

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

TWENTY-NINTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Monday, May 19, 1997

The Senate was called to order at 3:00 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
Bagneris	Fields	Lentini
Bajoie	Greene	Malone
Bean	Guidry	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Dyess	Lambert	
Total—38		

NAYS

Total—0

ABSENT

Barham
Total—1

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

Prayer

The prayer was offered by Rev. Clifton Stevens, 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 Cox, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

Messages from the Governor

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

May 19, 1997

To the Honorable President and Members of the Senate:

Please be advised that the following individuals have been commissioned as Notaries Public of the parishes indicated through May 19, 1997. In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, I hereby do present them for your review.

Sincerely,
M.J. "Mike" Foster

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May 19, 1997

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**Privileged Report of the
Legislative Bureau**

May 19, 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 CONCURRENT RESOLUTION NO. 89—
BY REPRESENTATIVE WINDHORST

A CONCURRENT RESOLUTION
To suspend until sixty days after final adjournment of the 1998 Regular Session of the Legislature R.S. 49:964(G)(6) only to the extent that it requires the court to find that an agency decision is "manifestly" erroneous in view of the reliable, probative, and substantial evidence on the whole record, thereby making the applicable standard of review to be erroneous in view of the reliable, probative, and substantial evidence on the whole record.

Reported without amendments.

HOUSE BILL NO. 293—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 9:3559(A) and 3564(A)(7), relative to consumer loans; to provide that those presently licensed to make supervised loans shall be licensed to make consumer loans; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 294—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 6:127(C) and to enact R.S. 13:3733.1(J), relative to financial institutions; to provide for the admissibility into evidence of promissory notes and certain other records which contain signatures which are created and stored by electronic or digital means; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 416—
BY REPRESENTATIVES TRAVIS AND MURRAY
AN ACT

To amend and reenact R.S. 6:128(B)(introductory paragraph), 285(C), 420(D), 712(D)(1), and 1187(A) and (B)(5) and to repeal R.S. 6:2(10), relative to regulation of banks and banking; to provide for holidays for financial institutions; to provide for designation of agent for service of process; to provide for reporting of criminal violations; to provide for corporate names; to provide for proxies; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 435—
BY REPRESENTATIVES BRUNEAU AND LANCASTER
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 552—
BY REPRESENTATIVES TRAVIS AND MURRAY
AN ACT

To amend and reenact R.S. 6:333(A)(2) and R.S. 9:3571(A), to enact R.S. 6:333(A)(10)(g), and to repeal R.S. 9:3571(B) through (E), relative to disclosure of financial records by financial institutions; to expand definitions; to delete certain requirements relative to the dissemination of credit information; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 600—
BY REPRESENTATIVES DOWNER, ANSARDI, BRUNEAU, DONELON,
GREEN, LANCASTER, AND MCMAINS AND SENATORS BEAN AND SHORT
AN ACT

To enact Part XXIV-B of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.60 through 1299.64, relative to declarations concerning life-sustaining procedures; to enact the Military Advance Medical Directives Act; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 600 by Representative Downer

AMENDMENT NO. 1

On page 2, line 2, page 3, line 9, page 4, line 23, and page 5, line 21, following "U.S.C." and before "1044" delete "§" and on page 2, line 6, before "101(4)" delete "§" and on page 2, line 7, following "U.S.C." and before "261(a)" delete "§"

HOUSE BILL NO. 635—
BY REPRESENTATIVES BRUNEAU, DOWNER, LANCASTER, MICHOT,
AND SCALISE
AN ACT

To amend and reenact R.S. 18:562 and R.S. 40:1321(C), relative to elections; to require an applicant to vote to present a picture identification card; to provide that a person not having a picture identification card may sign an affidavit; to provide for the procedure commissioners are to follow for identifying applicants to vote; to provide special identification cards free of charge to certain registered voters; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 636—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 42:1354(A)(2) and (3) and (C), 1357, and 1360, relative to the election of the employee member of the State Civil Service Commission; to provide for procedures for such election; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 687—
BY REPRESENTATIVE STELLY
AN ACT

To amend and reenact R.S. 22:1406(F), relative to automobile insurance; to provide for the designation of primary insurance for temporary substitute or rental motor vehicles; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 687 by Representative Stelly

AMENDMENT NO. 1

On page 2, line 5, following "vehicle," change "the" to "that"

HOUSE BILL NO. 688—
BY REPRESENTATIVE STELLY
AN ACT

To amend and reenact R.S. 22:671(A), relative to automobile insurance; to provide for certain conditions for automobile insurance for loaner vehicles; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 847—
BY REPRESENTATIVES DOWNER, DEWITT, DUPRE, GAUTREAUX,
JOHNS, RIDDLE, JACK SMITH, THORNHILL AND VITTER AND SENATORS
DYESS AND ROBICHAUX
AN ACT

To amend and reenact R.S. 46:160.2(A), 160.4(B)(11), and 160.7(A), relative to the Access to Better Care Medicaid Insurance Demonstration Project; to change requirements relative to responsibilities of the secretary of the Department of Health and Hospitals and said department relative to the project; to provide for sources for the Medicaid Access Trust Fund; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 925—
BY REPRESENTATIVES DOWNER, DEWITT, DUPRE, GAUTREAUX,
JOHNS, RIDDLE, JACK SMITH, THORNHILL, AND VITTER AND SENATORS
DYESS AND ROBICHAUX
AN ACT

To amend and reenact R.S. 36:254(D)(1)(a), relative to powers and duties of the secretary of the Department of Health and Hospitals; to remove certain requirements of actions that must be taken prior to the implementation of a managed care program pursuant to a federal waiver; to remove restrictions on the content of the waiver request; to provide for requirements of Medicaid plan amendments; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 935—
BY REPRESENTATIVE JOHNS
AN ACT

To enact R.S. 22:229.2, relative to health insurance; to prohibit discrimination against recovered or rehabilitated alcoholics; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1083—
BY REPRESENTATIVES TRAVIS AND MURRAY
AN ACT

To amend and reenact R.S. 6:124, relative to financial institutions; to provide relative to reports made by financial institutions to the commissioner of financial institutions; and to provide for related matters.

May 19, 1997

Reported without amendments.

HOUSE BILL NO. 1084—
BY REPRESENTATIVES TRAVIS AND MURRAY
AN ACT

To repeal R.S. 9:3566, relative to consumer credit sales; to repeal certain provisions requiring retention of records of consumer credit sales.

Reported without amendments.

HOUSE BILL NO. 1107—
BY REPRESENTATIVES TRAVIS AND MURRAY
AN ACT

To repeal Part XVII of Chapter 2 of Code Title XII of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:3575.1 through 3575.10, relative to refund anticipation loans; to repeal the Refund Anticipation Loan Act.

Reported without amendments.

HOUSE BILL NO. 1120—
BY REPRESENTATIVES TRAVIS, MURRAY, AND FRITH
AN ACT

To amend and reenact R.S. 6:793(B)(1), relative to audit reports of savings and loan associations; to require annual audits to be verified by independent certified public accountants; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1121—
BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

To amend and reenact R.S. 9:3535, relative to multiple agreements; to prohibit the division of credit transaction into multiple agreements for purposes of obtaining additional fees and charges; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1123—
BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

To amend and reenact R.S. 6:791(A), relative to savings associations; to provide relative to records which must be kept by savings associations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1157—
BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

To amend and reenact R.S. 6:261, relative to capital, surplus, and dividends; to provide for the allocation of consideration received upon initial issuance of shares; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1363—
BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

To enact R.S. 6:121.3, R.S. 9:3556.2, R.S. 37:1806.1, and R.S. 51:1929.1 and 2389.1, relative to advisory opinions of the commissioner; to provide that advisory opinions shall not be considered as rules subject to the provisions of the Louisiana Administrative Procedure Act; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1413—
BY REPRESENTATIVE BARTON
AN ACT

To enact R.S. 18:1300.22, relative to gaming elections; to provide for an election in Bossier Parish to allow an additional riverboat; to provide relative to the calling and conducting of the election; to provide relative to the effectiveness of the results of the election; to provide for applicability; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1503—
BY REPRESENTATIVE CHAISSON
AN ACT

To amend and reenact R.S. 22:1113(D)(1) and (E)(3)(b) and 1118.2, relative to requirements for insurance agents; to provide for payment of commissions; to provide for lapsed licenses; to provide for division of commissions with nonresident agents or brokers; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1503 by Representative Chaisson

AMENDMENT NO. 1

On page 2, line 19, following "license" and before "the" delete "herein provided"

HOUSE BILL NO. 1592—
BY REPRESENTATIVE TRAVIS
AN ACT

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

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1592 by Representative Travis

AMENDMENT NO. 1

In Senate Committee Amendment No. 3 proposed by the Senate Committee on Commerce and Consumer Protection adopted by the Senate on May 15, 1997, on line 11 following "servicer" and before "or" insert a comma ", "

HOUSE BILL NO. 1597—
BY REPRESENTATIVES BRUNEAU, LANCASTER, COPELIN, MURRAY, ROUSSELLE, SCALISE, WELCH, WINSTON, AND HUNTER
AN ACT

To amend and reenact R. S. 18:3(A)(3), 59(I)(2), 110(B)(1), 171, 171.1(A)(1), 176, 193(A), (B), (C), (E), and (F), 196(B)(3), 198(A), 402(F)(5), 431(A)(1)(a), 433(A)(1), (2), and (3) and (D), 434(B)(6), 467(2), 469(A), 532(B)(1) and (E), 532.1(B), (C)(1), (2)(a) and (3)(a), and (D), 551(B)(2) and (E), 553(B), 573(A)(3), 574(E)(1), 575(B), 591, 601, 602(E)(2)(a) and (d), 604(B)(2)(a) and (c), 621(B), 652(A), 654, 1278(B), 1279, 1280.22, 1285(B)(1), 1300(C)(2)(a), 1300.7(B), 1306(B), 1309(A)(2) and (D), 1313(B) and (I), 1314(C) and (D), 1402(C), 1495(B)(19) and (C), 1505.2(C)(1), 1903, and 1904, to enact R.S. 18:177, 401.1,

1307(E), and 1463(D) and (E), and to repeal R.S. 18:532.1(H) and 1399(A), relative to the election code; to make technical changes to the elections code; to require the date of birth to be included on petitions submitted to the registrar; to allow the use of temporary personnel to conduct absentee voting; to allow a change of registration or address between the primary and general elections for certain persons; to provide that a person moving within the parish will not be placed on the inactive list; to provide for procedures for notification of registrars of persons under an order of imprisonment; to provide a procedure for suspension of registration; to provide for a procedure for reinstatement of the registration of a person whose registration has been suspended; to provide with respect to the conduct of elections in the event of a state of emergency; to change the period of time that the clerk of court can conduct the annual course of instruction for commissioners; to require that during his term of office a commissioner-in-charge must remain a certified commissioner; to provide that a commissioner affiliated with each recognized political party will be assigned to each precinct in the parish provided there are such commissioners available; to provide with respect to the reopening of qualifying due to the death of a candidate; to provide for two separate ballots when the special election to fill a vacancy and the regularly scheduled election cover different geographic areas; to provide procedures for inspection and preparation of voting machines at the polling places; to allow for reinspection of voting machines and inspection of absentee ballot flaps upon a candidate's written request; to provide for procedures for promulgation of election returns for candidates; to require inclusion of the qualifying dates in the proclamation calling an election to fill a vacancy; to eliminate the requirement to send certain notices by certified or registered mail; to clarify certain issues and procedures with respect to the presidential preference primary; to provide the deadline for submission of the notice and changes thereto for proposition elections; to provide with respect to certain procedures regarding absentee voting; to provide for the counting of absentee ballots; to provide that for informational purposes the registrar may assist the clerk of court in conducting the course of instruction for commissioners; to allow extension of absentee voting hours under certain circumstances; to allow the secretary of state and the commissioner of elections to present evidence in a contested election; to make technical changes relating to the candidate's reports under the Campaign Finance Disclosure Act; to remove references to repealed provisions; to provide for precinct freezes and other areas with respect to reapportionment; to provide the procedure for notice of challenge and cancellation of registration; to change the qualifying dates for congressional elections; to provide with respect to printing of ballots in uniform type; to provide penalties for distributing false political material; to provide with respect to filling of vacancies; to provide when resignations become effective; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1597 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 10 and on page 3, line 24, following "1402(C)," and before "(B)19)" change "1495" to "1495.5"

AMENDMENT NO. 2

On page 42, line 12, following the comma ",," insert "or"

AMENDMENT NO. 3

On page 54, line 15, insert "D." at the beginning of the line

HOUSE BILL NO. 1602—

BY REPRESENTATIVES DONELON, FRITH, AND MICHOT
AN ACT

To enact R.S. 51:916, relative to trade and commerce; to prohibit receipt of certain compensation by clinical perfusionists; to prohibit clinical perfusionists from receiving compensation for the sale of clinical perfusion products to medical institutions where they or their employer provide or may provide perfusion services or where their employer has surgical or medical privileges; to prohibit contract clinical perfusion companies from receiving compensation from the sale of clinical perfusion products to medical institutions where they provide clinical perfusion services; to prohibit companies that sell clinical perfusion products from providing contract perfusion services at the medical institutions that purchase their products; to prohibit clinical perfusionists from refusing to use any federally approved product unless there is a due process hearing; to provide for penalties for violations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1888—

BY REPRESENTATIVE R. ALEXANDER
AN ACT

To enact R.S. 40:975(G), relative to denial, revocation, or suspension of a license to manufacture, distribute, or dispense a controlled dangerous substance; to provide that a license to manufacture, distribute, or dispense a controlled dangerous substance shall be terminated by the Department of Health and Hospitals for failure to timely renew the license; to provide for appeals; to provide for the adoption of rules and regulations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1955—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 9:3556.1, to enact R.S. 9:3556.2, and to repeal R.S. 9:3567, relative to records required to be kept in a consumer loan transaction; to provide relative to records of credit sales or loans and persons who do not transfer or assign their agreements; to permit the reproduction of documents by photographic means; to provide that photographically reproduced documents may be treated as if they were the original; to provide for penalties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1962—

BY REPRESENTATIVE TRAVIS
AN ACT

To repeal R.S. 6:212(C), relative to state banks; to repeal provisions relative to the reservation of a corporate name by any person organizing a state bank; to repeal provisions permitting the transfer of a corporate name.

Reported without amendments.

HOUSE BILL NO. 1968—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 6:124.1(B), relative to statements of condition of financial institutions; to delete the requirement that a financial institution include its rating received pursuant to the federal Community Reinvestment Act in its statement of condition published quarterly; and to provide for related matters.

Reported without amendments.

May 19, 1997

HOUSE BILL NO. 2024—

BY REPRESENTATIVE THORNHILL
AN ACT

To amend and reenact R.S. 22:5(2), 6(13)(e), 1249(A)(introductory paragraph), (3), and (7), and (B), 1262(A), (B)(introductory paragraph), and (1)(a), (2), and (3), 1262.1(B)(1)(introductory paragraph), (a) and (e), (C), (D)(1), (F) and (G), and 1379(9), to enact R.S. 22:5(12) through (15), 1248, 1249(A)(8) through (11), 1249.1, 1262(B)(1)(d) and (e) and (4) through (7), and 1262.1(H), and to repeal R.S. 22:1262(C) and (E) through (G), relative to unauthorized insurers; to define approved unauthorized insurer, authorized insurer, surplus lines insurance, and unauthorized insurer; to exempt certain vessels from the definition of "marine protection and indemnity insurance"; to provide for unauthorized insurers and the transacting of a business of insurance; to provide for surplus lines for solvent insurers; to establish capital, surplus, deposits, and bond requirements for certain insurers; to provide for approved unauthorized insurers' listing and removal from that listing; to provide for the placement of insurance business, prohibition, and exclusions; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 2024 by Representative Thornhill

AMENDMENT NO. 1

In Senate Committee Amendment No. 2, proposed by the Senate Committee on Insurance adopted by the Senate on May 15, 1997, on line 5, following "mineral," and before "the" insert "or"

AMENDMENT NO. 2

On page 11, line 12, following "(a)" and before "with" delete "above" and insert "of this Section"

AMENDMENT NO. 3

On page 14, line 20, following "(b)" and before "shall" delete "above" and insert "of this Section"

AMENDMENT NO. 4

On page 17, line 24, at the beginning of the line delete "above" and insert "of this Section" and on line 26, following "(4)" delete "above"

HOUSE BILL NO. 2052—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 6:282(A) and 1188(C), relative to state banks and stock savings banks; to change the requirements of share ownership for directors; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2058—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 9:3528(C), relative to consumer loan transactions; to provide that payment of accrued interest shall not constitute payment of a deferral charge; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2212—

BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact R.S. 22:1114(K)(2)(b), relative to licensing of insurance agents; to provide for an exemption from licensing of nonresident insurance agents; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 2293 (Substitute for House Bill No. 24 by Representative Flavin, et Al.) —

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

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

Reported without amendments.

HOUSE BILL NO. 2310 (Substitute for House Bill No. 1122 by Representative Travis)—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 9:3576.3(2)(a)(introductory paragraph) and (4), 3576.5(A), 3576.9(C)(2), 3576.10(B), 3576.11(B), 3576.14, 3576.15(B) and (C), 3576.18(A), 3576.21(K), and 3576.22(B), to enact R.S. 9:3576.5(C) and (D) and 3576.18(G), and to repeal R.S. 9:3576.17(C) through (F), relative to the Collection Agency Regulation Act; to provide relative to the definition of "debt collector" or "collection agency" and "client", "Louisiana client" or "customer"; to provide for investigations and proceedings and powers of the commissioner; to provide relative to licensing and penalties; to delete references to the attorney general as being able to initiate investigations; to provide relative to licensing fees and branch office certificates, trust fund accounts, and administrative hearings; to provide relative to operating a collection agency without a license; and to provide for related matters.

Reported without amendments.

Respectfully submitted,
DENNIS BAGNERIS
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Bagneris, the 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

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 19, 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. 25—

BY REPRESENTATIVES HEATON, CLARKSON, AND WILLARD-LEWIS
AN ACT

To name the Carrollton Avenue interchange located in the city of New Orleans in memory of former State Representative Toni Morrison and designate it the "Toni Morrison Interchange"; and to provide for related matters.

HOUSE BILL NO. 65—
BY REPRESENTATIVE HILL

AN ACT

To enact R.S. 33:4564.4, relative to Elizabeth Recreational District No. 3; to provide for an increase in the per diem to be paid to members of the board of commissioners of the district; to provide that per diem be paid out of district funds; and to provide for related matters.

HOUSE BILL NO. 253—
BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 37:3553(B), relative to licensing of massage therapists; to provide relative to exceptions to the regulations governing massage therapists; and to provide for related matters.

HOUSE BILL NO. 256—
BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 37:3556(B)(2), relative to licensing eligibility of massage therapists; to provide relative to the time during which an applicant may qualify to take the massage therapist licensing examination; and to provide for related matters.

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.

HOUSE BILL NO. 700—
BY REPRESENTATIVE ROUSSELLE

AN ACT

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

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.

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.

HOUSE BILL NO. 1043—
BY REPRESENTATIVES ALARIO, DEWITT, DIEZ, ROUSSELLE, SHAW, AND WILKERSON

AN ACT

To amend and reenact R.S. 32:707(A), relative to applications for title to mobile homes; to specify time for purchasers of motor homes to apply for certificates of title to vehicles; and to provide for related matters.

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.

HOUSE BILL NO. 1434—
BY REPRESENTATIVE WALSWORTH

AN ACT

To enact R.S. 33:2737.67, relative to Ouachita Parish School Board; to authorize the Ouachita Parish School Board to levy and collect an additional sales and use tax not to exceed one percent within the parish, excluding the city of Monroe, subject to voter approval; to authorize the school board to create one or more school districts or use existing school districts to use the additional tax; and to provide for related matters.

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.

HOUSE BILL NO. 1970—
BY REPRESENTATIVE TRAVIS

AN ACT

To enact R.S. 37:3508(F), relative to private investigators; to permit the board to have access to the arrest and felony conviction records of applicants; and to provide for related matters.

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.

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.

HOUSE BILL NO. 2331—
BY REPRESENTATIVES ALARIO AND ROUSSELLE

AN ACT

To enact R.S. 47:463.46, relative to motor vehicle registration; to provide for Special Olympics prestige license plates; and to provide for related matters.

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.

HOUSE BILL NO. 273—
BY REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 11:1921(A)(3)(b), relative to the Parochial Employees' Retirement System; to provide with respect to membership; to provide an option for school board members to terminate participation; to provide for refunds; and to provide for related matters.

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.

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.

HOUSE BILL NO. 437—
BY REPRESENTATIVE DANIEL

AN ACT

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

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.

HOUSE BILL NO. 910—
BY REPRESENTATIVE CHAISSON

AN ACT

To enact R.S. 13:2582(F), 2583(E), and 2614, relative to justice of the peace courts; to provide for the territorial jurisdiction of justice of the peace courts in St. Charles Parish; to provide for the election of justices and constables; to provide for terms of office; and to provide for related matters.

HOUSE BILL NO. 1007—
BY REPRESENTATIVE PINAC

AN ACT

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

HOUSE BILL NO. 1008—
BY REPRESENTATIVE PINAC

AN ACT

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

HOUSE BILL NO. 1257—
BY REPRESENTATIVE WINSTON

AN ACT

To repeal R.S. 49:251.1(C), relative to justice of the peace training course; to repeal provisions permitting a hardship one-day training session.

HOUSE BILL NO. 1333—
BY REPRESENTATIVE WILKERSON

AN ACT

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

HOUSE BILL NO. 1370—
BY REPRESENTATIVE DONELON

AN ACT

To amend and reenact R.S. 29:166 and to repeal R.S. 29:167, relative to court-martial jurisdiction; to provide for jurisdiction of the First Circuit Court of Appeal for appeal of court-martial cases; to repeal the creation and jurisdiction of the military appeals tribunal within the military department; to repeal general appeal provision to the First Circuit Court of Appeal; and to provide for related matters.

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.

HOUSE BILL NO. 1549—
BY REPRESENTATIVE VITTER

AN ACT

To amend and reenact R.S. 18:1511.11(B), relative to the Campaign Finance Disclosure Act; to change the prescriptive period for instituting actions for violations of campaign finance laws; to provide that actions for violations, except those contained in a report, must be commenced within three years from the date of the violation; to provide that actions for violations contained in a report must be commenced within one year after filing of the relevant report; and to provide for related matters.

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.

HOUSE BILL NO. 1629—
BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact R.S. 13:2583(A), relative to constables; to provide for certain qualifications of office; and to provide for related matters.

HOUSE BILL NO. 2357 (Substitute For House Bill No. 192 by Representative Frith)—

BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact R.S. 17:493.1(D), relative to filling certain school bus operators' route vacancies; to provide guidelines and procedures for the filling of route vacancies in specified circumstances; to provide limitations; to provide for applicability; and to provide for related matters.

HOUSE BILL NO. 2204—

BY REPRESENTATIVE TRAVIS

AN ACT

To enact R.S. 44:4(25), relative to private investigators; to provide for the confidentiality of records and information of the Louisiana State Board of Private Investigator Examiners; and to provide for related matters.

HOUSE BILL NO. 1794—

BY REPRESENTATIVE HOPKINS

AN ACT

To amend and reenact R.S. 30:21(B), relative to the office of conservation in the Department of Natural Resources; to provide relative to fees imposed by the office of conservation; to authorize a monthly production fee to replace certain annual regulatory and registration fees; to provide definitions, amounts, terms, and conditions; to establish a special fund to be known as the Oil and Gas Regulatory Fund; to provide for payments, appropriations, and deposits into such fund; to provide for the amounts and uses of such fund, including certain dedication of monies; to provide for the administration, collection, and enforcement of the monthly production fee; to provide for suspension of the fee under certain terms and conditions; and to provide for related matters.

HOUSE BILL NO. 1933—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 32:1(1) and to enact R.S. 40:1231(11) and R.S. 40:1232.1, relative to emergency medical response vehicles; to include emergency medical response vehicle in the definition of authorized emergency vehicle; to define emergency medical response vehicle; to provide for the qualifications of operators of emergency medical response vehicles; to provide for the qualifications which establish a vehicle as an emergency medical response vehicle; to require the Department of Health and Hospitals to inspect emergency medical response vehicles; to authorize the department to certify emergency medical response vehicles; to authorize the department to deny, probate, suspend, or revoke certifications; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 1964—

BY REPRESENTATIVE DURAND

AN ACT

To enact R.S. 37:22, relative to the identification of health care providers; to provide for legislative intent; to authorize a licensed health care provider to identify himself or herself by use of professional licensure terms or terminology as provided for within the laws, rules, or regulations which govern the licensure of such health care provider; and to provide for related matters.

HOUSE BILL NO. 1991—

BY REPRESENTATIVES ROUSSELLE, DEWITT, AND TRICHE

AN ACT

To enact R.S. 56:332(K), relative to fishing; to provide relative to crab traps; to require certain escape rings; to provide relative to such escape rings; and to provide for related matters.

HOUSE BILL NO. 2110—

BY REPRESENTATIVE WINDHORST

AN ACT

To enact R.S. 27:20(D), relative to the Louisiana Gaming Control Board; to provide the Department of Public Safety and Corrections, office of state police, may establish a testing laboratory or facility to test gaming devices and equipment; and to provide for related matters.

HOUSE BILL NO. 2254—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To amend and reenact R.S. 56:326(A)(1) and (2), relative to size limits for crabs; to exempt from those limits premolt crabs held for softshell production; to provide for the definition of a premolt crab;

and to provide for related matters.

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.

HOUSE BILL NO. 1521—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 56:38 and 301.2(1) and to enact R.S. 56:33(4) and (5) and 303.8, all relative to fishing; to provide relative to requirements for issuance of licenses and penalties for violations; to provide certain penalty and enforcement procedures, including revocation of the license or permit under certain circumstances, and that certain violations shall not preclude aid for training or sale of gear nor the obtaining of a rod or reel license or other net license for a subsequent period; to provide relative to certain license application requirements concerning submission of income tax returns; to authorize the obtaining of a special apprentice license for the commercial taking of saltwater fish under certain terms and conditions; and to provide for related matters.

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.

HOUSE BILL NO. 13—

BY REPRESENTATIVES ALARIO, ROUSSELLE, A. ALEXANDER, ANSARDI, BAUDOIN, BAYLOR, BRUCE, BRUNEAU, CLARKSON, COPELIN, CRANE, CURTIS, DANIEL, DEVILLE, DONELON, DOWNER, DURAND, FORSTER, FRITH, HAMMETT, HEBERT, HOLDEN, HOPKINS, JETSON, LANDRIEU, LEBLANC, LONG, MARTINY, MCCAIN, MCCALLUM, MCMAINS, MONTGOMERY, MORRELL, MURRAY, ODINET, PINAC, POWELL, RIDDLE, ROMERO, SCALISE, SCHNEIDER, SHAW, JACK SMITH, JOHN SMITH, STRAIN, THOMAS, THOMPSON, THORNHILL, TOOMY, VITTER, WARNER, WIGGINS, WILKERSON, AND WINSTON

AN ACT

To amend and reenact R.S. 48:223(B) and to enact R.S. 48:223(F), relative to drainage for state highways; to authorize the Department of Transportation and Development to issue permits for construction of drainage projects in state highway rights-of-way; and to provide for related matters.

HOUSE BILL NO. 85—

BY REPRESENTATIVE HEATON

AN ACT

To amend and reenact R.S. 40:2402(1)(a) and 2405(A), relative to peace officer standards and training; to include court-appointed probation officers within the definition of peace officer; and to provide for related matters.

HOUSE BILL NO. 364—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 37:3556(B)(1) and (C) and to enact R.S. 37:3556(D), relative to licensing of massage therapists; to provide relative to educational requirements for licensing; and to provide for related matters.

HOUSE BILL NO. 1381—

BY REPRESENTATIVE FARVE (BY REQUEST)

AN ACT

To enact Chapter 17-A of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:2481 through 2483, relative to animals; to provide with respect to protection of certain higher primates, as defined; to provide for standards for the protection, housing, and care of certain higher primates and to provide penalties for violations; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

House Bills and Joint Resolutions

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

HOUSE BILL NO. 13—

BY REPRESENTATIVES ALARIO, ROUSSELLE, A. ALEXANDER, ANSARDI, BAUDOIN, BAYLOR, BRUCE, BRUNEAU, CLARKSON, COPELIN, CRANE, CURTIS, DANIEL, DEVILLE, DONELON, DOWNER, DURAND, FORSTER, FRITH, HAMMETT, HEBERT, HOLDEN, HOPKINS, JETSON, LANDRIEU, LEBLANC, LONG, MARTINY, MCCAIN, MCCALLUM, MCMAINS, MONTGOMERY, MORRELL, MURRAY, ODINET, PINAC, POWELL, RIDDLE, ROMERO, SCALISE, SCHNEIDER, SHAW, JACK SMITH, JOHN SMITH, STRAIN, THOMAS, THOMPSON, THORNHILL, TOOMY, VITTER, WARNER, WIGGINS, WILKERSON, AND WINSTON

AN ACT

To amend and reenact R.S. 48:223(B) and to enact R.S. 48:223(F), relative to drainage for state highways; to authorize the Department of Transportation and Development to issue permits for construction of drainage projects in state highway rights-of-way; and to provide for related matters.

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

HOUSE BILL NO. 25—

BY REPRESENTATIVES HEATON, CLARKSON, AND WILLARD-LEWIS

AN ACT

To name the Carrollton Avenue interchange located in the city of New Orleans in memory of former State Representative Toni Morrison and designate it the "Toni Morrison Interchange"; and to provide for related matters.

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

HOUSE BILL NO. 65—

BY REPRESENTATIVE HILL

AN ACT

To enact R.S. 33:4564.4, relative to Elizabeth Recreational District No. 3; to provide for an increase in the per diem to be paid to members of the board of commissioners of the district; to provide that per diem be paid out of district funds; and to provide for related matters.

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

HOUSE BILL NO. 85—

BY REPRESENTATIVE HEATON

AN ACT

To amend and reenact R.S. 40:2402(1)(a) and 2405(A), relative to peace officer standards and training; to include court-appointed probation officers within the definition of peace officer; and to provide for related matters.

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

HOUSE BILL NO. 253—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 37:3553(B), relative to licensing of massage therapists; to provide relative to exceptions to the regulations governing massage therapists; and to provide for related matters.

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

HOUSE BILL NO. 256—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 37:3556(B)(2), relative to licensing eligibility of massage therapists; to provide relative to the time during which an applicant may qualify to take the massage therapist licensing examination; and to provide for related matters.

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

HOUSE BILL NO. 273—

BY REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 11:1921(A)(3)(b), relative to the Parochial Employees' Retirement System; to provide with respect to membership; to provide an option for school board members to terminate participation; to provide for refunds; and to provide for related matters.

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

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.

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

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.

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

HOUSE BILL NO. 364—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 37:3556(B)(1) and (C) and to enact R.S. 37:3556(D), relative to licensing of massage therapists; to provide relative to educational requirements for licensing; and to provide

for related matters.

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

HOUSE BILL NO. 437—

BY REPRESENTATIVE DANIEL

AN ACT

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

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

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.

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

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.

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

HOUSE BILL NO. 700—

BY REPRESENTATIVE ROUSSELLE

AN ACT

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

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

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.

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

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.

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

HOUSE BILL NO. 910—

BY REPRESENTATIVE CHAISSON

AN ACT

To enact R.S. 13:2582(F), 2583(E), and 2614, relative to justice of the peace courts; to provide for the territorial jurisdiction of justice of the peace courts in St. Charles Parish; to provide for the election of justices and constables; to provide for terms of office; and to provide for related matters.

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

HOUSE BILL NO. 1007—

BY REPRESENTATIVE PINAC

AN ACT

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

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

HOUSE BILL NO. 1008—

BY REPRESENTATIVE PINAC

AN ACT

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

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

HOUSE BILL NO. 1043—

BY REPRESENTATIVES ALARIO, DEWITT, DIEZ, ROUSSELLE, SHAW, AND WILKERSON

AN ACT

To amend and reenact R.S. 32:707(A), relative to applications for title to mobile homes; to specify time for purchasers of motor homes to apply for certificates of title to vehicles; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

May 19, 1997

HOUSE BILL NO. 1257—

BY REPRESENTATIVE WINSTON
AN ACT

To repeal R.S. 49:251.1(C), relative to justice of the peace training course; to repeal provisions permitting a hardship one-day training session.

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

HOUSE BILL NO. 1333—

BY REPRESENTATIVE WILKERSON
AN ACT

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

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

HOUSE BILL NO. 1370—

BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact R.S. 29:166 and to repeal R.S. 29:167, relative to court-martial jurisdiction; to provide for jurisdiction of the First Circuit Court of Appeal for appeal of court-martial cases; to repeal the creation and jurisdiction of the military appeals tribunal within the military department; to repeal general appeal provision to the First Circuit Court of Appeal; and to provide for related matters.

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

HOUSE BILL NO. 1381—

BY REPRESENTATIVE FARVE (BY REQUEST)
AN ACT

To enact Chapter 17-A of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:2481 through 2483, relative to animals; to provide with respect to protection of certain higher primates, as defined; to provide for standards for the protection, housing, and care of certain higher primates and to provide penalties for violations; and to provide for related matters.

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

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.

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

HOUSE BILL NO. 1434—

BY REPRESENTATIVE WALSWORTH
AN ACT

To enact R.S. 33:2737.67, relative to Ouachita Parish School Board; to authorize the Ouachita Parish School Board to levy and collect an additional sales and use tax not to exceed one percent within the parish, excluding the city of Monroe, subject to voter approval; to authorize the school board to create one or more school districts or use existing school districts to use the additional tax; and to provide for related matters.

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

HOUSE BILL NO. 1521—

BY REPRESENTATIVE ODINET
AN ACT

To amend and reenact R.S. 56:38 and 301.2(1) and to enact R.S. 56:33(4) and (5) and 303.8, all relative to fishing; to provide relative to requirements for issuance of licenses and penalties for violations; to provide certain penalty and enforcement procedures, including revocation of the license or permit under certain circumstances, and that certain violations shall not preclude aid for training or sale of gear nor the obtaining of a rod or reel license or other net license for a subsequent period; to provide relative to certain license application requirements concerning submission of income tax returns; to authorize the obtaining of a special apprentice license for the commercial taking of saltwater fish under certain terms and conditions; and to provide for related matters.

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

HOUSE BILL NO. 1549—

BY REPRESENTATIVE VITTER
AN ACT

To amend and reenact R.S. 18:1511.11(B), relative to the Campaign Finance Disclosure Act; to change the prescriptive period for instituting actions for violations of campaign finance laws; to provide that actions for violations, except those contained in a report, must be commenced within three years from the date of the violation; to provide that actions for violations contained in a report must be commenced within one year after filing of the relevant report; and to provide for related matters.

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

HOUSE BILL NO. 1629—

BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact R.S. 13:2583(A), relative to constables; to provide for certain qualifications of office; and to provide for related matters.

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

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.

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

HOUSE BILL NO. 1794—

BY REPRESENTATIVE HOPKINS
AN ACT

To amend and reenact R.S. 30:21(B), relative to the office of conservation in the Department of Natural Resources; to provide relative to fees imposed by the office of conservation; to authorize a monthly production fee to replace certain annual regulatory and registration fees; to provide definitions, amounts, terms, and conditions; to establish a special fund to be known as the Oil and Gas Regulatory Fund; to provide for payments, appropriations, and deposits into such fund; to provide for the amounts and uses of such fund, including certain dedication of monies; to provide for the administration, collection, and enforcement of the monthly production fee; to provide for suspension of the fee under certain terms and conditions; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and

referred to the Committee on Natural Resources.

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 1933—
BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 32:1(1) and to enact R.S. 40:1231(11) and R.S. 40:1232.1, relative to emergency medical response vehicles; to include emergency medical response vehicle in the definition of authorized emergency vehicle; to define emergency medical response vehicle; to provide for the qualifications of operators of emergency medical response vehicles; to provide for the qualifications which establish a vehicle as an emergency medical response vehicle; to require the Department of Health and Hospitals to inspect emergency medical response vehicles; to authorize the department to certify emergency medical response vehicles; to authorize the department to deny, probate, suspend, or revoke certifications; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 1964—
BY REPRESENTATIVE DURAND
AN ACT

To enact R.S. 37:22, relative to the identification of health care providers; to provide for legislative intent; to authorize a licensed health care provider to identify himself or herself by use of professional licensure terms or terminology as provided for within the laws, rules, or regulations which govern the licensure of such health care provider; and to provide for related matters.

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

HOUSE BILL NO. 1970—
BY REPRESENTATIVE TRAVIS
AN ACT

To enact R.S. 37:3508(F), relative to private investigators; to permit the board to have access to the arrest and felony conviction records of applicants; and to provide for related matters.

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

HOUSE BILL NO. 1991—
BY REPRESENTATIVES ROUSSELLE, DEWITT, AND TRICHE
AN ACT

To enact R.S. 56:332(K), relative to fishing; to provide relative to crab traps; to require certain escape rings; to provide relative to such escape rings; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 2110—
BY REPRESENTATIVE WINDHORST
AN ACT

To enact R.S. 27:20(D), relative to the Louisiana Gaming Control Board; to provide the Department of Public Safety and Corrections, office of state police, may establish a testing laboratory or facility to test gaming devices and equipment; and to provide for related matters.

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

HOUSE BILL NO. 2204—
BY REPRESENTATIVE TRAVIS
AN ACT

To enact R.S. 44:4(25), relative to private investigators; to provide for the confidentiality of records and information of the Louisiana State Board of Private Investigator Examiners; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 2254—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 56:326(A)(1) and (2), relative to size limits for crabs; to exempt from those limits premolt crabs held for softshell production; to provide for the definition of a premolt crab; and to provide for related matters.

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

May 19, 1997

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.

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

HOUSE BILL NO. 2331—
BY REPRESENTATIVES ALARIO AND ROUSSELLE
AN ACT

To enact R.S. 47:463.46, relative to motor vehicle registration; to provide for Special Olympics prestige license plates; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

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.

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

HOUSE BILL NO. 2357 (Substitute For House Bill No. 192 by Representative Frith)—
BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact R.S. 17:493.1(D), relative to filling certain school bus operators' route vacancies; to provide guidelines and procedures for the filling of route vacancies in specified circumstances; to provide limitations; to provide for applicability; and to provide for related matters.

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

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**

May 19, 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. 176—
BY REPRESENTATIVE WIGGINS
A CONCURRENT RESOLUTION

To commend and congratulate the Pineville Lady Rebels Softball Team upon winning the 4-A state championship.

HOUSE CONCURRENT RESOLUTION NO. 177—
BY REPRESENTATIVES FAUCHEUX AND BRUNEAU
A CONCURRENT RESOLUTION

To express the sincere condolences of the Louisiana Legislature upon the death of Mr. Joseph Mark Costello, III, noted citizen, entrepreneur, and founder of WRNO in New Orleans.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 176—
BY REPRESENTATIVE WIGGINS
A CONCURRENT RESOLUTION

To commend and congratulate the Pineville Lady Rebels Softball Team upon winning the 4-A state championship.

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

ROLL CALL

The roll was called with the following result:

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

NAYS

Total—0

ABSENT

Bagneris	Cravins	Ullo
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Barham Hainkel
Total—5

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

HOUSE CONCURRENT RESOLUTION NO. 177—
BY REPRESENTATIVES FAUCHEUX AND BRUNEAU
A CONCURRENT RESOLUTION

To express the sincere condolences of the Louisiana Legislature upon the death of Mr. Joseph Mark Costello, III, noted citizen, entrepreneur, and founder of WRNO in New Orleans.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Cravins	Ullo
Barham	Hainkel	
Total—5		

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

EDUCATION

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

May 15, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 1198—
BY SENATOR ELLINGTON
AN ACT

To enact Subpart A-1 of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:181 through 188, relative to creating a career option for high

school students; to require the completion of Five Year Educational Plans by students; to provide for the creation of a vocational major in high schools and curriculum design teams; to provide for a vocational major pilot program; to establish timelines for piloting and full implementation; to provide an approval process; and to provide for related matters.

Reported with amendments.

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.

Reported with amendments.

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, DUPE, 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.

Reported with amendments.

Respectfully submitted,
THOMAS A. GREENE
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:

May 15, 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. 633—
BY SENATOR GUIDRY

AN ACT

To amend and reenact R.S. 23:1015.2, relative to employee leave; to require employers to grant leave to employees to attend conferences or classroom activities of their children; to prohibit employers from penalizing employees who attend such school activities; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
NOBLE E. ELLINGTON
Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

May 19, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 356—
BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 18:2(9), 402(C)(1) and (2), (E)(1)(c) and (2)(c), (F)(3) and (5), 434(A)(1), 443(B)(1), 443.2(2)(a) and (7)(a), 444(B), 464(C)(1) and 467(3) and to repeal R.S. 18:444(I), 445.1, 551(B)(1)(b), and Part III of Chapter 6 of Title 18 of the Louisiana Revised Statutes of 1950, comprised of R.S. 18:1280.21 through 1280.27 and R.S. 18:1400.5, relative to election dates; to eliminate the January election date for bond, tax, or other elections; to eliminate the requirement of holding the presidential preference primary, provisions for paying the costs and expenses thereof, and references to its date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1267—
BY SENATOR BAGNERIS

AN ACT

To amend and reenact Children's Code Art. 412, relative to juvenile delinquents; to provide for the confidentiality of certain court records of a juvenile; to provide for exceptions; to provide for sanctions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 108—
BY REPRESENTATIVE FLAVIN

AN ACT

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

Reported favorably.

HOUSE BILL NO. 330—
BY REPRESENTATIVE ROUSSELLE
AN ACT

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

Reported favorably.

HOUSE BILL NO. 334—
BY REPRESENTATIVE ROUSSELLE
AN ACT

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

Reported favorably.

HOUSE BILL NO. 776—
BY REPRESENTATIVES WINDHORST, ALARIO, A. ALEXANDER, R. ALEXANDER, BARTON, BAUDOIN, BAYLOR, BRUCE, CARTER, CLARKSON, COPELIN, CURTIS, DAMICO, DANIEL, DEVILLE, DEWITT, DIEZ, DOERGE, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FORSTER, FRITH, GAUTREAU, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HUDSON, HUNTER, ILES, JETSON, JOHNS, KENNARD, KENNEY, LEBLANC, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PINAC, PRATT, QUEZAIRE, RIDDLE, ROMERO, ROUSSELLE, SALTER, SCALISE, SCHNEIDER, SHAW, JACK SMITH, JOHN SMITH, THERIOT, THOMPSON, THORNHILL, TOOMY, TRAVIS, TRICHE, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD-LEWIS, AND WRIGHT AND SENATORS CAIN, CRAVINS, ELLINGTON, GUIDRY, IRONS, JONES, JORDAN, LANDRY, LENTINI, SCHEDLER, AND THEUNISSEN

A JOINT RESOLUTION

Proposing to amend Article III, Section 2(A) of the Constitution of Louisiana, relative to sessions of the legislature; to provide for annual general sessions of the legislature; to provide limitations; to provide deadlines for the prefiling and introduction of legislation and for certain legislative action; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1918—
BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 51:212(3) and to enact Part II of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:21, relative to insignia and trademarks of public bodies; to provide that a mark by which the goods or services of any applicant for registration may be distinguished from the goods or services of others shall not be registered if it consists of or comprises the coat of arms or other insignia, symbol, seal, emblem, or logo of the United States, or of this state, or of any local governmental subdivision of this state, or of any state or governmental subdivision thereof, or educational institution, or of any foreign nation, or any simulation thereof; to authorize local governmental subdivisions to adopt an official seal, insignia, symbol, emblem, coat of arms, or logo; to provide that the use of such official seal, insignia, symbol, emblem, coat of arms, or logo is reserved to the local governmental subdivision; to prohibit its unauthorized use; to provide penalties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2141—

BY REPRESENTATIVE WINDHORST
AN ACT

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

Reported favorably.

HOUSE BILL NO. 2174—

BY REPRESENTATIVES MCMAINS, WELCH, AND WESTON AND SENATOR GUIDRY
AN ACT

To amend and reenact R.S. 49:141 and to repeal Chapter 10 of Title 25 of the Louisiana Revised Statutes of 1950, comprised of R.S. 25:571 through 584 and R.S. 36:209(H)(2), relative to the Old Governor's Mansion; to provide for transfer of supervision and administrative control of the mansion from the Department of Culture, Recreation and Tourism and the Board of Commissioners of the Louisiana Arts and Science Center to the commissioner of administration; to repeal provisions relative to the Louisiana Arts and Science Center and its board of commissioners; to repeal the provisions regarding the transfer of the functions of such board to the Department of Culture, Recreation and Tourism; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JAY DARDENNE
Chairman

REPORT OF COMMITTEE ON

NATURAL RESOURCES

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

May 15, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 63—

BY SENATOR ROBICHAUX
AN ACT

To add R.S. 56:55.2(C); relative to enforcement powers; to provide law enforcement powers to certain wildlife officers and department employees on game management areas and refuges; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 362—

BY SENATOR GREENE (BY REQUEST)
AN ACT

To amend and reenact R.S. 56:326.6(A), relative to bowfin; to include certain parishes in the commercial bowfin season; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1492—

BY SENATOR DEAN
AN ACT

To declare that the public and necessary purpose which may have originally supported the expropriation of certain property in the parish of Plaquemines, known as Cheniere Ronquillo, located in Sections 9, 10, 15, and 16 of Township 21 South, Range 26 East, has ceased to exist, to order the return of certain property from the Board of Levee Commissioners of the Buras Levee District, including mineral rights, acquired therefor by expropriation under certain terms, conditions, and procedures, and subject to certain rights; to provide for effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1500—

BY SENATOR ROMERO
AN ACT

To enact Subpart J of Part VI of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:310 through 310.2, relative to labeling; to require that all seafood products originating from or being imported from a communist country and sold in Louisiana be labeled with the country of origin; to provide for penalties; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 33—

BY REPRESENTATIVE BRUNEAU
A CONCURRENT RESOLUTION

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

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 101—

BY REPRESENTATIVES JOHN SMITH, FAUCHEUX, FRITH, AND HUDSON
A CONCURRENT RESOLUTION

To memorialize the United States Congress to enact Teaming with Wildlife legislation to provide a funding source for the conservation and management of nongame wildlife species.

Reported favorably.

HOUSE BILL NO. 53—

BY REPRESENTATIVE BRUNEAU
AN ACT

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

Reported favorably.

HOUSE BILL NO. 157—

BY REPRESENTATIVE DOERGE
AN ACT

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

Reported favorably.

HOUSE BILL NO. 409—

BY REPRESENTATIVE STRAIN
AN ACT

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

May 19, 1997

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 604—
BY REPRESENTATIVE STRAIN
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1149—
BY REPRESENTATIVE ODINET
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 1150—
BY REPRESENTATIVE RIDDLE
AN ACT

To enact R.S. 56:8(76.1), relative to fishing; to define "private pond" for the purposes of the production and harvesting of crawfish and catfish; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1799—
BY REPRESENTATIVE JOHN SMITH
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1987—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 56:326(A)(introductory paragraph), relative to fishing; to provide relative to size and possession limits for commercial fish; to delete references to certain repealed sections of law; and to provide for related matters.

Reported with amendments.

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:

May 15, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 1329—
BY SENATOR JOHNSON
AN ACT

To amend and reenact R.S. 47:332.10, relative to the New Orleans Metropolitan Convention and Visitors Bureau Fund; to rename the fund; to expand the allowable uses of monies in the fund; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1474—
BY SENATOR SCHEDLER
AN ACT

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

Reported favorably.

HOUSE BILL NO. 90—
BY REPRESENTATIVES DUPRE, DOWNER, AND GAUTREAUX
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 115—
BY REPRESENTATIVE ILES
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 135—
BY REPRESENTATIVE MCCALLUM
AN ACT

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

Reported favorably.

HOUSE BILL NO. 248—
BY REPRESENTATIVE TRAVIS
AN ACT

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

clerk's office; and to provide for related matters.

Reported with amendments.

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.

Reported favorably.

HOUSE BILL NO. 363—
BY REPRESENTATIVE JOHN SMITH
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 478—
BY REPRESENTATIVE THOMAS
AN ACT

To enact R.S. 33:1704.4, relative to city marshals; to provide for fees of office in civil matters for the city marshal of Bogalusa; and to provide for related matters.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 1235—
BY REPRESENTATIVE WILLARD-LEWIS
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1334—
BY REPRESENTATIVE WINSTON
AN ACT

To amend and reenact R.S. 33:1236(47) and 1651, relative to the parish of St. Tammany; to provide relative to the location of the main administrative facility of the parish; to provide for location of such facility outside of the parish seat; to provide relative to housing of certain parish officials at such facility; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DIANA E. BAJOIE

Chairwoman

**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:

May 15, 1997

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 106—
BY SENATOR SHORT

A CONCURRENT RESOLUTION
To urge and request the Department of Transportation and Development to include the widening of Louisiana Highway 25 from Franklinton, Louisiana to its intersection of United States Highway 190 in St. Tammany Parish to four lanes in the highway priority program and to expedite the widening of United States Highway 190 from its intersection with Louisiana Highway 25 to the United States Highway 190 interchange in Covington, Louisiana to four lanes.

Reported favorably.

SENATE BILL NO. 952—
BY SENATORS HEITMEIER AND SMITH
AN ACT

To enact R.S. 32:431(A)(5), (B), (C), and (D), relative to motor vehicles; to provide relative to driver's licenses; to require continued attendance in school to maintain a driver's license; to require maintenance of a 2.0 grade point average to acquire and maintain a driver's license; to provide for reporting procedures; to provide for cancellation of a driver's license; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1014—
BY SENATOR SIRACUSA
AN ACT

To enact R.S. 48:261(A)(3), relative to local governments; to provide relative to certain parishes; to require the Department of Transportation and Development to contract with such parishes for the maintenance of certain functions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1033—
BY SENATOR HEITMEIER
AN ACT

To amend and reenact R.S. 32:295.1(C), (D), (E), (F), (G), and (H), and to repeal R.S. 32:295.1(I), relative to motor vehicles; to provide relative to required safety belt usage during operation; to exempt taxicab drivers in certain instances; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1133—
BY SENATOR LANDRY
AN ACT

To amend and reenact R.S. 48:251, 252, 253, 255, 255.1, 256.1, 256.3 and to enact R.S. 48:250, 251.2, 251.3, 251.4, 251.5, 251.6,

May 19, 1997

251.7, 251.8, 251.9, 252.1, 255.3, 255.4, 255.5, 255.6, 255.7, 256.4, 256.5, 256.6, 256.7, Subpart D of Part XIII of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950 to be comprised of R.S. 48:256.7 through 256.9 and Subpart E of Part XIII of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950 to be comprised of R.S. 48:256.10 through 256.19, relative to the Department of Transportation and Development; to provide relative to contracts for construction and maintenance projects; to provide for prescription of such contracts; to provide relative to conflict of interests of certain professionals; to provide for invalidation of contracts in certain instances; to provide for definitions; to provide relative to advertisement for bids; to determine contract limits relative to bidding requirements; to provide for advertisements for bids; to provide for plan changes; to provide for disqualification of bidders; to provide for awarding contract; to prohibit certain contracts; to provide for commencement and delays of work; to provide for protests by bidders relative to bid solicitation; to provide for appeals process; to provide for judicial review of decisions of the department; to establish remedies of a successful protestor; to establish a procedure for contract disputes; to provide for bond requirements of contractors for public work; to provide for acceptance of completed work by department; to provide for claims of subcontractors; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1150—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 32:190(A), relative to safety helmets; to require certain motor vehicle operators to wear safety helmets; and to provide for related matters.

Reported favorably.

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 certain levee districts to expend a portion of ad valorem taxes on such plan; to require certain levee districts to expend a portion of parish transportation funds on such plan; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1342—
BY SENATOR SIRACUSA

AN ACT

To enact Chapter 2-C of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:106 through 110, relative to the construction of interim flood protection projects on the Atchafalaya River in Terrebonne, Assumption, St. Martin and St. Mary parishes; to authorize the Department of Transportation and Development to serve as the non-federal sponsor for the construction of these projects; to authorize the department to contract with agencies of the federal government, other state agencies, and political subdivisions of the state for the purposes of the projects; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1497—
BY SENATORS SIRACUSA AND ROMERO

AN ACT

To enact R.S. 48:388.1, relative to freight railroads; to create the Freight Railroad Intermodal Grant Program within the Department of Transportation and Development; to provide relative to grant authority of the program; to require certain funding for the program; to require the promulgation of rules and regulations; and

to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1507—
BY SENATOR BARHAM

AN ACT

To enact R.S. 45:1177(E), relative to fees levied on motor carriers and public utilities; to provide an exclusion for commercial mobile service; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 34—
BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To authorize and direct the Department of Transportation and Development to erect signs on both the northbound and southbound lanes of I-10 at exits 206 and 209 in LaPlace to notify the public that the exits provide lodging, food, gas, and a hospital.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 51—
BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To memorialize the United States Congress to provide funding for construction of an interchange on Interstate 10 near Reserve, Louisiana, in St. John the Baptist Parish.

Reported favorably.

HOUSE BILL NO. 26—
BY REPRESENTATIVE RIDDLE

AN ACT

To amend and reenact R.S. 32:410(A)(3)(a)(vii) and (viii) and to enact R.S. 32:410(A)(3)(a)(ix), relative to motor vehicles; to include the parish of residence code number on drivers' licenses; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 141—

BY REPRESENTATIVES FONTENOT, KENNARD, AND DIEZ

AN ACT

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

Reported favorably.

HOUSE BILL NO. 354—
BY REPRESENTATIVE FRUGE

AN ACT

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

Reported with amendments.

HOUSE BILL NO. 439—
BY REPRESENTATIVE DIEZ

AN ACT

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

Reported favorably.

HOUSE BILL NO. 589—
BY REPRESENTATIVE FRUGE
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 1181—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To enact R.S. 2:605.1, relative to airport operators; to provide airport operators the option of collecting rentals, fees, and other charges from customers of tenant auto rental companies; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1396—
BY REPRESENTATIVES DUPRE, DOWNER, GAUTREUX, ROUSSELLE,
AND TRICHE AND SENATORS ROBICHAUX AND SIRACUSA
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 1538—
BY REPRESENTATIVE FRUGE
AN ACT

To enact R.S. 32:387.8, relative to steering axle permits; to provide for travel on interstate highways by vehicles which require steering axle permits; and to provide for related matters.

Reported favorably.

Respectfully submitted,
RON LANDRY
Chairman

Motion to Recommit

Senator Landry asked for and obtained a suspension of the rules and asked that Senate Bill No. 98 be recommitted from the Committee on Natural Resources to the Committee on Health and Welfare.

Rules Suspended

Senator Johnson asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 1371 from the Committee on Finance.

On motion of Senator Johnson the bill was read by title, ordered engrossed and pass to a third reading.

**Senate Bills and Joint Resolutions
on Second Reading**

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

SENATE BILL NO.1558 (Substitute for Senate Bill 1534 by Senator Ellington)—

BY SENATOR ELLINGTON
AN ACT

To amend and reenact R.S. 40:1299.35.5(B)(3), (4), (6), (7), and (10) and (C)(2) and to reenact R.S. 40:1299.35.5(B)(1), (2), (5), (8), (9), (11), (12) and(13), (C)(1), and (D), relative to abortion procedures for minors, to clarify procedural provisions relative to a minor's application for judicial authorization of an abortion; to provide relative to hearings, delays, determinations, the exercise of appellate supervisory power, and expedition; to clarify and provide relative to evaluation and counseling sessions and reports to the court; to provide relative to court notification of parents or guardian of immature minors; to provide for severability; and to provide for related matters.

On motion of Senator Hines, the bill was read by title and ordered engrossed and passed to a third reading.

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

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

SENATE BILL NO. 1470—
BY SENATOR MALONE
AN ACT

To amend and reenact R.S. 3:4278.2(B), relative to the sale of timber; to require approval of at least sixty-six and two-thirds percent of the co-owners of timber property prior to the sale of timber; and to provide for related matters.

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

Bean	Hines	Romero
Cain	Hollis	Schedler
Campbell	Johnson	Short
Casanova	Jones	Smith
Cox	Lambert	Tarver
Dean	Lentini	Theunissen
Ellington	Malone	Ullo
Heitmeier	Robichaux	
Total—23		

NAYS

Mr. President	Fields	Jordan
Bajoie	Guidry	Landry
Dardenne	Irons	
Total—8		

ABSENT

Bagneris	Cravins	Hainkel
Barham	Dyess	Siracusa
Branch	Greene	
Total—8		

May 19, 1997

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.

SENATE BILL NO. 215—

BY SENATORS EWING AND LANDRY
A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize the use of public funds through state infrastructure banks; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

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

SENATE BILL NO. 709—

BY SENATORS LANDRY AND GREENE
AN ACT

To enact R.S. 42:5.1, relative to public meetings; to require school boards to allow public comment at school board meetings before taking a vote; 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	Lentini
Bean	Guidry	Malone
Cain	Hainkel	Robichaux
Campbell	Heitmeier	Romero
Casanova	Hines	Schedler
Cox	Hollis	Short
Cravins	Irons	Siracusa

Dardenne	Johnson	Smith
Dean	Jones	Tarver
Dyess	Jordan	Theunissen
Ellington	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bagneris	Barham	Branch
Total—3		

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

Personal Privilege

Senator Branch asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on Senate Bill No. 709. He had intended to vote yea on the bill. He asked that the Official Journal so state.

SENATE BILL NO. 742—

BY SENATORS HEITMEIER, DARDENNE AND EWING
AN ACT

To amend and reenact R.S. 46:931, 933(C), (D), (F) and (G), 934, 936, 1602(C), and 1605 and to repeal R.S. 46:938, relative to elderly affairs; to provide for the reorganization of the Louisiana Executive Board on Aging; to provide for powers of the board; to provide for consolidation of services within the office of elderly affairs; to provide for administration of funds for services to the elderly; to eliminate mandatory provision of a computer based volunteer service credit program; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 742 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 11, following "934" and before the comma "," delete "(A)"

AMENDMENT NO. 2

On page 4, line 6, at the beginning of the line, change "(A)" to "(A)"

On motion of Senator Bagneris, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 742 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, change lead author from Heitmeier to Dardenne

On motion of Senator Dardenne, the amendments were adopted.

Motion

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

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Cain	Heitmeier	Lentini
Campbell	Jordan	Robichaux
Cox	Lambert	Schedler
Guidry	Landry	Ullo
Total—12		

NAYS

Bajoie	Dyess	Malone
Bean	Ellington	Romero
Branch	Fields	Short
Casanova	Greene	Smith
Cravins	Hainkel	Tarver
Dardenne	Hines	Theunissen
Dean	Hollis	
Total—20		

ABSENT

Mr. President	Irons	Siracusa
Bagneris	Johnson	
Barham	Jones	
Total—7		

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

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	Malone
Bajoie	Fields	Robichaux
Bean	Greene	Romero
Branch	Guidry	Schedler
Campbell	Heitmeier	Short
Casanova	Hines	Siracusa
Cox	Hollis	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Lambert	
Dyess	Lentini	
Total—31		

NAYS

Cain	Jordan	Ullo
Hainkel	Landry	
Total—5		

ABSENT

Bagneris	Barham	Jones
Total—3		

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

SENATE BILL NO. 852—
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 to exclude such a student except under certain circumstances; 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 Senate Bill No. 852 by Senator Short

AMENDMENT NO. 1

On page 1, line 14, delete "shall" and insert "may"

AMENDMENT NO. 2

On page 2, line 6, delete "shall" and insert "may"

Senator Fields moved adoption of the amendments.

Senator Short objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bagneris	Dyess	Jordan
Bajoie	Fields	Landry
Bean	Guidry	Robichaux
Campbell	Heitmeier	Romero
Cox	Hines	Schedler
Cravins	Irons	Tarver
Dean	Johnson	Ullo
Total—21		

NAYS

Mr. President	Ellington	Malone
Branch	Greene	Short
Cain	Hainkel	Siracusa
Casanova	Hollis	
Dardenne	Lentini	
Total—13		

ABSENT

Barham	Lambert	Theunissen
Jones	Smith	
Total—5		

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 852 by Senator Short

AMENDMENT NO. 1

On page 2, line 8, delete "two-thirds" and insert "a majority"

May 19, 1997

On motion of Senator Landry, the amendments were adopted.

Floor Amendments Sent Up

Senator Dean sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dean to Engrossed Senate Bill No. 852 by Senator Short

AMENDMENT NO. 1

On page 2, between lines 9 and 10 insert the following:

"(3) Any student refused admission to a school pursuant to the provisions in this Section shall retain the tax dollars normally appropriated to that student for an alternative educational system.

Senator Dean moved adoption of the amendments.

Senator Short objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Bajoié, Casanova, Cravins, Dean, Ellington, Fields, Guidry, Irons, Jones. Total—9

NAYS

Table with 3 columns: Mr. President, Bagneris, Bean, Branch, Cain, Campbell, Dardenne, Dyess, Greene, Hainkel, Heitmeier, Hines, Hollis, Jordan, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo. Total—27

ABSENT

Table with 3 columns: Barham, Cox, Johnson. Total—3

The Chair declared the amendments were rejected.

Motion

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

Without objection, so ordered.

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

Table with 3 columns: Mr. President, Branch, Cain, Campbell, Hainkel, Heitmeier, Hines, Hollis, Robichaux, Romero, Schedler, Short.

Casanova, Dardenne, Dyess, Ellington, Greene, Total—25

Jordan, Lambert, Landry, Lentini, Malone

Smith, Theunissen, Ullo

NAYS

Bagneris, Bajoie, Bean, Cox, Cravins, Total—13

Dean, Fields, Guidry, Irons, Johnson

Jones, Siracusa, Tarver

ABSENT

Barham, Total—1

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

SENATE BILL NO. 1039—

BY SENATOR SHORT

AN ACT

To amend and reenact R.S. 29:27, relative to exempting any private vehicle bearing disabled American veteran license plates from being required to pay tolls on certain government ferries and bridges or parking fees in government parking garages; 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

Table with 3 columns: Mr. President, Bagneris, Bajoie, Bean, Branch, Cain, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Johnson, Jones, Jordan, Lambert, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo. Total—35

NAYS

Landry, Total—1

ABSENT

Table with 3 columns: Barham, Campbell, Irons. Total—3

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.

SENATE BILL NO. 1077—
BY SENATOR JOHNSON

AN ACT

To enact R.S. 33:2740.35, relative to the New Orleans East Economic Development District; to create the district; to provide for the powers, duties, functions, and governing authority of the district; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1077 by Senator Johnson

AMENDMENT NO. 1

On page 2, line 12, following "construction" and before "and" insert a comma "," and following "improvements" insert a comma ","

AMENDMENT NO. 2

On page 4, line 23, following "facilities" and before "and" insert a comma ","

AMENDMENT NO. 3

On page 9, line 19, following "commission" and before "shall" insert a comma ","

AMENDMENT NO. 4

On page 10, line 18, following "price" and before "or" delete "of"

On motion of Senator Bagneris, the amendments were adopted.

Floor Amendments Sent Up

Senator Johnson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Johnson to Engrossed Senate Bill No. 1077 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 2, delete "the New Orleans East Economic" and insert "economic"

AMENDMENT NO. 2

On page 1, delete line 3 completely and insert "development districts; to create such districts in municipalities with a population in excess of five hundred thousand persons; to provide for the powers;"

AMENDMENT NO. 3

On page 1, line 4, change "the district" to "such districts"

AMENDMENT NO. 4

On page 1, delete line 8, and insert in lieu thereof:

"§2740.35. Economic development districts;"

AMENDMENT NO. 5

On page 1, at the end of line 13, delete "the New"

AMENDMENT NO. 6

On page 1, delete line 14 completely

AMENDMENT NO. 7

On page 1, line 15, delete "composed of all of the territory" and insert in lieu thereof:

"a special taxing district within any municipality with a population

of five hundred thousand or more persons comprised of the territory"

AMENDMENT NO. 8

On page 3, line 19, after the period "." delete the remainder of the line

AMENDMENT NO. 9

On page 3, delete lines 20 through 27 in their entirety

On motion of Senator Johnson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lambert
Bagneris	Fields	Lentini
Bajoie	Guidry	Robichaux
Bean	Heitmeier	Romero
Cain	Hollis	Schedler
Campbell	Irons	Smith
Cox	Johnson	Tarver
Cravins	Jones	Theunissen
Dyess	Jordan	Ullo
Total—27		

NAYS

Branch	Greene	Short
Casanova	Hainkel	Siracusa
Dardenne	Landry	
Dean	Malone	
Total—10		

ABSENT

Barham	Hines
Total—2	

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

SENATE BILL NO. 1106—

BY SENATOR ROBICHAUX

AN ACT

To amend and reenact R.S. 49:214.30(H)(2) and to enact R.S. 49:214.30(H)(3), relative to coastal use permits; to provide for use of certain dredged material; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Landry
Bean	Greene	Lentini
Branch	Guidry	Malone
Cain	Hainkel	Robichaux
Campbell	Heitmeier	Romero
Casanova	Hines	Schedler
Cox	Hollis	Short
Cravins	Irons	Siracusa
Dardenne	Johnson	Smith

May 19, 1997

Dean	Jones	Tarver
Dyess	Jordan	Theunissen
Ellington	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bagneris	Bajoie	Barham
Total—3		

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

SENATE BILL NO. 1110—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 42:1123(10)(b), relative to the Code of Governmental Ethics; to provide relative to certain exceptions; to expand the types of contracts permissible between higher education institutions and faculty or staff members or legal entities in which such employees have a substantial economic interest; 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	Lambert
Bagneris	Greene	Lentini
Bajoie	Guidry	Malone
Bean	Hainkel	Robichaux
Branch	Heitmeier	Romero
Cain	Hines	Schedler
Campbell	Hollis	Short
Casanova	Irons	Siracusa
Cravins	Johnson	Smith
Dardenne	Jones	Tarver
Ellington	Jordan	Theunissen
Total—33		

NAYS

Dean	Landry
Dyess	Ullo
Total—4	

ABSENT

Barham	Cox
Total—2	

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

SENATE BILL NO. 1181—
BY SENATOR GUIDRY

AN ACT

To amend and reenact R.S. 17:204, relative to the In-School Intervention Pilot Program; to provide for an extension of the pilot program; 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	Lentini
Bagneris	Greene	Malone
Bean	Guidry	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Dyess	Lambert	
Ellington	Landry	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Barham
Total—2	

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.

SENATE BILL NO. 1185—
BY SENATOR GUIDRY

AN ACT

To amend and reenact R.S. 46:239(B) relative to school attendance requirements for children receiving public assistance; to specify grounds for school absences; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Barham
Total—1

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.

SENATE BILL NO. 1190—
BY SENATOR GUIDRY

AN ACT

To enact R.S. 17:280, relative to students; to provide for an opportunity for students to visit a state or parish prison facility; to provide for the inclusion of such requirement in an existing course of study; to provide for notification procedures; to provide for exemptions; to provide relative to rules regulating the administration and implementation; to provide relative to the authority of the State Board of Elementary and Secondary Education; and to provide for related matters.

Motion

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

Senator Guidry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Branch	Ellington	Robichaux
Cain	Greene	Romero
Campbell	Hainkel	Siracusa
Casanova	Heitmeier	Theunissen
Dean	Hines	Ullo
Dyess	Malone	
Total—17		

NAYS

Bajoie	Hollis	Lentini
Bean	Irons	Schedler
Cox	Johnson	Short
Cravins	Jones	Smith
Dardenne	Jordan	Tarver
Fields	Lambert	
Guidry	Landry	
Total—19		

ABSENT

Mr. President	Bagneris	Barham
Total—3		

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

Floor Amendments Sent Up

Senator Dean sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dean to Engrossed Senate Bill No. 1190 by Senator Guidry

AMENDMENT NO. 1

On page 2, between lines 19 and 20, insert the following:
"E. Notwithstanding the provision of this Section, the State Board of Elementary and Secondary Education shall not permit visitation to prisons during such times that school is in session.

Senator Dean moved adoption of the amendments.

Senator Guidry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Branch	Hainkel	Short
Dean	Hines	
Total—5		

NAYS

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

ABSENT

Barham	Cain
Total—2	

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Malone sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Malone to Engrossed Senate Bill No. 1190 by Senator Guidry

AMENDMENT NO. 1

On page 2, line 1, after "study" insert: "provided that the students parent or parents or legal guardian has agreed in writing to the prison visit"

On motion of Senator Malone, the amendments were adopted.

Motion

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

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bagneris	Greene	Lentini
Bajoie	Guidry	Robichaux
Bean	Hainkel	Romero
Branch	Hines	Schedler
Cain	Hollis	Short
Campbell	Irons	Siracusa
Cravins	Johnson	Smith
Dardenne	Jones	Tarver
Dyess	Jordan	Theunissen
Ellington	Lambert	Ullo
Total—30		

May 19, 1997

NAYS

Casanova	Fields	Landry
Dean	Heitmeier	Malone
Total—6		

ABSENT

Mr. President	Barham	Cox
Total—3		

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Bagneris	Fields	Malone
Bajoie	Greene	Robichaux
Bean	Guidry	Romero
Cain	Heitmeier	Schedler
Campbell	Hollis	Siracusa
Casanova	Irons	Smith
Cox	Johnson	Tarver
Cravins	Jones	Theunissen
Dardenne	Lambert	
Dyess	Landry	
Total—31		

NAYS

Branch	Hainkel	Jordan
Dean	Hines	Short
Total—6		

ABSENT

Barham	Ullo
Total—2	

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

SENATE BILL NO. 1214—
BY SENATOR EWING

AN ACT

To amend and reenact R.S. 40:1841, relative to the Louisiana Liquefied Petroleum Gas Commission; to provide for changes in composition of the commission; and to provide for related matters.

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	Lentini
Bagneris	Fields	Malone
Bajoie	Greene	Robichaux
Bean	Guidry	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hines	Siracusa

Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Ullo
Dean	Jordan	
Dyess	Lambert	
Total—37		

NAYS

Landry
Total—1

ABSENT

Barham
Total—1

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

Rules Suspended

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

Senator Bajoie objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bagneris	Fields	Lentini
Bean	Greene	Robichaux
Campbell	Hainkel	Romero
Casanova	Heitmeier	Schedler
Cox	Hines	Short
Cravins	Hollis	Smith
Dardenne	Johnson	Tarver
Dean	Jordan	Theunissen
Dyess	Lambert	
Ellington	Landry	
Total—28		

NAYS

Bajoie	Guidry	Siracusa
Branch	Irons	Ullo
Cain	Malone	
Total—8		

ABSENT

Mr. President	Barham	Jones
Total—3		

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

SENATE BILL NO. 1229—
BY SENATOR EWING

AN ACT

To amend and reenact R.S. 17:3386(A), relative to funding; to require a report of expenditures from preventative maintenance reserve funds of public colleges and universities; to remove the Joint Legislative Committee on the Budget from the approval process for such funding; and to provide for related matters.

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

SENATE BILL NO. 1246—
BY SENATOR LANDRY

AN ACT

To enact R.S. 38:2216(L), relative to public contracts; to require any provision of such contracts to comply with Public Bid Law; provides for severability of contract provisions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Barham
Total—1

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

SENATE BILL NO. 1249—
BY SENATORS HOLLIS AND SCHEDLER
AN ACT

To amend and reenact R.S. 37:2167(D)(1), (2), (3), and (4), relative to the waiver of examinations to residential building contractors; 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 Senate Bill No. 1249 by Senator Hollis

AMENDMENT NO. 1

On page 1, line 15, after "to" insert "February 1, 1996." and delete the remainder of the line and all of line 16

AMENDMENT NO. 2

On page 2, between lines 12 and 13, insert the following:
"E. The provisions of Paragraphs D(2), (3), and (4) shall terminate on January 1, 1998."

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

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

NAYS

Total—0

ABSENT

Barham
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.

SENATE BILL NO. 1279—
BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To amend and reenact 46:56(F)(1) and 46:56(F)(4)(a) and to enact R.S. 46:56(F)(8) and (9), relative to the confidentiality of client case records; to provide for access to certain records by court-appointed children's attorneys and Court-Appointed Special Advocates; to authorize a local child protection unit to advise a judge under certain circumstances on the existence of certain records; to provide for public disclosure of information in certain circumstances; to define "near fatality"; to provide for confidentiality of an individual initiating a report or complaint; to provide for disclosure of certain information to a child abuse citizen review panel and child fatality review panel; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

On page 3, line 3, following "error" change the semicolon ";" to a period "."

AMENDMENT NO. 4

On page 3, line 6, following "insured" change the semicolon ";" to a period "."

AMENDMENT NO. 5

On page 3, line 22, following "of" and before "(a)" change "Paragraphs" to "Subparagraphs"

AMENDMENT NO. 6

On page 4, line 14, following "jeopardy" change the semicolon ";" to a period "."

AMENDMENT NO. 7

On page 4, line 15, following "function" change the semicolon ";" to a period "."

On motion of Senator Bagneris, the amendments were adopted.

Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Engrossed Senate Bill No. 1350 by Senators Bajoie and Guidry

AMENDMENT NO. 1

On page 1, line 2, after "care;" insert "to prohibit pre-certification for an emergency medical condition;"

AMENDMENT NO. 2

On page 1, line 4, after "payments" insert "in certain circumstances"

AMENDMENT NO. 3

On page 2, line 12, after "emergency" delete "care, including but not limited to screening, evaluation, and insert "medical services provided to"

AMENDMENT NO. 4

On page 2, line 13, delete "stabilization of"

AMENDMENT NO. 5

On page 2, line 18, after "to" delete "individually"

AMENDMENT NO. 6

On page 2, line 19, delete "underwritten, guaranteed renewable,"

AMENDMENT NO. 7

On page 3, line 22, after "of" delete "Paragraphs" and insert "Subparagraphs"

On motion of Senator Bajoie, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Jordan
Bagneris	Ellington	Landry
Bajoie	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

Barham
Total—3

Lambert Robichaux

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

SENATE BILL NO. 1363—

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 32:237(E), relative to construction barricades; to increase penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 1363 by Senator Landry

AMENDMENT NO. 1

On page 1, line 2, after "(E)" add "and to enact R.S. 32:57(G)" and after "relative to" add "traffic regulations and" and after the semicolon ";" add "to provide relative to construction zones;"

AMENDMENT NO. 2

On page 1, line 5, after "reenacted" add "and R.S. 32:57(G) is hereby enacted"

AMENDMENT NO. 3

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

"§57. Penalties; alternative to citation

* * *

G. If a person operating a motor vehicle exceeds the speed limit on the portion of a highway which is under active construction or in the process of being repaired and construction workers are on site, the fine shall be an increase of fifty percent of the standard fine imposed.

* * *

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

May 19, 1997

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

NAYS

Cravins	Irons
Total—2	

ABSENT

Barham	Lambert
Casanova	Robichaux
Total—4	

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

Motion

On motion of Senator Hollis, Senate Bill No. 1528 was made Special Order of the Day 1 on Tuesday, May 20, 1997 immediately following the Morning Hour.

Rules Suspended

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

House Bills and Joint Resolutions on Second Reading Reported by Committees

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

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.

Reported with amendments by the Committee on Education .

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No.2068 by Representative Downer

AMENDMENT NO. 1

On page 3, line 11, after "governor" insert "at least two of whom shall be parents of public school students or students in a public school"

AMENDMENT NO. 2

On page 3, line 13, change "Eleven" to "Fourteen"

AMENDMENT NO. 3

On page 3, on line 19, after "Principals," delete the remainder of the line and delete lines 20 through 23 and insert the following:

"two members who are elementary school principals one of whom is principal of a nationally recognized "Blue Ribbon" school, two members who are middle school principals one of whom is principal of a nationally recognized "Blue Ribbon" school, and two members who are high school principals one of whom is principal of a nationally recognized "Blue Ribbon" school."

On motion of Senator Greene, 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.

Motion to Make Special Order

Senator Greene asked for and obtained a suspension of the rules for the purpose of making House Bill No. 2068, which was just advanced to a third reading and final passage, Special Order of the Day No. 2 on Tuesday, May 20, 1997 immediately following the Morning Hour.

Privileged Report of the Legislative Bureau

May 19, 1997

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 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.

Reported without amendments.

Respectfully submitted,
DENNIS BAGNERIS
Chairman

Adoption of Legislative Bureau Report

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

Motion to Make Special Order

Senator Greene asked for and obtained a suspension of the rules for the purpose of making Senate Bill No. 338, which is on Third Reading and Final Passage Subject to Call, Special Order of the Day No. 3 on Tuesday, May 20, 1997 immediately following the Morning Hour.

Motion to Make Special Order

Senator Greene asked for and obtained a suspension of the rules for the purpose of making Senate Bill No. 339, which is on Third Reading and Final Passage Subject to Call, Special Order of the Day No. 4 on Tuesday, May 20, 1997 immediately following the Morning Hour.

Motion to Make Special Order

Senator Greene asked for and obtained a suspension of the rules for the purpose of making Senate Bill No. 1068, which is on Third Reading and Final Passage Subject to Call, Special Order of the Day No. 5 on Tuesday, May 20, 1997 immediately following the Morning Hour.

House Concurrent Resolutions on Second Reading Reported by Committees

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

HOUSE CONCURRENT RESOLUTION NO. 104—
BY REPRESENTATIVE FARVE
A CONCURRENT RESOLUTION

To request Christian pastors of Louisiana to petition Pope John Paul II to convene a worldwide prayer meeting in the spirit of Jubilee 2000.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Original House Concurrent Resolution No. 104 by Representative Farve

AMENDMENT NO. 1

On page 1, line 19, delete "in" and on line 20, delete "December of 1999" and insert "on Christmas day, December 25, 1999,"

AMENDMENT NO. 2

On page 2, line 9, delete "in December of 1999" and insert "on Christmas day, December 25, 1999"

On motion of Senator Hollis, the committee amendment was

adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Barham	Lambert
Hines	Robichaux
Total—4	

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

Motion

Senator Campbell moved to suspend the rules to advance to the order of House Bills on Third Reading and Final Passage, to take up House Bill No. 598 out of its regular order.

Without objection, so ordered.

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. 598—
BY REPRESENTATIVE BARTON
AN ACT

To amend and reenact R.S. 17:2007(A) and (D), 2050, and 3217 and to enact Part III-B of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1825, relative to public higher education; to recognize Bossier Parish Community College as a two-year institution of higher education; to transfer Bossier Parish Community College from the Bossier Parish School Board to the Board of Trustees for State Colleges and Universities; to provide for the supervision and management of the community college by the Board of Trustees for State Colleges and Universities; to provide with regard to the students, faculty, employees, funds, obligations, programs, and functions of Bossier Parish Community College; to provide with regard to the lands, buildings and improvements, facilities, and other property of Bossier Parish Community College; to provide relative to the composition of the University of Louisiana system; to provide for effectiveness; and to provide for related matters.

May 19, 1997

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Jordan
Bagneris	Ellington	Landry
Bajoie	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

Barham	Lambert	Robichaux
Total—3		

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

Motion to Recommit

Senator Bagneris asked for and obtained a suspension of the rules and asked that Senate Bill No. 1487 be recommitted from the Committee on Finance to the Committee on Transportation, Highways, and Public Works.

Rules Suspended

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

Introduction of Senate 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. 111—
 BY SENATORS EWING, BAGNERIS, BAJOIE, BARHAM, BEAN, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, FIELDS, GREENE, GUIDRY, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SHORT, SIRACUSA, SMITH, TARVER, THEUNISSEN AND ULLO AND REPRESENTATIVE R. ALEXANDER

A CONCURRENT RESOLUTION

To urge and request the president of the United States to award to the Honorable Jimmie H. Davis the Presidential Medal of Freedom and the National Medal of the Arts.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Bajoie	Fields	Malone
Branch	Guidry	Romero
Cain	Hainkel	Schedler
Campbell	Heitmeier	Short
Casanova	Hines	Siracusa
Cox	Hollis	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jordan	Ullo
Dyess	Landry	
Total—32		

NAYS

Total—0

ABSENT

Bagneris	Greene	Robichaux
Barham	Jones	
Bean	Lambert	
Total—7		

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

SENATE CONCURRENT RESOLUTION NO. 112—
 BY SENATOR SHORT

A CONCURRENT RESOLUTION

To commemorate Memorial Day and the valor and sacrifices of those United States military service personnel who have secured and preserved our freedom.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Barham	Heitmeier	Robichaux
Bean	Jones	
Campbell	Lambert	
Total—7		

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

REVENUE AND FISCAL AFFAIRS

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

May 19, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 1167— BY SENATORS HAINKEL, DARDENNE, EWING AND ROMERO AN ACT

To enact Part IV-B of Chapter 8 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1730.21 through 1730.32, relative to the conservation of energy; to establish a Commercial Building Energy Conservation Code; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1345— BY SENATOR EWING AN ACT

To enact R.S. 33:2713.2, relative to the consolidated report of local sales and use taxes; to authorize the Department of Revenue and Taxation to promulgate certain rules and regulations; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 819— BY REPRESENTATIVE FAUCHEUX AN ACT

To amend and reenact R.S. 47:1703.1(A), relative to registration of the homestead exemption; to require the assessor in St. James Parish to provide a form for the permanent registration of the homestead exemption; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1023— BY REPRESENTATIVES ALARIO AND DEWITT AN ACT

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

Reported with amendments.

HOUSE BILL NO. 1026— BY REPRESENTATIVES ALARIO AND DEWITT AN ACT

To amend and reenact R.S. 47:287.85(B), to correct an incorrect statutory reference as to the alternative minimum tax; to provide for the applicability and effective date; and to provide for related matters.

Reported favorably.

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

To amend and reenact R.S. 47:1519, relative to payment of taxes; to provide for the use of credit or debit cards; and to provide for related matters.

Reported with amendments.

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

To amend and reenact R.S. 47:1562, 1563, and 1564, to change the procedure for determining tax liability and the time period allowed for taxpayer response to proposed assessments for certain taxpayers; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1041— BY REPRESENTATIVES ALARIO AND DEWITT AN ACT

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

Reported with amendments.

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

To amend and reenact Chapter 1 of Code Title III of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:151 through 181, relative to the uniform disposition of unclaimed property; to define certain terms; to provide for various presumptions of abandonment of property; to provide for proceeds derived in class actions; to provide for limitations on dormancy charges; to provide for the burden of proof when the unclaimed obligation is evidenced by negotiable instruments; to provide various penalties for noncompliance; to provide for attorney fees in litigated enforcement actions; to provide for rules of confidentiality; to provide for limitations on agreements to locate property; to provide for the periods of time after which abandonment will be presumed for corporate stock, gift certificates, and for certain life insurance obligations; to provide for issuance of duplicate certificates and provide for liability respecting the property delivered; to authorize the Department of Revenue and Taxation to retain a certain percentage of the total unclaimed property collections for each year for administrative expenses; to provide for the statute of limitations; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted, Jon Johnson Vice Chairman

REPORT OF COMMITTEE ON

RETIREMENT

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

May 19, 1997

May 19, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 394—
BY SENATOR HEITMEIER

AN ACT

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

Reported with amendments.

SENATE BILL NO. 1541—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:102(B)(1) and to enact R.S. 11:102(B)(3)(e) and 103(B)(3)(f), and Part III of Chapter 2 of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R. S. 11:105 through 108, relative to public retirement systems; to provide relative to the authorization of the issuance of bonds by the Louisiana Public Facilities Authority to fund all or any portion of the unfunded accrued liability of any state or statewide retirement system; to provide for the issuance of bonds and other obligations of the authority to finance or refinance such unfunded accrued liability; to provide for the collection of employer contributions or other payments necessary to repay such bonds and obligations related thereto; to provide for employer contributions and/or other payments which may be pledged to the payment of such bonds; to provide for the ability to intercept state aid payments as security for such bonds; to provide for the use of proceeds of bonds to prepay the unfunded accrued liability of one or more public retirement systems; to provide for the deposit and investment of bond proceeds in and by public retirement systems; to provide for the creation of special funds for the deposit of bond proceeds and/or employer contributions, debt service contributions and/or employer contributions; to provide with respect to the authorization and security of and for such bonds; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 17—
BY REPRESENTATIVE WILKERSON

A CONCURRENT RESOLUTION

To urge and direct all state and statewide public retirement systems to furnish the office of the legislative actuary with a quarterly report and a consolidated annual report of all investments in derivative products held in the systems portfolio during the pertinent reporting periods.

Reported with amendments.

HOUSE BILL NO. 263—
BY REPRESENTATIVE BRUN

AN ACT

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

Reported favorably.

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.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 1009—
BY REPRESENTATIVE PINAC

AN ACT

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

Reported favorably.

HOUSE BILL NO. 1433—
BY REPRESENTATIVE STELLY

AN ACT

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

Reported with amendments.

HOUSE BILL NO. 1553—
BY REPRESENTATIVE DANIEL

AN ACT

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

Reported favorably.

HOUSE BILL NO. 1625—
BY REPRESENTATIVE DANIEL

AN ACT

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

Reported favorably.

Respectfully submitted,
FRANCIS C. HEITMEIER
Chairman

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 19, 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. 171—
BY REPRESENTATIVE JOHN SMITH AND SENATOR DYESS
A CONCURRENT RESOLUTION

To commend and congratulate the Fellowship United Methodist Church in Hineston, Louisiana, on the occasion of its 125th birthday celebration on May 18, 1997.

HOUSE CONCURRENT RESOLUTION NO. 173—
BY REPRESENTATIVES JOHNS, FLAVIN, GUILLORY, MORRISH, AND STELLY
A CONCURRENT RESOLUTION

To commend and congratulate the United Way of Southwest Louisiana for their contribution and service to the community and to recognize them as the recipient of the J.C. Penney Golden Rule Group Award.

HOUSE CONCURRENT RESOLUTION NO. 174—
BY REPRESENTATIVE WILLARD-LEWIS
A CONCURRENT RESOLUTION

To remember the innocent life of Starr Michael Sede Powe that was cut short by an unfortunate and untimely illness.

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

May 19, 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. 198 (Duplicate of Senate Bill No. 224)—
BY REPRESENTATIVE TRAVIS AND SENATOR SHORT AND COAUTHORED BY REPRESENTATIVES R. ALEXANDER, CLARKSON, DEVILLE, DEWITT, FLAVIN, MICHOT, PERKINS, PINAC, JACK SMITH, THOMPSON, AND WIGGINS AND SENATORS BEAN, BAGNERIS, BAJOIE, AND DARDENNE
AN ACT

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

and to provide for related matters.

HOUSE BILL NO. 200 (Duplicate of Senate Bill No. 849)—
BY REPRESENTATIVE TRAVIS AND SENATOR SHORT
AN ACT

To amend and reenact R.S. 37: 1455(A)(21) and 1467, relative to real estate agency disclosure; to delete the requirement that a licensed real estate agent is the agent or subagent of the seller unless there is a disclosure agreement to the contrary; to provide for agency disclosure informational pamphlets and other disclosure forms; and to provide for related matters.

HOUSE BILL NO. 1437 (Duplicate of Senate Bill No. 805)—
BY REPRESENTATIVES ALARIO, AND SENATOR HAINKEL AND COAUTHORED BY REPRESENTATIVES DEWITT, AND JETSON AND SENATORS DARDENNE, EWING, BARHAM, BEAN, AND SCHEDLER
AN ACT

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

HOUSE BILL NO. 1821 (Duplicate of Senate Bill No. 1199)—
BY REPRESENTATIVE MCCAIN AND SENATOR GUIDRY AND COAUTHORED BY SENATOR DARDENNE
AN ACT

To amend and reenact Civil Code Art. 2375(A) and (C) and R.S. 9:2801(1)(a) and (2) and to enact R.S. 13:1415, relative to civil jurisdiction and procedure; to provide for jurisdiction over certain property of a community; to provide for the time in which to file motions relative to settlement of co-ownership of community property; to provide exclusive jurisdiction in family courts in certain matters relating to matrimonial regimes; 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:

Barham 1 Day

Adjournment

Senator Bagneris moved that the Senate adjourn until Tuesday, May 20, 1997 at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Tuesday, May 20, 1997.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk