
AN ACT

To amend and reenact 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, by adding thereto a new Section designated as Section 12.1, relative to the Greater New Orleans Expressway Commission; to prohibit certain contracts between the commission and political subdivisions; to provide for exceptions; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
RON LANDRY
Chairman

REPORT OF COMMITTEE ON
LABOR AND INDUSTRIAL RELATIONS

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

June 5, 1997

To the President and Members of the Senate:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

SENATE BILL NO. 1194—
BY SENATOR GUIDRY

AN ACT

To amend and reenact R.S. 23:1006(D), relative to discrimination in employment; to provide with respect to the suspension of the prescriptive period for a cause of action pending an administrative review or investigation; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 995—
BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 23:1021(10)(d), relative to the average weekly wage calculations in workers' compensation claims; to provide for the calculation of average weekly wage of an employee on a unit, piecework, commission, or other basis; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1191—
BY REPRESENTATIVE STRAIN

AN ACT

To amend and reenact R.S. 23:184(introductory paragraph), relative to employment of minors; to require written permission of parent or legal guardian prior to issuance of an employment certificate; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1284 (Duplicate of Senate Bill No. 985)—
BY REPRESENTATIVE FORSTER AND SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 23:1601(4), relative to unemployment compensation; to provide that a claimant shall be disqualified from receiving benefits during a labor strike; to provide that a claimant shall not be disqualified from receiving benefits during a labor lockout; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1287—
BY REPRESENTATIVES GAUTREAUX AND ROUSSELLE

AN ACT

To amend and reenact R.S. 23:634 and 897(A) and to enact R.S. 23:897(K), relative to employment; to allow reimbursement from an employee for certain examinations if the employee terminates the employment relationship within ninety days; to allow reimbursement from wages payable; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1823—
BY REPRESENTATIVE MICHOT

AN ACT

To amend and reenact R.S. 23:1531, relative to state unemployment taxes; to provide that employer contributions with respect to wages for domestic service employment may be paid annually; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2186—
BY REPRESENTATIVE FORSTER

AN ACT

To amend and reenact R.S. 23:1493(2)(c), (3), and (4) and to enact R.S. 23:1493(5), relative to unemployment insurance; to provide relative to legislative appropriation; to provide for timing of charges against the fund; to correct reference for contribution computations; to provide for accounting standards; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2220—
BY REPRESENTATIVE WRIGHT

AN ACT

To amend and reenact R.S. 33:1342(1) and to enact R.S. 33:1350.2, relative to local government self-insurance funds; to allow a state hospital association to form, join, and participate in interlocal risk management agencies; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2366—
BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 23:1195(A)(1) and to enact R.S. 23:1195(D), relative to group self-insurance funds; to permit hospital service districts and health care facilities established by police juries and municipalities to participate in group self-insurance funds for workers' compensation purposes; and to provide for related matters.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 2499—
BY REPRESENTATIVES WALSWORTH AND MURRAY

AN ACT

To amend and reenact R.S. 23:1142(B), relative to workers' compensation; to prohibit the health care provider from demanding payment for diagnostic testing or treatment from the injured employee in certain instances; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

REPORT OF COMMITTEE ON
EDUCATION

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

June 5, 1997

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 123—
BY SENATOR FIELDS

A CONCURRENT RESOLUTION

To direct the State Board of Elementary and Secondary Education to survey public schools to determine if school counselors are spending an appropriate portion of their work days counseling pursuant to law, if there is a need to increase the number of school guidance counselors, how school social workers are being utilized as outlined by the State Board of Elementary and Secondary Education, if there is a need to increase the number of school social workers for the public school population, and then to report such findings to the committees on education in the Senate and House of Representatives not later than eight weeks prior to the beginning of the 1997-1998 regular legislative session.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 131—
BY SENATOR IRONS

A CONCURRENT RESOLUTION

To establish a special commission to survey all life skills education programs provided for students who are parents and to develop a plan for the provision of comprehensive and integrated services to such students and to provide for the reporting of such survey and plan to the legislature.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 24—
BY REPRESENTATIVE FORSTER AND SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To create and provide with respect to a task force to submit recommendations for the governance structure of postsecondary technical training and adult education including but not limited to proprietary schools, technical colleges, community colleges, junior colleges, and literacy or adult education programs.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 26—
BY REPRESENTATIVE KENNARD

A CONCURRENT RESOLUTION

To urge and direct the Board of Regents and the presidents of the colleges and universities of this state to study the issue of solicitation for credit cards on college and university campuses.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 58—
BY REPRESENTATIVE DOWNER

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in collaboration with the three higher education management boards, to study the feasibility of providing students greater accessibility to academic programs by offering weekend classes at state public institutions of higher education and to report its findings and recommendations to the House and Senate Committees on Education prior to the beginning of the 1998 Regular Session of the Legislature.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 59—
BY REPRESENTATIVE DOWNER

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the benefits and feasibility of pursuing year-round education and summer enrichment programs in the elementary and secondary schools in this state and to report its findings and recommendations to the House and Senate Committees on Education prior to the beginning of the 1998 Regular Session of the Legislature.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 60—
BY REPRESENTATIVE DOWNER

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to study the feasibility of having elementary and secondary schools in the state share their library facilities and resources and their athletic facilities with the public and to report its findings and recommendations to the House and Senate Committees on Education prior to the beginning of the 1998 Regular Session of the Legislature.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 63—

BY REPRESENTATIVES PRATT, ALARIO, BAUDOIN, BRUCE, BRUN, CLARKSON, CRANE, CURTIS, DAMICO, DIMOS, DOERGE, DONELON, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FRUGE, GAUTREUX, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HUDSON, ILES, JENKINS, JOHNS, LANDRIEU, LONG, MCCAIN, MCCALLUM, MCDONALD, MARIONNEAUX, MARTINY, MORRELL, MURRAY, ODINET, PIERRE, POWELL, RIDDLE, ROUSSELLE, SALTER, THOMAS, THOMPSON, THORNHILL, TOOMY, TRICHE, VITTER, WESTON, WIGGINS, WILKERSON, WINDHORST, WINSTON, WRIGHT, AND WILLARD-LEWIS AND SENATORS BARHAM, BEAN, COX, CRAVINS, DARDENNE, DYESS, ELLINGTON, EWING, GREENE, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JORDAN, LAMBERT, LANDRY, ROMERO, SCHEDLER, AND THEUNISSEN

A CONCURRENT RESOLUTION

To express legislative recognition and support of "The Bill of Rights and Responsibilities for Learning: Standards of Conduct, Standards of Achievement".

Reported favorably.

HOUSE BILL NO. 267—
BY REPRESENTATIVE DOERGE

AN ACT

To enact R.S. 17:282.1, relative to permitted courses of study; to provide for a watercraft safety course in public secondary schools; to provide for course implementation; to provide for the purpose of the program and for participation in the program; to provide for rules and regulations and definitions; to provide for assistance and participation by the Department of Wildlife and Fisheries; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 311—
BY REPRESENTATIVE HEBERT

AN ACT

To enact R.S. 17:176(E), relative to extracurricular activities; to provide for eligibility for and participation in extracurricular interscholastic athletic activities by certain students; to provide for conditions and limitations; to provide for effectiveness; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 338—

BY REPRESENTATIVE STELLY

AN ACT

To enact R.S. 17:2138, relative to requirements for admission to institutions of higher learning; to require a score of at least seventeen on the American College Test for residents of other states; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 373—

BY REPRESENTATIVE PRATT

AN ACT

To repeal Subpart C-1 of Part III of Chapter I of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:251 through 254, relative to the Task Force on School Discipline.

Reported favorably.

HOUSE BILL NO. 649—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 17:416.7, relative to school dress codes; to authorize city and parish school boards to require a school dress code which includes the use of uniforms; to require notification by school boards to parents of such dress code; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 658—

BY REPRESENTATIVE PERKINS

AN ACT

To enact R.S. 17:2117, relative to public elementary and secondary schools; to provide that no public elementary or secondary school governing authority, superintendent, administrator, or principal shall prohibit any teacher from reading and posting certain writings, documents, and records; to prohibit certain content-based censorship; to provide for notice of such to local school systems and employees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 662—

BY REPRESENTATIVE SALTER

AN ACT

To authorize and provide for the conveyance, transfer, or disposition of certain property in the town of Zwolle, Sabine Parish, by the Sabine Parish School Board; to provide terms and conditions; to provide for waiver of reversionary right or interest by the state; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 796—

BY REPRESENTATIVE PRATT

AN ACT

To enact R.S. 17:235.1, relative to school attendance; to require parents or guardians to complete an orientation course before their children enter public school; to provide relative to course completion and guidelines; to provide for applicability and scheduling; to provide exceptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 797—

BY REPRESENTATIVE PRATT

AN ACT

To amend and reenact R.S. 17:352(A) and 415.1(B), relative to textbooks and other materials of instruction; to provide relative to membership of textbook adoption committees appointed by the superintendent of education; to define the term "teacher"; to provide relative to teacher participation in the review, screening,

and evaluation of certain materials, equipment, and supplies; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 897—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact R.S. 41:897, relative to school boards; to authorize the Bossier Parish School Board to exchange unused school land, including but not limited to sixteenth section land; to provide procedures, terms, and conditions, including advertisement, appraisals, and public hearings; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 975—

BY REPRESENTATIVE CRANE

AN ACT

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

Reported with amendments.

HOUSE BILL NO. 998—

BY REPRESENTATIVE PRATT

AN ACT

To amend and reenact R.S. 17:416(A)(1)(c)(iii), relative to discipline in public elementary and secondary schools; to provide guidelines for and limitations on the return to class of a pupil removed by a teacher for certain disciplinary reasons; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1057—

BY REPRESENTATIVE DOERGE

AN ACT

To enact R.S. 17:8(J), relative to textbooks for public elementary and secondary schools; to require the State Board of Elementary and Secondary Education to establish a procedure enabling the governing authority of a public elementary or secondary school to order and receive certain textbooks directly from textbook publishers; to provide certain guidelines; to provide for implementation; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1187—

BY REPRESENTATIVE PRATT

AN ACT

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

Reported favorably.

HOUSE BILL NO. 1379—

BY REPRESENTATIVES DOWNER, BRUN, MCDONALD, DEWITT, ALARIO, DANIEL, DUPRE, HUDSON, ILES, JOHNS, KENNEY, LEBLANC, MCCAIN, MCMAINS, MICHOT, POWELL, SALTER, SHAW, THOMPSON, WALSWORTH, AND WIGGINS AND SENATORS DARDENNE, HAINKEL, BEAN, SCHEDLER, SMITH, AND THEUNISSEN

AN ACT

To enact R.S. 17:3765, relative to state funds; to provide for creation of the School Leadership Development Fund; to provide for deposit

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

Reported favorably.

HOUSE BILL NO. 1380 (Duplicate of Senate Bill No. 1130)—
BY REPRESENTATIVE DOWNER AND SENATOR DARDENNE AND COAUTHORED BY REPRESENTATIVES BRUN, MCDONALD, LONG, DEWITT, ALARIO, DUPRE, HUDSON, ILES, JOHNS, KENNEY, LEBLANC, MCCAIN, MCMAINS, MICHOT, POWELL, SALTER, SHAW, THOMAS, WALSWORTH, WIGGINS, THOMPSON, FLAVIN, FRITH, AND SCHNEIDER AND SENATORS HAINKEL, BEAN, ROMERO, SCHEDLER, SMITH, AND THEUNISSEN

AN ACT

To enact R.S. 17:354, relative to state funds; to provide for creation of the Teacher Supplies Fund; to provide for deposit of monies into the fund; to provide for uses of monies in the fund; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1640—
BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 17:154.1(B), 154.2(B)(1), 225, 236, 346.1, 421.3(A)(introductory paragraph), 496.1, and 497(A)(2), relative to the school year; to provide for an incremental increase in the number of instructional days and the minimum session of attendance; to provide relative to the effectiveness of such increases; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1827—
BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 17:7(6)(b)(i), relative to the certification of elementary and secondary school teachers; to provide for the duties, functions, and responsibilities of the State Board of Elementary and Secondary Education; to provide qualifications and requirements for the certification of teachers, including for any person certified to teach in another state who applies for certification to teach in the public schools of Louisiana; to provide for issuance of a one-year nonrenewable provisional certificate; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1896—
BY REPRESENTATIVE PRATT

AN ACT

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

Reported favorably.

HOUSE BILL NO. 1911—
BY REPRESENTATIVES DOWNER, BRUN, MCDONALD, LONG, DEWITT, ALARIO, DUPRE, ILES, KENNEY, MCCAIN, MCMAINS, MICHOT, POWELL, SALTER, THOMAS, WALSWORTH, WIGGINS, LEBLANC, RIDDLE, AND THOMPSON AND SENATORS DARDENNE, BEAN, SCHEDLER, SMITH, AND THEUNISSEN

AN ACT

To enact R.S. 17:3921.2, relative to state funds; to provide for creation of the Classroom-based Technology Fund within the state treasury; to provide for deposit of monies into the fund; to provide for use and distribution of monies in the fund; to provide for creation of

the State Technology Advisory Committee; to provide for a grant program to help provide educational technologies for Louisiana's elementary and secondary school students; and to provide for related matters.

Reported. Favorably

HOUSE BILL NO. 1977—
BY REPRESENTATIVES BRUN, CRANE, AND MCDONALD

AN ACT

To amend and reenact R.S. 17:3881(B), 3882(6), 3883(A)(3), (4), (6), and (7)(a) and (B)(3) and Subpart B of Part II of Chapter 39 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3891 through 3895, all relative to professional employee quality development; to rename the Teacher Assessment Program as the Teacher Assistance and Assessment Program; to provide relative to the definition of a teacher for program purposes; to provide for exemptions from the program; to provide relative to the assessment of participating teachers' qualifications for certification; to remove provisions relative to support teams and to provide instead for mentor teachers to perform certain duties and responsibilities; to remove provisions relative to support and assessment semesters, conferences, classroom observations, professional development plans, and assessment reports; to provide relative to the assessment process and assessment teams; to remove provisions relative to the selection and training of assessors; to provide relative to the issuance of teaching credentials; to provide an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2242—

BY REPRESENTATIVES THOMPSON, PRATT, DOWNER, ALARIO, A. ALEXANDER, R. ALEXANDER, ANSARDI, BARTON, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUNEAU, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DANIEL, DEVILLE, DEWITT, DIEZ, DIMOS, DOERGE, DONELON, DOWNER, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FORSTER, FRITH, FRUGE, GAUTREAU, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MICHOT, MITCHELL, MONTGOMERY, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PINAC, POWELL, QUEZAIRE, RIDDLE, ROMERO, ROUSSELLE, SALTER, SCALISE, SCHNEIDER, SHAW, JACK SMITH, JOHN SMITH, STELLY, STRAIN, THERIOT, THOMAS, THORNHILL, TOOMY, TRAVIS, TRICHE, VITTER, WARNER, WELCH, WESTON, WILKERSON, WILLARD-LEWIS, WINDHORST, WINSTON, AND WRIGHT

AN ACT

To enact R.S. 17:416(G), relative to student discipline; to provide for the powers, duties, and responsibilities of the State Board of Elementary and Secondary Education; to require certain determinations regarding compliance by public elementary and secondary schools with state laws and board policies on student discipline; to provide relative to the approval of schools by the board; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2339—
BY REPRESENTATIVES DANIEL AND HOLDEN

AN ACT

To enact R.S. 17:1602, to enable the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to assess a student technology fee; to authorize the board to provide for the assessment of such fee at institutions under the board's supervision and management; to provide conditions for the assessment of such fee; to provide limitations; to provide for the use of the proceeds thereof; to provide for reports; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2396—

BY REPRESENTATIVE KENNEY
AN ACT

To enact R.S. 17:181 and to repeal R.S. 17:2006.1, relative to secondary school vocational education; to require each governing authority of a public secondary school to allocate certain funding for instructional materials and supplies for students enrolled in vocational agricultural, agribusiness, and agriscience programs; to provide for effectiveness; to repeal certain provisions relative to funding for such students by the State Board of Elementary and Secondary Education; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2403—

BY REPRESENTATIVE TOOMY
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 2424—

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

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

Reported with amendments.

HOUSE BILL NO. 2442—

BY REPRESENTATIVE HUNTER
AN ACT

To enact R.S. 17:7.1(F), relative to certification of teachers; to provide for certain reciprocal agreements for teacher certification; to require that such agreements include certain educational requirements under certain circumstances; to provide an effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2444—

BY REPRESENTATIVE BRUN
AN ACT

To enact R.S. 17:181, relative to public elementary school students; to require each governing authority of a public elementary school to implement a reading program at each elementary school in accordance with certain guidelines; to provide for certain reports; to require the inclusion of reported information in school progress profiles; to provide for implementation and effectiveness; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2450—

BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 17:7(22), relative to the duties and responsibilities of the State Board of Elementary and Secondary Education; to require that the board provide an annual report to each legislator listing public elementary and secondary schools throughout the state in accordance with certain indicators; to provide for the time of such report; and to provide for related matters.

Reported favorably.

Respectfully submitted,
THOMAS A. GREENE
Chairman

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

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

SENATE BILL NO. 840—

BY SENATORS HAINKEL, DARDENNE AND EWING
AN ACT

To enact R.S. 38:2211(A)(12) and (13), and 2212.5 and 2212.6, relative to public contracts; to define debarment and suspension of contractors; to provide for the suspension or debarment of contractors for certain causes; to provide for the appeal of a suspension or debarment; to provide for judicial review; and to provide for related matters.

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 840 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 38:211(A)(12)" change "and (13), and 2215.12" to ", 2212.5,"

AMENDMENT NO. 2

On page 1, line 4, delete "suspension or"

AMENDMENT NO. 3

On page 1, delete line 5, and insert "causes; to"

AMENDMENT NO. 4

On page 1, line 8, after "R.S. 38:211(A)(12)" change "and (13), and 2215.12" to ", 2212.5,"

AMENDMENT NO. 5

On page 2, line 1, change "any public entity" to "the state"

AMENDMENT NO. 6

On page 2, delete lines 4 through 11

AMENDMENT NO. 7

On page 2, line 13, delete "or suspend"

AMENDMENT NO. 8

On page 2, line 16, between "of" and "public" insert "state" and after "contracts" delete "or a suspension" and insert a period "."

AMENDMENT NO. 9

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On page 2, delete lines 17 and 18

AMENDMENT NO. 10

On page 2, line 20, after "heard," change "a public entity" to "the state"

AMENDMENT NO. 11

On page 2, line 21, delete "suspend or"

AMENDMENT NO. 12

On page 2, line 24, after "Section." delete the remainder of the line, and delete lines 25 through 27 and insert "The authority"

AMENDMENT NO. 13

On page 3, line 1, delete "or suspend"

AMENDMENT NO. 14

On page 3, at the end of line 6, delete the period "." and insert:

" , unless the person has been pardoned or has served his sentence."

AMENDMENT NO. 15

On page 3, at the end of line 11, delete the period "." and insert:

" , unless the person has been pardoned or has served his sentence."

AMENDMENT NO. 16

On page 3, at the end of line 13, delete the period "." and insert:

" , unless the person has been pardoned or has served his sentence."

AMENDMENT NO. 17

On page 3, delete lines 25 through 27 and on page 4, delete line 1

AMENDMENT NO. 18

On page 4, line 2, change "(6)" to "(5)"

AMENDMENT NO. 19

On page 4, line 4, change "public entity" to "state"

AMENDMENT NO. 20

On page 4, line 5, delete "or suspend"

AMENDMENT NO. 21

On page 4, line 8, delete "administrative and"

AMENDMENT NO. 22

On page 4, line 12, delete "or suspended"

AMENDMENT NO. 23

On page 4, line 16, delete "or suspended"

AMENDMENT NO. 27

On page 4, delete line 17, and insert:

"for judicial review in accordance with R.S."

AMENDMENT NO. 28

On page 4, delete lines 19 through 27 and on page 5, delete line 1, and insert:

"G. Upon debarment of a contractor, the state shall notify the State Licensing Board for Contractors. The board shall maintain a record of all debarments and make such information available upon request.

H. Proceedings under this Part shall be specifically exempted from the requirements of R.S. 49:991 et seq.

§2212.6. Debarment proceedings; judicial review

R.S. 38:2212.6 is all proposed new law.

A. Applicability. This Section applies to a review of a decision under R.S. 38:2212.5 by the Nineteenth Judicial District Court."

AMENDMENT NO. 29

On page 5, line 3, change "commissioner" to "Nineteenth Judicial District Court"

AMENDMENT NO. 30

On page 5, delete lines 5 through 18

AMENDMENT NO. 31

On page 5, line 19, change "F." to "C."

AMENDMENT NO. 32

On page 5, line 20, after "exclusive" insert "venue and"

AMENDMENT NO. 33

On page 5, line 21, delete "suspension or"

AMENDMENT NO. 34

On page 5, line 22, delete "or suspension"

AMENDMENT NO. 35

On page 6, line 2, after "R.S. 38:2212.5(F)" insert a period "." and delete the remainder of the line and delete lines 3 through 6

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

SENATE BILL NO. 1194—

BY SENATOR GUIDRY

AN ACT

To amend and reenact R.S. 23:1006(D), relative to discrimination in employment; to provide with respect to the suspension of the prescriptive period for a cause of action pending an administrative review or investigation; and to provide for related matters.

Reported with amendments by the Committee on Labor and Industrial Relations.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 1194 by Senator Guidry

AMENDMENT NO. 1

On page 2, at the end of line 6, between "Rights" and the period "." insert:

" , but in no event longer than eighteen months"

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

Rules Suspended

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 1314 from the Committee on Finance.

HOUSE BILL NO. 1314—

BY REPRESENTATIVES HOLDEN, DOWNER, JETSON, MURRAY, THORNHILL, DOERGE, HUNTER, PRATT, AND WELCH

AN ACT

To amend and reenact R.S. 22:245(A) and 247(D) and to enact R.S. 22:245(C) and 246(A)(7), relative to health care; to create the Louisiana Healthy Kids Corporation Act; to provide children with increased access to health care; to improve children's health; to reduce the incidence and cost of childhood illnesses and disabilities; and to provide for related matters.

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

Motion to Recommit

Senator Jordan asked for and obtained a suspension of the rules and asked that House Bill No. 2412 be recommitted from the Committee on Judiciary A to the Committee on Judiciary C.

Motion to Recommit

Senator Ullo asked for and obtained a suspension of the rules and asked that House Bill No. 1406 be recommitted from the Committee on Judiciary B to the Committee on Judiciary A.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

June 5, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 206—

BY REPRESENTATIVES FORSTER, DOWNER, AND TRICHE AND SENATORS LANDRY AND ROBICHAUX

A CONCURRENT RESOLUTION

To commend Aaron Fletcher of Thibodaux for his many achievements, including winning the inaugural Sidney Bechet Jazz Scholarship.

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.

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.

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.

HOUSE CONCURRENT RESOLUTION NO. 91—

BY REPRESENTATIVES LONG, WRIGHT, BAUDOIN, BRUCE, CARTER, CURTIS, DAMICO, FLAVIN, FRITH, HILL, ILES, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, MCDONALD, MONTGOMERY, ODINET, PERKINS, PINAC, PRATT, QUEZAIRE, SCALISE, SHAW, STELLY, STRAIN, TOOMY, TRAVIS, WALSWORTH, WARNER, WELCH, AND WESTON

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.

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.

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.

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.

and asked that the President of the Senate affix his signature to the same.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

Message from the House

SIGNED HOUSE BILLS AND JOINT RESOLUTIONS

June 5, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Bills and Joint Resolutions:

HOUSE BILL NO. 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.

HOUSE BILL NO. 263—

BY REPRESENTATIVES BRUN AND HOPKINS

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.

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.

June 5, 1997

HOUSE BILL NO. 330—
BY REPRESENTATIVE ROUSSELLE AND SENATOR LANDRY
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.

HOUSE BILL NO. 334—
BY REPRESENTATIVE ROUSSELLE AND SENATOR LANDRY
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.

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.

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.

HOUSE BILL NO. 604—
BY REPRESENTATIVE STRAIN AND SENATORS HAINKEL AND SCHEDLER
AN ACT

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

HOUSE BILL NO. 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.

and asked that the President of the Senate affix his signature to the same.

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

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Bagneris ½ Day Robichaux 1 Day

Adjournment

Senator Bagneris moved that the Senate adjourn until Friday, June

6, 1997 at 8:30 o'clock A.M.

The President of the Senate declared the Senate adjourned until 8:30 o'clock A.M. on Friday, June 6, 1997.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk