

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

**THIRTIETH 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

Tuesday, May 20, 1997

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

ROLL CALL

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

PRESENT

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

ABSENT

Bagneris
Total—1

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

Prayer

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

Morning Hour

Messages from the House

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

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 20, 1997

To the Honorable President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 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.

Reported without amendments.

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.

Reported without amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 113—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To designate and proclaim the week of May 18 through 24, 1997, as Emergency Medical Services Week.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

May 20, 1997

Total—0

ABSENT

Bagneris	Cox	Jordan
Bajoie	Hainkel	Short
Campbell	Jones	Ullo
Total—9		

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 20, 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. 1912—

BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 13:1899(C)(12)(a) and to enact R.S. 13:1899(C)(12)(b)(i)(cc), relative to costs in criminal matters; to authorize an increase in certain fees in criminal matters in the City Court of Monroe; and to provide for related matters.

HOUSE BILL NO. 2432—

BY REPRESENTATIVE WESTON
AN ACT

To enact R.S. 13:1000, relative to district courts; to authorize district courts by rule to establish programs to provide fiscal support for local bar association qualified pro bono projects; to provide for additional costs for certain civil filings and for distribution of the proceeds to qualified projects; and to provide for related matters.

HOUSE BILL NO. 161—

BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact Code of Civil Procedure Art. 4843(E)(1) and to enact Code of Civil Procedure Art. 4843(F), relative to trial courts of limited jurisdiction; to increase the amount in dispute for civil jurisdiction of the city court in Plaquemine; and to provide for related matters.

HOUSE BILL NO. 1653—

BY REPRESENTATIVES MURRAY AND FORSTER
AN ACT

To amend and reenact R.S. 13:2493(E) and to enact R.S. 13:2493(F), relative to jurisdiction of the Municipal Court of New Orleans; to authorize the court to grant injunctive relief in certain cases; and to provide for related matters.

HOUSE BILL NO. 2379—

BY REPRESENTATIVE DURAND
AN ACT

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

HOUSE BILL NO. 389—

BY REPRESENTATIVE MCMAINS
AN ACT

To enact R.S. 37:93 through 117 and 250 through 273, relative to certified public accountants and attorneys; to provide for the establishment and functions of public accountant review panels and attorney review panels; to provide for the review and evaluation of professional negligence claims against certified public accountants and attorneys; to provide for the selection and duties of the members of the review panel; to provide for compensation; to provide for the payment of costs; and to provide for related matters.

HOUSE BILL NO. 1692—

BY REPRESENTATIVE DIEZ
AN ACT

To enact R.S. 48:381(A)(5), relative to use and occupancy of highways; to provide for permits to locate facilities within highway rights-of-way; and to provide for related matters.

HOUSE BILL NO. 2288—

BY REPRESENTATIVE R. ALEXANDER
AN ACT

To amend and reenact R.S. 16:16, relative to district attorneys; to increase the amount of special court costs in criminal cases remitted to the district attorney; and to provide for related matters.

HOUSE BILL NO. 846—

BY REPRESENTATIVE WINDHORST
AN ACT

To repeal R.S. 32:295.1(D), relative to seat belts; to delete the ten percent discount on fines for moving traffic violations when the person committing the offense was wearing a seat belt.

HOUSE BILL NO. 715—

BY REPRESENTATIVES DAMICO AND MURRAY
AN ACT

To amend and reenact R.S. 4:169(A)(1) and (B), relative to license fees charged by the racing commission; to increase certain fees; and to provide for related matters.

HOUSE BILL NO. 702—

BY REPRESENTATIVE MCCAIN
AN ACT

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

HOUSE BILL NO. 680—

BY REPRESENTATIVE LEBLANC
AN ACT

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

HOUSE BILL NO. 650—

BY REPRESENTATIVE HEATON
AN ACT

To amend and reenact R.S. 47:463.4.1 and to enact R.S. 47:463.4(E)(2), relative to special parking cards for temporarily mobility impaired persons; to provide temporary parking cards for pregnant women; to provide for termination of the cards; and to provide for related matters.

HOUSE BILL NO. 645—

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

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

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

HOUSE BILL NO. 511—

BY REPRESENTATIVE DEWITT

AN ACT

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

HOUSE BILL NO. 488—

BY REPRESENTATIVE WILKERSON

AN ACT

To enact Civil Code Article 2364.1, relative to the law on matrimonial regimes; to provide that the seizure of community property for an intentional wrong by a spouse entitles the other spouse to reimbursement of one-half the value thereof; and to provide for related matters.

HOUSE BILL NO. 472—

BY REPRESENTATIVE GREEN

AN ACT

To amend and reenact Code of Civil Procedure Art. 1313, relative to service of certain pleadings; to authorize service by facsimile transmission; and to provide for related matters.

HOUSE BILL NO. 982—

BY REPRESENTATIVE GREEN

AN ACT

To amend and reenact Code of Civil Procedure Art. 1314, relative to service of pleadings; to specify when personal service on the counsel of record of the adverse party can be obtained; and to provide for related matters.

HOUSE BILL NO. 986—

BY REPRESENTATIVE HAMMETT

AN ACT

To enact R.S. 37:1736, relative to architects, engineers, and land surveyors; to provide for immunity from liability in certain emergency situations; and to provide for related matters.

HOUSE BILL NO. 1152—

BY REPRESENTATIVES JACK SMITH, A. ALEXANDER, ANSARDI, CLARKSON, COPELIN, DAMICO, DANIEL, DEVILLE, DOERGE, DURAND, FRITH, FRUGE, GUILLORY, HEATON, HEBERT, HOLDEN, ILES, KENNEY, MARTINY, MCCAIN, MCDONALD, MICHOT, MONTGOMERY, MURRAY, PERKINS, QUEZAIRE, ROMERO, JOHN SMITH, WALSWORTH, WARNER, WESTON, WIGGINS, WILLARD-LEWIS, WINDHORST, AND WRIGHT

AN ACT

To enact R.S. 48:261.1 and to require the Department of Transportation and Development to erect various signs and lights, to generally improve the conditions of various highways and intersections in the state and to notify the motoring public of certain areas; to provide for the establishment of the Highway Maintenance Program; to provide for implementation and termination of the program; to provide for the funding of the program; and to provide for related matters.

HOUSE BILL NO. 84—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 15:708(A)(1) and to enact R.S. 30:2536(E), relative to limitation of liability; to include litter detail within labor permitted by prisoners; to limit the liability of the sheriff for injury or loss sustained by or caused by a prisoner except for intentional or grossly negligent acts; and to provide for related matters.

HOUSE BILL NO. 109—

BY REPRESENTATIVES SALTER, DIMOS, FRUGE, JOHNS, MCCALLUM, MCMAINS, AND WRIGHT

AN ACT

To enact R.S. 17:416.11, relative to liability of school employees; to provide that certain employees of school boards and approved nonpublic schools shall not be liable for acts related to their

employment duties except in certain circumstances; and to provide for related matters.

HOUSE BILL NO. 260—

BY REPRESENTATIVES WIGGINS, BARTON, JOHNS, PERKINS, AND TRICHE

AN ACT

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

HOUSE BILL NO. 111—

BY REPRESENTATIVE SALTER

AN ACT

To enact R.S. 32:1717(B)(4), relative to financial responsibility for tow truck operators; to authorize the use of self-insurance as proof of financial responsibility in lieu of insurance; and to provide for related matters.

HOUSE BILL NO. 185—

BY REPRESENTATIVE DIMOS

AN ACT

To amend and reenact Code of Civil Procedure Articles 2127.2(A) and (B) and 2127.3, relative to preparation of the record on appeal; to require the delivery of the transcript to the clerk of court five days prior to the return date; and to provide for related matters.

HOUSE BILL NO. 228—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 47:1603(B) and to enact R.S. 47:1603(C), relative to the state income tax; to authorize the waiver of penalties for delinquent filing or payment of taxes by certain corporations; to provide for the applicability of such waiver; and to provide for related matters.

HOUSE BILL NO. 395—

BY REPRESENTATIVE ANSARDI

AN ACT

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

HOUSE BILL NO. 1151—

BY REPRESENTATIVE JACK SMITH

AN ACT

To require the Department of Transportation and Development to erect "Advance Warning" and "School Zone" signs and flashing caution lights on Louisiana Highway 70 in Stevensville, Louisiana, which is located in St. Martin Parish on both sides of the Stevensville Elementary School property and to erect "Advance Warning" and "School Zone" signs and flashing caution lights on Louisiana Highway 92 in the vicinity of the school grounds in Milton, Louisiana; to erect an "Advance Warning" sign on a specified area of Highway 61 in East Baton Rouge Parish; to erect flashing caution lights at the intersection of Louisiana Highway 70 and Louisiana Highway 1016-1 in Assumption Parish; to erect a red light at the intersection of Louisiana Highway 1 North and Fort Street in the city of Plaquemine which is located in Iberville Parish; to erect a traffic signal light at a certain intersection in the parish of Lafourche; and to provide for related matters.

HOUSE BILL NO. 1613—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 6:103(H)(3), R.S. 9:3576.21(B), R.S. 37:1806 (B), R.S. 44:4(4)(a) through (c), and R.S. 51:2389(G)(5) and to enact R.S. 9:3518.1 and R.S. 51:1934, relative to the

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documents and records of the office of financial institutions; to provide for their confidentiality; to provide a procedure for requesting disclosure; and to provide for related matters.

HOUSE BILL NO. 2131—
BY REPRESENTATIVES SHAW AND DANIEL
AN ACT

To amend and reenact R.S. 11:124, 126, and 127(C), relative to public retirement systems; to provide relative to the Public Retirement Systems' Actuarial Committee; to provide procedures, including voting and electing officers; to provide relative to certain duties, including annual actuarial valuations; and to provide for related matters.

HOUSE BILL NO. 356—
BY REPRESENTATIVE JOHNS
AN ACT

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

HOUSE BILL NO. 579—
BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 32:909, relative to mandatory automobile insurance; to provide that no penalty for an interruption in liability coverage shall be due unless a complaint is filed; and to provide for related matters.

HOUSE BILL NO. 1478—
BY REPRESENTATIVES TOOMY, DOWNER, MCCALLUM, AND FAUCHEUX AND SENATOR CRAVINS
AN ACT

To amend and reenact R.S. 16:51(A)(2), (4), (6), (11), (13), (15), (16), (17), (19), (20), (22), (23), (24), (26), (27), (29), (32), (38), and (41), relative to assistant district attorneys; to provide for additional district attorneys for certain judicial districts and for the parish of Orleans; and to provide for related matters.

HOUSE BILL NO. 2198—
BY REPRESENTATIVE TOOMY
AN ACT

To enact R.S. 33:1236.23, relative to Jefferson Parish; to authorize the governing authority of the parish to create a special district for the purposes of enhancing the security of residents of the Stonebridge subdivision; to provide for the creation and governance of the district as provided by the parish home rule charter; to require voter approval of a district tax; and to provide for related matters.

HOUSE BILL NO. 2358— (Substitute for HB No. 841 by Representative Michot)
BY REPRESENTATIVE MICHOT
AN ACT

To amend and reenact R.S. 56:8(30) and to enact R.S. 56:302.3(B)(6) and 325(A)(7), relative to fishing; to provide relative to crawfish; to provide that the taking of crawfish for recreational purposes shall require a recreational gear license; to provide relative to license requirements and fees; to provide amount limits; and to provide for related matters.

HOUSE BILL NO. 2359— (Substitute for HB No. 2181 by Representative McMains)
BY REPRESENTATIVE MCMAINS
AN ACT

To enact R.S. 37:1287(D), (E), (F), and (G), relative to the Louisiana State Board of Medical Examiners; to provide for protected actions

for any nonprofit corporation, foundation, or organization that enters into an agreement with the Louisiana State Board of Medical Examiners related to the operation of any committee or program to identify, investigate, counsel, monitor, or assist any licensed physician who suffers or may suffer from alcohol or substance abuse or a physical or mental condition; to provide for protected actions for any director, trustee, officer, employee, consultant, or attorney for or who otherwise works for or is associated with such nonprofit corporation, foundation, or organization which enters into a contract with the board; to provide for an award of costs or attorney fees in certain instances when a defendant substantially prevails in any suit brought against the corporation, foundation, organization, or an employee thereof; to define substantially prevail; to provide for retroactive effect of the immunity granted; and to provide for related matters.

HOUSE BILL NO. 1715—
BY REPRESENTATIVE STELLY
AN ACT

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

HOUSE BILL NO. 1878—
BY REPRESENTATIVE WALSWORTH
AN ACT

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

HOUSE BILL NO. 2072—
BY REPRESENTATIVE TRAVIS
AN ACT

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

HOUSE BILL NO. 2270—
BY REPRESENTATIVE DEWITT
AN ACT

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

HOUSE BILL NO. 238—
BY REPRESENTATIVE HILL
AN ACT

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

HOUSE BILL NO. 1749— (Duplicate of SB No. 797)
 BY REPRESENTATIVE MCCAIN AND SENATOR BAGNERIS AND
 COAUTHORED BY REPRESENTATIVE FARVE
 AN ACT

To enact R.S. 44:36(E), relative to the preservation of public records; to require a prosecuting agency to retain records of criminal prosecutions for three years; and to provide for related matters.

HOUSE BILL NO. 670—
 BY REPRESENTATIVE GAUTREAU
 AN ACT

To amend and reenact R.S. 32:364, relative to motor vehicles; to require that passenger cars be equipped with fenders, covers, or other devices so as to minimize the spray of water or other materials; and to provide for related matters.

HOUSE BILL NO. 900—
 BY REPRESENTATIVE ILES
 AN ACT

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

HOUSE BILL NO. 1353—
 BY REPRESENTATIVE PERKINS
 AN ACT

To amend and reenact R.S. 11:1601(1), relative to the District Attorneys' Retirement System; to provide with respect to membership in the system; to provide with respect to optional membership in the system for certain employees currently covered by such retirement system; and to provide for related matters.

HOUSE BILL NO. 1706—
 BY REPRESENTATIVES PERKINS AND WESTON
 AN ACT

To amend and reenact R.S. 38:3301, relative to the Amite River Basin Drainage and Water Conservation District; to provide relative to its geographical boundaries; and to provide for related matters.

HOUSE BILL NO. 1391—
 BY REPRESENTATIVE MURRAY
 AN ACT

To amend and reenact R.S. 33:1735(A), relative to constables; to increase the compensation of the constable of the first city court in New Orleans; and to provide for related matters.

HOUSE BILL NO. 1908—
 BY REPRESENTATIVE DANIEL
 AN ACT

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

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

House Bills and Joint Resolutions

Senator Hainkel asked for and obtained a suspension of the rules

to take up at this time the following House Bills and Joint Resolutions just 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. 84—
 BY REPRESENTATIVE FLAVIN
 AN ACT

To amend and reenact R.S. 15:708(A)(1) and to enact R.S. 30:2536(E), relative to limitation of liability; to include litter detail within labor permitted by prisoners; to limit the liability of the sheriff for injury or loss sustained by or caused by a prisoner except for intentional or grossly negligent acts; and to provide for related matters.

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

HOUSE BILL NO. 109—
 BY REPRESENTATIVES SALTER, DIMOS, FRUGE, JOHNS, MCCALLUM,
 MCMAINS, AND WRIGHT
 AN ACT

To enact R.S. 17:416.11, relative to liability of school employees; to provide that certain employees of school boards and approved nonpublic schools shall not be liable for acts related to their employment duties except in certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 111—
 BY REPRESENTATIVE SALTER
 AN ACT

To enact R.S. 32:1717(B)(4), relative to financial responsibility for tow truck operators; to authorize the use of self-insurance as proof of financial responsibility in lieu of insurance; and to provide for related matters.

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

HOUSE BILL NO. 161—
 BY REPRESENTATIVE MCCAIN
 AN ACT

To amend and reenact Code of Civil Procedure Art. 4843(E)(1) and to enact Code of Civil Procedure Art. 4843(F), relative to trial courts of limited jurisdiction; to increase the amount in dispute for civil jurisdiction of the city court in Plaquemine; and to provide for related matters.

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

HOUSE BILL NO. 185—
 BY REPRESENTATIVE DIMOS
 AN ACT

To amend and reenact Code of Civil Procedure Articles 2127.2(A) and (B) and 2127.3, relative to preparation of the record on appeal; to require the delivery of the transcript to the clerk of court five days prior to the return date; and to provide for related matters.

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

HOUSE BILL NO. 228—
 BY REPRESENTATIVE ALARIO
 AN ACT

To amend and reenact R.S. 47:1603(B) and to enact R.S. 47:1603(C), relative to the state income tax; to authorize the waiver of penalties for delinquent filing or payment of taxes by certain corporations; to provide for the applicability of such waiver; and to provide for related matters.

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

HOUSE BILL NO. 238—
BY REPRESENTATIVE HILL

AN ACT

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

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

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

AN ACT

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

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

HOUSE BILL NO. 356—
BY REPRESENTATIVE JOHNS

AN ACT

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

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

HOUSE BILL NO. 389—
BY REPRESENTATIVE MCMAINS

AN ACT

To enact R.S. 37:93 through 117 and 250 through 273, relative to certified public accountants and attorneys; to provide for the establishment and functions of public accountant review panels and attorney review panels; to provide for the review and evaluation of professional negligence claims against certified public accountants and attorneys; to provide for the selection and duties of the members of the review panel; to provide for compensation; to provide for the payment of costs; and to provide for related matters.

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

HOUSE BILL NO. 395—
BY REPRESENTATIVE ANSARDI

AN ACT

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

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

HOUSE BILL NO. 472—
BY REPRESENTATIVE GREEN

AN ACT

To amend and reenact Code of Civil Procedure Art. 1313, relative to service of certain pleadings; to authorize service by facsimile transmission; and to provide for related matters.

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

HOUSE BILL NO. 488—
BY REPRESENTATIVE WILKERSON

AN ACT

To enact Civil Code Article 2364.1, relative to the law on matrimonial regimes; to provide that the seizure of community property for an intentional wrong by a spouse entitles the other spouse to reimbursement of one-half the value thereof; and to provide for related matters.

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

HOUSE BILL NO. 511—
BY REPRESENTATIVE DEWITT

AN ACT

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

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

HOUSE BILL NO. 579—
BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 32:909, relative to mandatory automobile insurance; to provide that no penalty for an interruption in liability coverage shall be due unless a complaint is filed; and to provide for related matters.

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

HOUSE BILL NO. 645—
BY REPRESENTATIVES FONTENOT, POWELL, PERKINS, AND MCMAINS

AN ACT

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

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

HOUSE BILL NO. 650—
BY REPRESENTATIVE HEATON

AN ACT

To amend and reenact R.S. 47:463.4.1 and to enact R.S. 47:463.4(E)(2), relative to special parking cards for temporarily mobility impaired persons; to provide temporary parking cards for pregnant women; to provide for termination of the cards; and to provide for related matters.

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

HOUSE BILL NO. 670—
BY REPRESENTATIVE GAUTREAUX

AN ACT

To amend and reenact R.S. 32:364, relative to motor vehicles; to require that passenger cars be equipped with fenders, covers, or other devices so as to minimize the spray of water or other materials; and to provide for related matters.

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

HOUSE BILL NO. 680—
BY REPRESENTATIVE LEBLANC

AN ACT

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

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

HOUSE BILL NO. 702—
BY REPRESENTATIVE MCCAIN

AN ACT

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

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

HOUSE BILL NO. 715—
BY REPRESENTATIVES DAMICO AND MURRAY

AN ACT

To amend and reenact R.S. 4:169(A)(1) and (B), relative to license fees charged by the racing commission; to increase certain fees; and to provide for related matters.

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

HOUSE BILL NO. 846—
BY REPRESENTATIVE WINDHORST

AN ACT

To repeal R.S. 32:295.1(I), relative to seat belts; to delete the ten percent discount on fines for moving traffic violations when the person committing the offense was wearing a seat belt.

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

HOUSE BILL NO. 900—
BY REPRESENTATIVE ILES

AN ACT

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

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

HOUSE BILL NO. 982—
BY REPRESENTATIVE GREEN

AN ACT

To amend and reenact Code of Civil Procedure Art. 1314, relative to service of pleadings; to specify when personal service on the counsel of record of the adverse party can be obtained; and to provide for related matters.

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

HOUSE BILL NO. 986—
BY REPRESENTATIVE HAMMETT

AN ACT

To enact R.S. 37:1736, relative to architects, engineers, and land surveyors; to provide for immunity from liability in certain emergency situations; and to provide for related matters.

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

HOUSE BILL NO. 1151—
BY REPRESENTATIVE JACK SMITH

AN ACT

To require the Department of Transportation and Development to erect "Advance Warning" and "School Zone" signs and flashing caution lights on Louisiana Highway 70 in Stevensville, Louisiana, which is located in St. Martin Parish on both sides of the Stevensville Elementary School property and to erect "Advance Warning" and "School Zone" signs and flashing caution lights on Louisiana Highway 92 in the vicinity of the school grounds in Milton, Louisiana; to erect an "Advance Warning" sign on a specified area of Highway 61 in East Baton Rouge Parish; to erect flashing caution lights at the intersection of Louisiana Highway 70 and Louisiana Highway 1016-1 in Assumption Parish; to erect a red light at the intersection of Louisiana Highway 1 North and Fort Street in the city of Plaquemine which is located in Iberville Parish; to erect a traffic signal light at a certain intersection in the parish of Lafourche; and to provide for related matters.

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

HOUSE BILL NO. 1152—
BY REPRESENTATIVES JACK SMITH, A. ALEXANDER, ANSARDI, CLARKSON, COPELIN, DAMICO, DANIEL, DEVILLE, DOERGE, DURAND, FRITH, FRUGE, GUILLORY, HEATON, HEBERT, HOLDEN, ILES, KENNEY, MARTINY, MCCAIN, MCDONALD, MICHOT, MONTGOMERY, MURRAY, PERKINS, QUEZAIRE, ROMERO, JOHN SMITH, WALSWORTH, WARNER, WESTON, WIGGINS, WILLARD-LEWIS, WINDHORST, AND WRIGHT

AN ACT

To enact R.S. 48:261.1 and to require the Department of Transportation and Development to erect various signs and lights, to generally improve the conditions of various highways and intersections in the state and to notify the motoring public of certain areas; to provide for the establishment of the Highway Maintenance Program; to provide for implementation and termination of the program; to provide for the funding of the program; and to provide

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for related matters.

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

HOUSE BILL NO. 1353—
BY REPRESENTATIVE PERKINS
AN ACT

To amend and reenact R.S. 11:1601(1), relative to the District Attorneys' Retirement System; to provide with respect to membership in the system; to provide with respect to optional membership in the system for certain employees currently covered by such retirement system; and to provide for related matters.

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

HOUSE BILL NO. 1391—
BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 33:1735(A), relative to constables; to increase the compensation of the constable of the first city court in New Orleans; and to provide for related matters.

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

HOUSE BILL NO. 1478—
BY REPRESENTATIVES TOOMY, DOWNER, MCCALLUM, AND FAUCHEUX AND SENATOR CRAVINS
AN ACT

To amend and reenact R.S. 16:51(A)(2), (4), (6), (11), (13), (15), (16), (17), (19), (20), (22), (23), (24), (26), (27), (29), (32), (38), and (41), relative to assistant district attorneys; to provide for additional district attorneys for certain judicial districts and for the parish of Orleans; and to provide for related matters.

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

HOUSE BILL NO. 1613—
BY REPRESENTATIVE TRAVIS
AN ACT

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

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

HOUSE BILL NO. 1653—
BY REPRESENTATIVES MURRAY AND FORSTER
AN ACT

To amend and reenact R.S. 13:2493(E) and to enact R.S. 13:2493(F), relative to jurisdiction of the Municipal Court of New Orleans; to authorize the court to grant injunctive relief in certain cases; and to provide for related matters.

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

HOUSE BILL NO. 1692—
BY REPRESENTATIVE DIEZ
AN ACT

To enact R.S. 48:381(A)(5), relative to use and occupancy of highways; to provide for permits to locate facilities within highway rights-of-way; and to provide for related matters.

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

referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 1706—
BY REPRESENTATIVES PERKINS AND WESTON
AN ACT

To amend and reenact R.S. 38:3301, relative to the Amite River Basin Drainage and Water Conservation District; to provide relative to its geographical boundaries; and to provide for related matters.

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

HOUSE BILL NO. 1715—
BY REPRESENTATIVE STELLY
AN ACT

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

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

HOUSE BILL NO. 1749— (Duplicate of SB No. 797)
BY REPRESENTATIVE MCCAIN AND SENATOR BAGNERIS AND COAUTHORED BY REPRESENTATIVE FARVE
AN ACT

To enact R.S. 44:36(E), relative to the preservation of public records; to require a prosecuting agency to retain records of criminal prosecutions for three years; and to provide for related matters.

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

HOUSE BILL NO. 1878—
BY REPRESENTATIVE WALSWORTH
AN ACT

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

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

HOUSE BILL NO. 1908—
BY REPRESENTATIVE DANIEL
AN ACT

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

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

HOUSE BILL NO. 1912—

BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 13:1899(C)(12)(a) and to enact R.S. 13:1899(C)(12)(b)(i)(cc), relative to costs in criminal matters; to authorize an increase in certain fees in criminal matters in the City Court of Monroe; and to provide for related matters.

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

HOUSE BILL NO. 2072—

BY REPRESENTATIVE TRAVIS
AN ACT

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

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

HOUSE BILL NO. 2131—

BY REPRESENTATIVES SHAW AND DANIEL
AN ACT

To amend and reenact R.S. 11:124, 126, and 127(C), relative to public retirement systems; to provide relative to the Public Retirement Systems' Actuarial Committee; to provide procedures, including voting and electing officers; to provide relative to certain duties, including annual actuarial valuations; and to provide for related matters.

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

HOUSE BILL NO. 2198—

BY REPRESENTATIVE TOOMY
AN ACT

To enact R.S. 33:1236.23, relative to Jefferson Parish; to authorize the governing authority of the parish to create a special district for the purposes of enhancing the security of residents of the Stonebridge subdivision; to provide for the creation and governance of the district as provided by the parish home rule charter; to require voter approval of a district tax; and to provide for related matters.

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

HOUSE BILL NO. 2270—

BY REPRESENTATIVE DEWITT
AN ACT

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

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

HOUSE BILL NO. 2288—

BY REPRESENTATIVE R. ALEXANDER
AN ACT

To amend and reenact R.S. 16:16, relative to district attorneys; to increase the amount of special court costs in criminal cases remitted to the district attorney; and to provide for related matters.

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

HOUSE BILL NO. 2358— (Substitute for HB No. 841 by Representative Michot)

BY REPRESENTATIVE MICHOT
AN ACT

To amend and reenact R.S. 56:8(30) and to enact R.S. 56:302.3(B)(6) and 325(A)(7), relative to fishing; to provide relative to crawfish; to provide that the taking of crawfish for recreational purposes shall require a recreational gear license; to provide relative to license requirements and fees; to provide amount limits; and to provide for related matters.

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

HOUSE BILL NO. 2359— (Substitute for HB No. 2181 by Representative McMains)

BY REPRESENTATIVE MCMAINS
AN ACT

To enact R.S. 37:1287(D), (E), (F), and (G), relative to the Louisiana State Board of Medical Examiners; to provide for protected actions for any nonprofit corporation, foundation, or organization that enters into an agreement with the Louisiana State Board of Medical Examiners related to the operation of any committee or program to identify, investigate, counsel, monitor, or assist any licensed physician who suffers or may suffer from alcohol or substance abuse or a physical or mental condition; to provide for protected actions for any director, trustee, officer, employee, consultant, or attorney for or who otherwise works for or is associated with such nonprofit corporation, foundation, or organization which enters into a contract with the board; to provide for an award of costs or attorney fees in certain instances when a defendant substantially prevails in any suit brought against the corporation, foundation, organization, or an employee thereof; to define substantially prevail; to provide for retroactive effect of the immunity granted; and to provide for related matters.

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

HOUSE BILL NO. 2379—

BY REPRESENTATIVE DURAND
AN ACT

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

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

HOUSE BILL NO. 2432—

BY REPRESENTATIVE WESTON
AN ACT

To enact R.S. 13:1000, relative to district courts; to authorize district courts by rule to establish programs to provide fiscal support for local bar association qualified pro bono projects; to provide for additional costs for certain civil filings and for distribution of the proceeds to qualified projects; and to provide for related matters.

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

Messages from the Governor

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

State of Louisiana
Office of the Governor
Baton Rouge

May 20, 1997

May 20, 1997

The Honorable President and Members of the Senate

Ladies and Gentlemen:

In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, the individual on the attached page has been appointed and previously submitted for your consideration.

However, I wish for the confirmation to be stopped and the name withdrawn from submission.

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

Emergency Medical Services for Children Advisory Council

Bonnie E. Dubin (Resigned)

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 20, 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. 179— BY REPRESENTATIVE DEWITT AND SENATOR DYESS A CONCURRENT RESOLUTION

To recognize and commend the Rapides High School Lady Mustangs for their outstanding basketball season and their performance in the Sweet Sixteen State Championship.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 179— BY REPRESENTATIVE DEWITT AND SENATOR DYESS A CONCURRENT RESOLUTION

To recognize and commend the Rapides High School Lady Mustangs for their outstanding basketball season and their performance in the Sweet Sixteen 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

Table with 3 columns: Name, Dyess, Lambert. Lists names of senators and their counts.

Total—36 NAYS

Total—0 ABSENT

Table with 3 columns: Name, Jordan, Short. Lists names of senators and their counts.

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

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

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

SENATE BILL NO. 63— BY SENATOR ROBICHAUX AN ACT

To add R.S. 56:55.2(C) and (D); 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 by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 63 by Senator Robichaux

AMENDMENT NO. 1 On page 1, line 2, change "(C)" to "(C) and (D)"

AMENDMENT NO. 2 On page 1, line 7, change "is" to "and (D) are"

AMENDMENT NO. 3 On page 2, line 2, after "shall" delete the remainder of the line, delete lines 3 through 9 in their entirety and insert in lieu thereof the following:

"be eligible to transfer into the position of conservation officer created within the enforcement division of the department.

R.S. 56: 55.2 (D) is all proposed new law. D. The authority of conservation officers assigned to refuges and wildlife management areas shall be the same as any duly authorized peace officer of the state. Conservation officers shall be trained and assigned within the enforcement division of the department and shall receive any adjustment in compensation provided for persons in the position of conservation officer."

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

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), 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 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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 356 by Senator Greene

AMENDMENT NO. 1

On page 1, line 3, delete "(F)(3) and (5),"

AMENDMENT NO. 2

On page 1, line 7, after "dates;" delete the remainder of the line and on line 8, delete "date for bond, tax, or other elections;"

AMENDMENT NO. 3

On page 1, line 13, delete "(F)(3)" and on line 14, delete "and (5)."

AMENDMENT NO. 4

On page 4, delete lines 9 through 27 in their entirety, and on page 5, delete lines 1 through 3 in their entirety

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

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 by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 362 by Senator Greene

AMENDMENT NO. 1

On page 2, line 3, after "Highway 190" delete ", during the months of January and February"

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

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 by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 394 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 12, after "persons" insert: "entering employment on or after October 1, 1996, who are"

AMENDMENT NO. 2

On page 1, line 14, after "system." insert: "Such election shall be made within ninety days of employment."

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

SENATE BILL NO. 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 by the Committee on Labor and Industrial Relations.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Labor and Industrial Relations to Original Senate Bill No. 633 by Senator Guidry

AMENDMENT NO. 1

On page 1, at the end of line 11, after "work" add "on no more than four occasions."

AMENDMENT NO. 2

On page 1, at the beginning of line 12, change "of up to" to "for" and change "sixteen" to "eight"

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

SENATE BILL NO. 952—

BY SENATORS HEITMEIER AND SMITH AND REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 32:431(A)(5), 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 by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 952 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 32:431(A)(5)," delete "(B), (C), and (D)."

AMENDMENT NO. 2

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On page 1, line 9, after "R.S. 32:431(A)(5)" change ", (B), (C), and (D), are" to "is"

AMENDMENT NO. 3

On page 2, between lines 5 and 6, insert: "* * *"

AMENDMENT NO. 4

On page 2, line 7, after "(5)" delete "Has" and insert "Except as provided in R.S. 32:431(A)(4), has"

AMENDMENT NO. 5

On page 2, delete lines 10 through 27, delete page 3, and on page 4, delete line 1

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

SENATE BILL NO. 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 by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 1014 by Senator Siracusa

AMENDMENT NO. 1

On page 1, line 14, change "shall" to "may"

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

SENATE BILL NO. 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 by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 1033 by Senator Heitmeier

AMENDMENT NO. 1

On page 2, line 8, after "**while**" delete the remainder of the line and delete line 9 and insert "**transporting a customer fare in the back seat.**"

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

SENATE BILL NO. 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, 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 by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 1133 by Senator Landry

AMENDMENT NO. 1

On page 1, line 2, after "255.1," change "256.1, 256.3" to "and 256.1(A)"

AMENDMENT NO. 2

On page 1, at the end of line 4, delete "256.4, 256.5, 356.6," and insert "256.1(D),"

AMENDMENT NO. 3

On page 1, delete lines 5 and 6 in their entirety

AMENDMENT NO. 4

On page 1, at the beginning of line 7, delete "256.7" and after "Subpart" change "E" to "C"

AMENDMENT NO. 5

On page 1, at the end of line 8, change "48:256.10" to "48:256.3"

AMENDMENT NO. 6

On page 1, line 9, after "through" change "256.19" to "256.12"

AMENDMENT NO. 7

On page 2, at the end of line 2, delete "to"

AMENDMENT NO. 8

On page 2, delete lines 3 through 5 in their entirety

AMENDMENT NO. 9

On page 2, at the beginning of line 6, delete "a procedure for contract disputes;"

AMENDMENT NO. 10

On page 2, line 11, after "255.1," add "and" and after "256.1" add "(A)" and delete ", and 256.3"

AMENDMENT NO. 11

On page 2, at the end of line 13, change "256.4," to "256.1(D) and"

AMENDMENT NO. 12

On page 2, delete line 14 and 15 in their entirety

AMENDMENT NO. 13

On page 2, line 16, after "Subpart" change "E" to "C"

AMENDMENT NO. 14

On page 2, line 17, after "of" change "48:256.10" to "256.3" and after "through" change "256.19" to "256.12"

AMENDMENT NO. 15

On page 7, at the beginning of line 17, delete "A."

AMENDMENT NO. 16

On page 7, line 27, after "Part" add a comma ", "

AMENDMENT NO. 17

On page 10, line 20, after the period add "(3)"

AMENDMENT NO. 18

On page 10, line 25, change "(3)" to "(4)"

AMENDMENT NO. 19

On page 10, line 27, change "(4)" to "(5)"

AMENDMENT NO. 20

On page 11, line 10, after "than" change "twenty-one days" to "twenty-five days if the chief engineer's cost estimate for the project is less than five hundred thousand dollars and thirty days if the chief engineer's cost estimate for the project is five hundred thousand dollars or more"

AMENDMENT NO. 21

On page 13, at the beginning of line 15, change "(A)" to "(a)"

AMENDMENT NO. 22

On page 13, at the beginning of line 19, change "(B)" to "(b)"

AMENDMENT NO. 23

On page 15, line 21, after "B." add "(1)"

AMENDMENT NO. 24

On page 15, line 26, after "department." add "(2) Should the forfeited proposal guarantee in any manner be limited or not payable on demand, the bidder will be disqualified from bidding or approved as a subcontractor on any department advertised project for a period of one year following nonpayment. C."

AMENDMENT NO. 25

On page 16, line 1, after "bids." delete the remainder of the line and delete lines 2 through 5 in their entirety

AMENDMENT NO. 26

On page 16, at the beginning of line 7, change "C" to "D"

AMENDMENT NO. 27

On page 16, at the beginning of line 14, change "D" to "E"

AMENDMENT NO. 28

On page 16, line 15, delete "currently" and insert: "which, during the existence of the bond, is"

AMENDMENT NO. 29

On page 16, line 16, change "is currently" to "which is"

AMENDMENT NO. 30

On page 16, line 24, change "will" to "shall"

AMENDMENT NO. 31

On page 17, at the beginning of line 17, add "(2)"

AMENDMENT NO. 32

On page 17, line 21, after "project." add "(3)"

AMENDMENT NO. 33

On page 17, at the beginning of line 26, change "However, if" to "(4) If"

AMENDMENT NO. 34

On page 18, at the beginning of line 9, change "(2)" to "(5)"

AMENDMENT NO. 35

On page 18, line 11, change "(A)" to "(a)"

AMENDMENT NO. 36

On page 18, line 14, change "(B)" to "(b)"

AMENDMENT NO. 37

On page 18, line 17, change "(C)" to "(c)"

AMENDMENT NO. 38

On page 18, line 19, change "(D)" to "(d)"

AMENDMENT NO. 39

On page 18, line 22, change "(E)" to "(e)"

AMENDMENT NO. 40

On page 18, line 24, change "(F)" to "(f)"

AMENDMENT NO. 41

On page 19, line 3, change "(3)" to "(6)"

AMENDMENT NO. 42

On page 20, line 8, delete "currently"

AMENDMENT NO. 43

On page 20, line 18, delete "currently"

AMENDMENT NO. 44

On page 22, between lines 12 and 13, add "* * *"

AMENDMENT NO. 45

On page 26, line 8, change "C." to "D."

AMENDMENT NO. 46

On page 26, delete lines 16 through 27 in their entirety

AMENDMENT NO. 47

Delete pages 27 through 34 in their entirety

AMENDMENT NO. 48

On page 35, delete lines 1 through 22 in their entirety and on line 23, after "SUBPART" change "E" to "C" and at the beginning of line 26, change "256.10" to "256.3"

AMENDMENT NO. 49

On page 36, at the beginning of line 7, add "(2)"

AMENDMENT NO. 50

On page 36, line 15, after "begun." add "(3)"

AMENDMENT NO. 51

On page 37, at the beginning of line 22, change "256.11" to "256.4"

AMENDMENT NO. 52

On page 38, at the beginning of line 8, change "256.12" to "256.5"

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AMENDMENT NO. 53
On page 38, line 25, after "shall" add a comma ",,"

AMENDMENT NO. 54
On page 39, line 4, after "C." add "(1)"

AMENDMENT NO. 55
On page 39, line 10, change "D." to "(2)"

AMENDMENT NO. 56
On page 39, line 22, change "E." to "D.(1)"

AMENDMENT NO. 57
On page 39, line 27, after the period "." add "(2)"

AMENDMENT NO. 58
On page 40, line 7, change "F" to "E"

AMENDMENT NO. 59
On page 40, line 12, change "256.13" to "256.6"

AMENDMENT NO. 60
On page 40, line 21, after "records." add "(1)"

AMENDMENT NO. 61
On page 40, line 25, change "B." to "(2)"

AMENDMENT NO. 62
On page 41, line 5, change "C." to "(3)"

AMENDMENT NO. 63
On page 41, line 14, change "D" to "B"

AMENDMENT NO. 64
On page 41, line 17, change "E" to "C"

AMENDMENT NO. 65
On page 41, line 25, change "F" to "D"

AMENDMENT NO. 66
On page 42, line 6, change "256.14" to "256.7"

AMENDMENT NO. 67
On page 43, line 6, change "256.15" to "256.8"

AMENDMENT NO. 68
On page 43, line 21, change "256.16" to "256.9"

AMENDMENT NO. 69
On page 44, line 11, change "256.17" to "256.10"

AMENDMENT NO. 70
On page 44, line 17, change "256.18" to "256.11"

AMENDMENT NO. 71
On page 45, line 2, change "256.19" to "256.12"

AMENDMENT NO. 72
On page 46, delete lines 5 through 7 in their entirety and insert:
"Section 4. R.S. 48:257 through 262 shall hereinafter be designated as Subpart D of Part XIII of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950 and shall be entitled "CONSTRUCTION AND MAINTENANCE PROCEDURES."

Section 5. R.S. 48:263 through 276 shall hereinafter be designated as Subpart E of Part XIII of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950 and shall be entitled "MISCELLANEOUS PROCEDURES."

AMENDMENT NO. 73
On page 46, line 8, change "Section 5." to "Section 6."

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

SENATE BILL NO. 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 by the Committee on Transportation, Highways, and Public Works. On motion of Senator Landry, the bill was read by title, ordered engrossed and passed to a third reading.

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 by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed Senate Bill No. 1167 by Senator Hainkel

AMENDMENT NO. 1
On page 7, delete lines 18 through 21

AMENDMENT NO. 2
On page 7, at the beginning of line 22, change "I" to "H"

AMENDMENT NO. 3
On page 7, at the beginning of line 25, change "J" to "I"

AMENDMENT NO. 4
On page 8, at the beginning of line 1, change "K" to "J"

AMENDMENT NO. 5
On page 8, at the beginning of line 5, change "L" to "K"

AMENDMENT NO. 6
On page 8, at the beginning of line 7, change "M" to "L"

AMENDMENT NO. 7
On page 8, at the beginning of line 13, change "N" to "M"

AMENDMENT NO. 8
On page 8, delete lines 19 through 27, delete page 9, and on page 10, delete lines 1 through 4

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

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 by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 1198 by Senator Ellington

AMENDMENT NO. 1

On page 2, line 12 after "study" insert "beginning in the 1997-1998 school year"

AMENDMENT NO. 2

On page 2, line 18 after "(1)" delete "At" and insert "Beginning in the 1998-1999 school year, by"

AMENDMENT NO. 3

On page 2, delete lines 19 through 26 and insert the following: "with the input of his family, a Five Year Educational Plan. Such a plan shall include courses which are consistent with the student's stated goals for one year after graduation. Each student's Five Year Educational Plan shall be reviewed annually thereafter by the student, parents, and school advisor and revised as needed."

AMENDMENT NO. 4

On page 3, line 5 after "counselors" insert "and others"

AMENDMENT NO. 5

On page 3, delete lines 12 through 18

AMENDMENT NO. 6

On page 3, line 19 change "E." to "D."

AMENDMENT NO. 7

On page 4, line 26 after "students" insert ", including all testing and course requirements"

AMENDMENT NO. 8

On page 6, between lines 12 and 13, insert:

"(i) A joint apprenticeship representative from a course with a nationally approved apprenticeship curriculum."

AMENDMENT NO. 9

On page 8, delete lines 7 through 9 and insert the following: "established by local school board policy for payment of staff development or in-service training meetings."

AMENDMENT NO. 10

On page 9, line 10, between "expenses" and "involved" insert "and issues, including liability,"

AMENDMENT NO. 11

On page 10, lines 11 and 12 delete "the bureau director of secondary education in"

AMENDMENT NO. 12

On page 10, line 16 delete "Bureau of Secondary Education,"

AMENDMENT NO. 13

On page 10, line 17 delete "bureau director" and insert "state superintendent"

AMENDMENT NO. 14

On page 12, lines 16 and 17 delete "the bureau of secondary schools within"

AMENDMENT NO. 15

On page 12, line 17 delete "bureau director" and insert "Department of Education"

AMENDMENT NO. 16

On page 13, lines 11 and 12 delete " bureau of secondary education director" and insert "Department of Education"

AMENDMENT NO. 17

On page 13, lines 15 and 16 delete "bureau of secondary education director" and insert "Department of Education"

AMENDMENT NO. 18

On page 13, line 25 delete "bureau of secondary education director" and insert "the Department of Education"

AMENDMENT NO. 19

On page 13, line 27 delete "Bureau of secondary education director" and insert "The Department of Education"

AMENDMENT NO. 20

On page 14, lines 14 and 15 delete "bureau of secondary education director" and insert "the Department of Education"

AMENDMENT NO. 21

On page 14, lines 18 and 19 delete "bureau of secondary education director" and insert "the Department of Education"

AMENDMENT NO. 22

On page 15, line 1 delete "bureau of secondary education director" and insert "the Department of Education"

AMENDMENT NO. 23

On page 15, line 3 delete "Bureau of secondary education director" and insert "The Department of Education"

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

SENATE BILL NO. 1255—

BY SENATOR JONES

AN ACT

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

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 1255 by Senator Jones

AMENDMENT NO. 1

On page 1, line 3, after the semicolon ";" delete the remainder of the line and add in lieu thereof "to require funding for such levee districts;"

AMENDMENT NO. 2

On page 1, delete lines 4 and 5 in their entirety

AMENDMENT NO. 3

On page 1, at the beginning of line 6, delete "transportation funds on such plan;"

AMENDMENT NO. 4

On page 1, line 12, after "A." change "Notwithstanding any other provision of law, this" to "This"

AMENDMENT NO. 5

On page 1, line 13, after "to" delete "the ad valorem taxes collected by"

AMENDMENT NO. 6

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On page 1, line 14, after "more than" change "400,000" to "75,000" and after "less than" change "350,000" to "40,000"

AMENDMENT NO. 7

On page 2, at the end of line 1, delete "not less" and insert a period "." and delete lines 2 through 5 in their entirety

AMENDMENT NO. 8

On page 2, line 6, after "B." delete the remainder of the line and add in lieu thereof "The legislature shall appropriate one million dollars in Fiscal Year 1997-1998 to such a levee district as provided for in Subsection A of this Section."

AMENDMENT NO. 9

On page 2, delete lines 7 through 13 in their entirety

AMENDMENT NO. 10

On page 2, line 15, after "account" add "of the levee district" and after "purposes" delete the remainder of the line and add in lieu thereof " of levee construction, levee maintenance, and other flood control works necessary to help alleviate flooding within the district." and delete line 16 in its entirety

AMENDMENT NO. 11

On page 2, line 18, after "plan" add "which shall include reconstruction of the levee in conjunction with the United States Corps of Engineers and"

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

SENATE BILL NO. 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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 1267 by Senator Bagneris

AMENDMENT NO. 1

On page 1, line 14, after "be" insert "publicly", and after "disclosed" delete the remainder of the line and on line 15 delete "upon request"

AMENDMENT NO. 2

On page 2, line 2, after "act" insert "may be disseminated by any law enforcement agency in a manner calculated to assist the agency in taking the juvenile into custody"

AMENDMENT NO. 3

On page 2, line 11, after "charged" insert "may be released by the appropriate law enforcement agency"

AMENDMENT NO. 4

On page 2, line 19 after "older" delete the remainder of the line and delete lines 20 and 21 and insert: "may be released upon written waiver by the person whose record is being released."

AMENDMENT NO. 5

On page 3, line 6 after "cause" delete the comma and insert "the court may order that"

AMENDMENT NO. 6

On page 3, line 7 after "agencies" delete "may" and after "disclosed" delete the remainder of the line

AMENDMENT NO. 7

On page 3, delete lines 15 through 17 and on line 18, change "G" to "F" and on line 22 change "H" to "G"

AMENDMENT NO. 8

On page 3 at the end of line 24 delete "felony-grade"

AMENDMENT NO. 9

On page 4, line 7, change "report" to "order"

AMENDMENT NO. 10

On page 4, between lines 18 and 19 insert the following:

"H. Records and reports concerning matters of proceedings under the juvenile jurisdiction of the court may be disclosed upon motion and order of the court as authorized by any title of this Code."

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

SENATE BILL NO. 1329—
BY SENATOR JOHNSON

AN ACT

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

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 1329 by Senator Johnson

AMENDMENT NO. 1

On page 1, delete lines 2 through 4 in their entirety and insert in lieu thereof:

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

AMENDMENT NO. 2

On page 1, line 7, change "47:332.10" to "47:332.1" and change "amended and reenacted" to "enacted"

AMENDMENT NO. 3

On page 1, line 9, change "332.10." to "332.1."

AMENDMENT NO. 4

On page 1, lines 12 and 15, change "47:331" to "47:321"

AMENDMENT NO. 5

On page 1, at the beginning of line 16, change "332" to "322"

AMENDMENT NO. 6

On page 2, delete lines 6 and 7 completely and insert ""New Orleans Business and Industrial Development and New Orleans Sports Foundation Fund". "

AMENDMENT NO. 7

On page 2, at the end of line 8, delete "Metropolitan Convention,"

AMENDMENT NO. 8

On page 2, delete line 9 and insert: "Business and Industrial Development and New Orleans Sports Foundation Fund shall be appropriated"

AMENDMENT NO. 9

On page 2, line 10, after the period "." delete the remainder of the line and insert the following: "The first two-hundred fifty thousand dollars of the monies in the fund shall be appropriated to the New Orleans East Visitors Center. Of the remaining monies in the fund, ninety percent shall be appropriated to the New Orleans Business and Industrial District for the purposes of the district and ten percent shall be appropriated to the New Orleans Sports Foundation."

AMENDMENT NO. 10

On page 2, delete lines 11 and 12 completely

AMENDMENT NO. 11

On page 2, line 13, delete "Business and Industrial District."

AMENDMENT NO. 12

On page 2, at the beginning of line 17, insert "state general"

AMENDMENT NO. 13

On page 2, delete lines 18 through 23 in their entirety and insert in lieu thereof the following:

"Section 2. This Act shall become effective on July 1, 1997; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 1997, or on the day following such approval by the legislature, whichever is later."

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

SENATE BILL NO. 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 by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 1342 by Senator Siracusa

AMENDMENT NO. 1

On page 2, line 18, after the period "." insert: "Any owner or operator who is responsible for such necessary alterations or relocations shall be reimbursed for any and all expenses incurred by such alteration or relocation unless otherwise provided by contract or law."

AMENDMENT NO. 2

On page 3, line 24, after "the" change "hurricane protection system" to "interim flood protection project"

AMENDMENT NO. 3

On page 3, line 26, after "governments" insert "and the cities of Morgan City and Berwick"

AMENDMENT NO. 4

On page 3, line 27, after "the" change "parishes" to "jurisdictions"

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

SENATE BILL NO. 1345—

BY SENATOR EWING

AN ACT

To enact R.S. 33:2713.2 and 2720.2, 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 by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 1345 by Senator Ewing

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 33:2713.2" and before the comma "," insert "and 2720.2"

AMENDMENT NO. 2

On page 1, line 7, after "R.S. 33:2713.2" change "is" to "and 2720.2 are"

AMENDMENT NO. 3

On page 2, between lines 10 and 11, insert the following:

"* * *

2720.2 Quarterly and semi-annual reports

R.S. 22:2720.2 is all proposed new law.

A. Notwithstanding any other law to the contrary, any person or entity doing business in two or more parishes may elect to file a quarterly report in any parish for which the entity's tax liability does not exceed fifty dollars per month. Any such entity may elect to file a semi-annual report in any parish for which the entity's tax liability does not exceed twenty-five dollars per month.

B. Prior to filing quarterly or semi-annual reports under the above provisions, the entity must notify the affected single parish tax collectors."

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

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

May 20, 1997

SENATE BILL NO. 1492—
BY SENATOR DEAN

AN ACT

To declare that the public and necessary purpose which may have originally supported the expropriation of certain property in the parish of Plaquemines, known as Cheniere Ronquillo, located in Sections 9, 10, 15, and 16 of Township 21 South, Range 26 East, has been called into question; to authorize certain heirs to assert their rights of ownership; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 1492 by Senator Dean

AMENDMENT NO. 1

On page 1, line 5, after "has" delete the remainder of the line, delete lines 6 through 9 in their entirety, and insert in lieu thereof "been called into question; to authorize certain heirs to assert their rights of ownership;"

AMENDMENT NO. 2

On page 2, line 4, after "1895" delete the remainder of the line, delete line 5 through 27 in their entirety, and insert in lieu thereof the following: "is called into question as to the manner and procedure used in the acquisition of said property. The Legislature of Louisiana hereby authorizes the presumptive heirs of the original owners of said properties, one year from the effective date of this Act in which to assert their rights of ownership to said property, including all mineral rights."

AMENDMENT NO. 3

On page 3, delete line 1 through 24 in their entirety

AMENDMENT NO. 4

On page 3, line 25, change "Section 6." to "Section 2."

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

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 by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 1497 by Senators Siracusa and Romero

AMENDMENT NO. 1

On page 1, at the beginning of line 15, delete "dedicated equipment for specialized"

AMENDMENT NO. 2

On page 2, at the beginning of line 10, change "January 15," to "July 1,"

AMENDMENT NO. 3

On page 2, delete lines 14 through 16 and insert "D. No Transportation

Trust Fund money shall be used for this program."

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

SENATE BILL NO. 1500—
BY SENATORS ROMERO AND CAIN
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 foreign 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 by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 1500 by Senator Romero

AMENDMENT NO. 1

On page 1, line 5, change "communist" to "foreign"

AMENDMENT NO. 2

On page 1, at the end of line 16, insert "foreign"

AMENDMENT NO. 3

On page 2, delete line 1 in its entirety, and at the beginning of line 2, delete "communist"

AMENDMENT NO. 4

On page 2, line 12, after "from a" insert "foreign" and after "country" delete the remainder of the line

AMENDMENT NO. 5

On page 2, delete line 13, in its entirety, and insert in lieu thereof ", shall do"

AMENDMENT NO. 6

On page 2, line 21, between "a" and "country" insert "foreign"

AMENDMENT NO. 7

On page 2, delete line 22 in its entirety and at the beginning of line 23, delete "country,"

AMENDMENT NO. 8

On page 2, line 26, change "communist" to "foreign"

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

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 by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 1507 by Senator Barham

AMENDMENT NO. 1

On page 1, line 11, after "1177," delete the remainder of the line and insert "the term"

AMENDMENT NO. 2

On page 1, at the beginning of line 12, delete "used in R.S. 45:1177(A), and"

AMENDMENT NO. 3

On page 1, at the beginning of line 14, delete "primarily"

AMENDMENT NO. 4

On page 2, line 5, after "service," delete "personal communication service,"

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

SENATE BILL NO. 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 by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 1541 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 2, delete "amend and reenact R.S. 11:102(B)(1) and to"

AMENDMENT NO. 2

On page 1, line 8, after "statewide" insert "public"

AMENDMENT NO. 3

On page 1, line 14, delete "state aid" and on line 15, delete "payments" and insert "certain funds"

AMENDMENT NO. 4

On page 2, delete line 10 and insert "Section 1."

AMENDMENT NO. 5

On page 2, line 13, delete "108 is" and insert "108, are"

AMENDMENT NO. 6

On page 2, delete lines 16 through 27 and on page 3, delete lines 1 and

2 and insert:

"B. * * *"

AMENDMENT NO. 7

On page 3, line 19, after "statewide" insert "public"

AMENDMENT NO. 8

On page 3, line 22, change "and" to "an"

AMENDMENT NO. 9

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

B. * * *
* * *

AMENDMENT NO. 10

On page 5, line 1, after "statewide" insert "public"

AMENDMENT NO. 11

On page 5, line 25, change "know" to "known"

AMENDMENT NO. 12

On page 6, at the end of line 2, insert "public"

AMENDMENT NO. 13

On page 6, line 26, between "R.S." and "103" insert "11:"

AMENDMENT NO. 14

On page 7, line 4, change "(A)" to "A."

AMENDMENT NO. 15

On page 7, line 6, delete "in order to prepay all or" and on line 7 delete "a portion of the unfunded accrued liability of" and insert:

"in one or more series in order to prepay the unfunded accrued liability, not to exceed fifty percent, as of the date of the issuance of the bonds, of any"

AMENDMENT NO. 16

On page 7, at the end of line 7, insert "public"

AMENDMENT NO. 17

On page 7, line 8, change "systems" to "system"

AMENDMENT NO. 18

On page 7, line 9, change "(B)" to "B."

AMENDMENT NO. 19

On page 7, line 11, after "statewide" insert "public"

AMENDMENT NO. 20

On page 7, delete lines 14 through 27 and on page 8, delete lines 1 through 7

AMENDMENT NO. 21

On page 8, line 8, change "(D)" to "C."

AMENDMENT NO. 22

On page 8, line 15, delete "statewide"

AMENDMENT NO. 23

On page 8, line 19, change "(E)" to "D."

AMENDMENT NO. 24

On page 8, line 21, change "state aid" to "the funds"

AMENDMENT NO. 25

On page 8, line 23, change "(F)" to "E."

AMENDMENT NO. 26

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On page 9, line 7, change "(G)(1)" to "F.(1)"

AMENDMENT NO. 27

On page 9, line 11, delete "any state aid, including but not limited to"

AMENDMENT NO. 28

On page 9, line 14, delete "Louisiana, and revenue sharing funds distributed" and delete line 15

AMENDMENT NO. 29

On page 10, line 1, delete "state aid" and insert "Minimum Foundation Equalization Distribution Funds"

AMENDMENT NO. 30

On page 10, line 11, delete "state aid described in Paragraph (G)(1)" and insert "Minimum Foundation Equalization Distribution Funds described in Paragraph (F)(1)"

AMENDMENT NO. 31

On page 10, line 20, delete "state aid" and insert "Minimum Foundation Equalization Distribution Funds"

AMENDMENT NO. 32

On page 10, line 22, change "(H)" to "G."

AMENDMENT NO. 33

On page 10, line 26, after "statewide" insert "public"

AMENDMENT NO. 34

On page 11, line 2, delete "(I)The state and statewide" and insert "H. The state and statewide public"

AMENDMENT NO. 35

On page 11, line 5, delete "state aid" and insert "Minimum Foundation Equalization Distribution Funds"

AMENDMENT NO. 36

On page 11, line 8, delete "(J)The state and statewide" and insert "I. The state and statewide public"

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

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

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

HOUSE BILL NO. 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 by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No.26 by Representative Riddle

AMENDMENT NO. 1

On page 2, line 4, after the period "." add "The parish code shall be

consistent with the numerical code as designated by the secretary of state."

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

HOUSE BILL NO. 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 by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 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 by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 90 by Representative Dupre

AMENDMENT NO. 1

On page 2, line 17, change "June" to "July"

AMENDMENT NO. 2

On page 3, line 7, change "June" to "July"

AMENDMENT NO. 3

On page 3, line 9, change "on June" to "by July"

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

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

HOUSE BILL NO. 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 by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 115 by Representative Iles

AMENDMENT NO. 1

On page 1, line 2, after "E(1) and (2)," insert "and to enact R.S. 33:4754(C)(6),"

AMENDMENT NO. 2

On page 1, line 8, after "parishes;" insert " to provide for payment of attorney's fees and court costs; "

AMENDMENT NO. 3

On page 1, line 15, after "reenacted" insert "and R.S. 33:4754(C)(6) is hereby enacted"

AMENDMENT NO. 4

On page 3, between lines 3 and 4 insert the following:

"C.

* * *

(6) If the property owner is successful in removing any liens placed upon his property or in overturning the sale of his property pursuant to this Section, all attorney's fees and all court costs incurred by the property owner shall be paid by the municipality.

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

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

HOUSE BILL NO. 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 by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 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 by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 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 by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 248 by Representative Travis

AMENDMENT NO. 1

On page 1, line 6, after "office;" insert " to limit the time period for such charges; "

AMENDMENT NO. 2

On page 2, line 4, change "operational" to "capitol"

AMENDMENT NO. 3

On page 2, line 15, after "law," insert "The fees or charges authorized by this Subparagraph shall expire upon the completion of the capitol projects and improvements for the office of the clerk of court."

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

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

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

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

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

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

HOUSE BILL NO. 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 by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 354 by Representative Fruge

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 32:382(A)(1)" and before the comma ",", insert "and the introductory paragraph on 384(C)" and after "relative to" insert "motor vehicles; to provide for"

AMENDMENT NO. 2

On page 1, line 4, after "length;" insert "towing of truck-tractors;"

AMENDMENT NO. 3

On page 1, line 6, after "(1)" change "is" to "and the introductory paragraph of 384(C) are"

AMENDMENT NO. 4

On page 2, after line 3, add the following:

"§384. Trailers and towed vehicles
* * *

C. Truck-tractors may be transported by a drawbar, pintle connection, or by the triple saddle mount method of transportation, consisting of a combination of four truck-tractors where the front axle of one truck-tractor is mounted on the fifth wheel of the lead truck-tractor, the front axle of the third truck-tractor is mounted on the fifth wheel of the second truck-tractor, and the front axle of the fourth truck-tractor is mounted on the fifth wheel of the third truck-tractor; and with the rear wheels of the second, third, and fourth truck-tractors trailing on the ground behind the operating motor unit, provided that:
* * *

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

HOUSE BILL NO. 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 by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 363 by Representative John Smith

AMENDMENT NO. 1

On page 1, line 2, after "E(1) and (2)," insert "and to enact R.S. 33:4754(C)(6),"

AMENDMENT NO. 2

On page 1, line 8, after "parishes;" insert " to provide for payment of attorney's fees and court costs; "

AMENDMENT NO. 3

On page 1, line 15, after "reenacted" insert "and R.S. 33:4754(C)(6) is hereby enacted"

AMENDMENT NO. 4

On page 3, between lines 3 and 4 insert the following:

"C.
* * *
(6) If the property owner is successful in removing any liens placed upon his property or in overturning the sale of his property pursuant to this Section, all attorney's fees and all court costs incurred by the property owner shall be paid by the municipality.
* * *

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 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 by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

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

HOUSE BILL NO. 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 by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 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 by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 589 by Representative Fruge

AMENDMENT NO. 1
On page 1, line 12, after "such," delete "and"

AMENDMENT NO. 2
On page 1, line 13, after "highways" add ", and (3) emergency situations where lower speeds may be prudent"

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

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

HOUSE BILL NO. 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 by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

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

HOUSE BILL NO. 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 by the Committee on Senate and Governmental Affairs. The bill was read by title and recommitted to the Committee on Finance.

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

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

HOUSE BILL NO. 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 by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 1023 by Representative Alario

AMENDMENT NO. 1
On page 3, line 4 after "taxes" insert "of five hundred thousand dollars exclusive of interest and penalty" and after "assessments" insert "for such amounts"

AMENDMENT NO. 2
On page 3, at the end of line 19, delete the period "." and insert: ", and, notwithstanding the provisions of R.S. 47:1508 and 1508.1, each such compromise shall be published in the department's annual report."

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

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

HOUSE BILL NO. 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 by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 1039 by Representatives Alario and Dewitt

AMENDMENT NO. 1
On page 1, line 12, after "cashier's check," insert "teller's check,"

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

HOUSE BILL NO. 1040— (Duplicate of SB 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 by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 1040 by Representative Alario and Senator Hainkel

AMENDMENT NO. 1
On page 2, line 4, after "obtainable", insert "from the U.S. Postal Service or from U.S. Postal Service certified software"

AMENDMENT NO. 2
On page 2, line 15, after "obtainable", insert "from the U.S. Postal Service or from U.S. Postal Service certified software"

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

HOUSE BILL NO. 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 by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 1041 by Representative Alario

AMENDMENT NO. 1
On page 2, line 13, change "five" to "two"

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

HOUSE BILL NO. 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 by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 1149 by Representative Odinet

AMENDMENT NO. 1

On page 1, line 3, change "income" to "earnings"

AMENDMENT NO. 2

On page 1, line 12, change "income" to "earnings"

AMENDMENT NO. 3

On page 1, delete line 14 and insert in lieu there "Earnings" means the earnings derived solely by the personal efforts of the commercial"

AMENDMENT NO. 4

On page 1, line 15, after "fisherman" insert a comma ","

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

HOUSE BILL NO. 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 by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 1150 by Representative Riddle

AMENDMENT NO. 1

On page 1, line 16, after "a fee" delete the remainder of the line and insert in lieu thereof the following: "to the owner to fish in such body of water. The provisions of this Paragraph shall not be deemed to authorize or require the charging of a fee to fish by an owner of a private pond."

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

HOUSE BILL NO. 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 by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 1181 by Representative Montgomery

AMENDMENT NO. 1

On page 2, line 2, after the period "." add "The provisions of this Section shall apply only to airports located within the United States Congressional Districts 4 and 5."

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

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

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

HOUSE BILL NO. 1351— (Duplicate of SB 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 by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

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Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 1351 by Representative McMains, et al.

AMENDMENT NO. 1

On page 17, line 4, after "holder." insert: "However, no property under this Paragraph shall be presumed abandoned if a banking or financial organization has forwarded a statement or other written communication to the owner within the preceding ninety days with regard to the property at the owner's last known address and the statement or communication has not been returned to the banking or financial organization as undeliverable or unclaimed by the forwarding agent."

AMENDMENT NO. 2

On page 23, between lines 14 and 15, insert:

"(14) Mineral proceeds, two years after the property is payable or distributable."

AMENDMENT NO. 3

On page 23, at the beginning of line 15, change "(14)" to "(15)"

AMENDMENT NO. 4

On page 57, delete lines 6 and 7, and on line 8, delete "property." and insert: "Any agreement by an owner to pay compensation to locate, deliver, recover and assist in the recovery of property which is entered into on a date that is twenty-four months or more after the date the property is paid or delivered to the administrator shall not provide for compensation exceeding ten percent of the value of the recoverable property."

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

HOUSE BILL NO. 1396—

BY REPRESENTATIVES DUPRE, DOWNER, GAUTREAUX, ROUSSELLE, AND TRICHE AND SENATORS ROBICHAUX AND SIRACUSA
AN ACT

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

Reported with amendments by the Committee on Transportation, Highways, and Public Works.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 1396 by Representative Dupre

AMENDMENT NO. 1

On page 5, line 1, after "provided by law," delete the remainder of the line and delete lines 2 through 7, and add "the primary duty of the board shall be to establish, construct, operate, or maintain flood control works as they relate to hurricane protection, tidewater flooding, saltwater intrusion, and conservation. As a secondary duty, the board shall have the authority to establish flood control, adequate drainage relating to

tidal or riverine flooding, and water resources development including but not limited to construction of reservoirs, diversion canals, gravity and pump drainage systems, erosion control measures, and marsh management."

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

HOUSE BILL NO. 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 by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Engrossed House Bill No. 1433 by Representative Stelly

AMENDMENT NO. 1

On page 2, delete lines 15 through 18 and insert: "permanently disabled, as certified by the medical board, prior to age eighteen shall be considered a "minor child" for the purposes of the benefit provisions of this Chapter and shall remain a "minor child" provided the medical board certifies he is mentally retarded or totally and permanently disabled and provided he remains unmarried."

AMENDMENT NO. 2

On page 2, line 24, change "proof" to "notification"

AMENDMENT NO. 3

On page 5, line 2, delete "converted retiree dies after conversion" and insert: "member dies after converting from disability retiree to regular retiree"

AMENDMENT NO. 4

On page 5, line 4, change "will" to "shall" and on line 5, change "will" to "shall"

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

HOUSE BILL NO. 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 by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

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

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

HOUSE BILL NO. 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 by the Committee on Natural Resources. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 1918 by Representative Bowler

AMENDMENT NO. 1

On page 1, line 7, after "comprises the" insert "flag or"

AMENDMENT NO. 2

On page 3, line 1, after "comprises the" insert the words "flag or"

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

HOUSE BILL NO. 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 by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 1987 by Representative John R. Smith

AMENDMENT NO. 1

On page 1, line 2, after "introductory paragraph" insert "and to repeal R.S. 56:325.4,"

AMENDMENT NO. 2

On page 1, line 4, between "law;" and "and to" insert the following: "to repeal certain provisions regarding expired fishing seasons;"

AMENDMENT NO. 3

On page 2, after line 8, insert "Section 2. R.S. 56:325.4 in hereby repealed in its entirety."

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

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

HOUSE BILL NO. 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 by the Committee on Senate and Governmental

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

HOUSE BILL NO. 2233—

BY REPRESENTATIVES LONG, BARTON, BAUDOIN, CRANE, DOERGE, FARVE, MCDONALD, POWELL, PRATT, SALTER, SHAW, THOMPSON, WRIGHT, DOWNER, ALARIO, BAYLOR, BRUCE, BRUN, BRUNEAU, CARTER, CLARKSON, COPELIN, CURTIS, DEWITT, DIEZ, DONELON, DUPRE, DURAND, FONTENOT, FORSTER, FRITH, FRUGE, GLOVER, GUILLORY, HEBERT, HILL, HUDSON, HUNTER, ILES, KENNARD, KENNEY, LANDRIEU, MARTINY, MCCAIN, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MURRAY, PERKINS, PIERRE, PINAC, QUEZAIRE, RIDDLE, ROUSSELLE, SCALISE, SCHNEIDER, JACK SMITH, STRAIN, THOMAS, TRAVIS, VITTER, WALSWORTH, WARNER, WELCH, WIGGINS, WILKERSON, AND WILLARD-LEWIS

AN ACT

To enact R.S. 17:24.9, relative to the Quality Early Reading Initiative; to provide for the development and implementation of the Quality Early Reading Initiative; to provide for legislative findings; to provide for criteria and evaluation of the initiative; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 2233 by Representative Long

AMENDMENT NO. 1

On page 2, line 25, after "purpose." insert "Such funding shall be allocated to every city and parish school system."

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY B

Senator Cravins, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

May 20, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 1509—

BY SENATOR CASANOVA

AN ACT

To amend and reenact R.S. 27:92(B)(2)(b), relative to the disposition of fees, fines, revenues, and other monies collected pursuant to the Louisiana Riverboat Economic Development and Gaming Control Act; to provide for the appropriation and allocation of a certain amount of the riverboat franchise fees to be used to supplement the purses of certain horse races; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DONALD R. CRAVINS
Chairman

REPORT OF COMMITTEE ON

FINANCE

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

May 19, 1997

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 5—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To urge and request the governor to provide in the 1998 Fiscal Year executive budget a six hundred dollar per employee salary increase for all school support personnel employed by the sixty-six public school systems and for nonpublic lunchroom employees eligible for state salary supplements.

Reported with amendments.

SENATE BILL NO. 45—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 27:319(A), relative to allowing minors to play video draw poker devices; to provide for the minimum age to play such devices; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 109—

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 49:1 and 327(B)(1)(d), relative to state administration; to provide relative to investments by the treasurer; to provide relative to time certificates of deposit; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 264—

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 36:354(E)(2) and to enact Part VIII of Chapter 1 of Title 30 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 30:101.1 through 101.10, relative to the Department of Natural Resources; to provide for the creation of the Louisiana Underwater Obstruction Removal Program; to provide for policy and purpose; to provide for definitions; to provide for powers and duties of the secretary; to provide for powers and duties of the assistant secretary; to provide for contracts; to provide for access; to provide for liability; to provide for the Underwater Obstruction Removal Fund; to provide for reports; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 500—

BY SENATORS HINES AND LANDRY

AN ACT

To enact Part L of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.111 through 1300.116, relative to health care; to enact the Rural Hospital Preservation Act; to provide for legislative findings and purpose; to provide definitions; to provide for certain reimbursements in the state Medicaid plan; to provide for promulgation of such reimbursement provisions; to prohibit exclusion of hospitals in a rural area from certain health care organizations; to provide for certain additional protection for hospitals in a rural area; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 635—
BY SENATORS HAINKEL, DARDENNE, EWING AND ROMERO
AN ACT

To enact R.S. 30:136.3, relative to the Department of Natural Resources; to provide relative to the office of mineral resources; to create the Audit and Collection Fund in the state treasury; to provide relative to the monies in such fund; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 680—
BY SENATOR LANDRY
AN ACT

To amend and reenact R.S. 48:971 and to repeal R.S. 17:157, R.S. 29:27, R.S. 33:1975, R.S. 40:1392, and R.S. 48:972, 999, and 1000; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1022—
BY SENATOR CAMPBELL
AN ACT

To enact Part VII-A of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:401.11 through 401.13; relative to summer enrichment programs for students; to provide for the purpose of such programs; to provide for planning of such programs; to require the provision of such programs; to provide for their content and organization; to provide for student eligibility; to provide relative to costs to students; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1325—
BY SENATORS HINES, DYESS, ROBICHAUX AND SCHEDLER AND REPRESENTATIVES GAUTREAU, JOHNS, RIDDLE, THOMPSON AND VITTER
AN ACT

To enact Subpart A-2 of Part I of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:160.21 through 160.25, relative to the Medical Assistance Program; to provide for definitions; to require a health care provider agreement as a term and condition for payment of services rendered for the state Medical Assistance Program; to provide for terms, requirements, and conditions of such provider agreements; to provide for powers and duties of the Department of Health and Hospitals; to provide for application, enrollment, or denial of application of medical assistance provider; to provide for grounds for the denial of application, revocation, or suspension of any Medicaid provider agreement; to authorize payment of services and goods furnished by an entity prior to signing a provider agreement; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1351—
BY SENATOR HINES
AN ACT

To enact 46:460.4, relative to public assistance; to provide for a six month disregard of certain earnings of certain persons; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1369—
BY SENATORS JORDAN, LANDRY, LENTINI, SHORT AND TARVER
AN ACT

To amend and reenact R.S. 15:147(A) and to enact R. S. 15:151 through 151.4 and R.S. 36:4(D), relative to the right to counsel in criminal cases; to provide for the determination of indigency and

for compliance with indigency determination procedure by the judge; to create the Indigent Defense Assistance Board in the office of the governor and to provide with respect to the appointment of its members and officers; to provide with respect to the board's powers, duties, functions, rulemaking authority, compensation, and expenses; to provide for the conditions for awarding supplemental assistance to judicial district indigent defender boards; to provide for reporting requirements; to provide for an effective date and for the transition of funds and staff; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1373—
BY SENATOR SCHEDLER
AN ACT

To amend and reenact R.S. 48:271, relative to signs; to authorize the Department of Transportation and Development to erect signs to certain tourist attractions, tourist information centers, and state parks; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1488—
BY SENATOR CAIN AND REPRESENTATIVES BARTON AND HILL
AN ACT

To enact Part XIII-A of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1137 through 1139, relative to sentencing of certain inmates; to provide for purposes; to provide for a community-based drug punishment center; to provide for duties of the Department of Public Safety and Corrections; to provide for a pilot program; to provide for sentencing to such center; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1529—
BY SENATORS HAINKEL AND HOLLIS
AN ACT

To amend and reenact R.S. 33:9024 and to enact R.S. 33:9021(7), (8), (9) and (10), relative to cooperative economic development; to provide additional declarations of necessity for the cooperative economic development law; to provide for economic development corporations to operate as public-private partnerships jointly working toward economic development; to prohibit private non-profit corporations from assuming the powers of government or performing functions which are purely and solely of a public or governmental nature; to provide that certain public-private partnerships adhere to public records and open meeting laws; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1530—
BY SENATORS CRAVINS AND ROMERO AND REPRESENTATIVE HUDSON
AN ACT

To amend and reenact R.S. 17:3217(11) 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. 17:1823, and R.S. 17:3217(12), relative to institutions of higher education; to establish the Gulf Coast Community and Technical College; to provide for the campuses of such institutions; to provide for the governance of such institution; to provide for an arts and sciences division at each campus of such institution; to provide relative to the management, operation, and programming of such institution; and to provide for related matters.

Reported with amendments.

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SENATE BILL NO. 1531—
BY SENATOR BAGNERIS

AN ACT

To amend and reenact R.S. 48:756(A)(3), relative to the Parish Transportation Fund distribution; to clarify the distribution formula for parishes with a population greater than 475,000; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JOHN HAINKEL
Chairman

Recess

On motion of Senator Hainkel, the Senate took a recess until 2:15 o'clock P.M.

After Recess

The Senate was called to order at 2:15 o'clock P.M. by the President of the Senate.

ROLL CALL

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

PRESENT

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

ABSENT

Bagneris
Total—1

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

Senate Business Resumed

Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees

Senator Hines asked for and obtained a suspension of the rules to take up at this time the following Senate Bill just reported by Committees.

SENATE BILL NO. 500—
BY SENATORS HINES AND LANDRY
AN ACT

To enact Part L of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.111 through 1300.116, relative to health care; to enact the Rural Hospital Preservation Act; to provide for legislative findings and purpose;

to provide definitions; to provide for certain reimbursements in the state Medicaid plan; to provide for promulgation of such reimbursement provisions; to prohibit exclusion of hospitals in a rural area from certain health care organizations; to provide for certain additional protection for hospitals in a rural area; and to provide for related matters.

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

Motion to Make Special Order

Senator Hines asked for and obtained a suspension of the rules for the purpose of making Senate Bill No. 500, which was just advanced to a third reading and final passage, Special Order of the Day No. 1 on Wednesday, May 21, 1997 immediately following the Morning Hour.

Rules Suspended

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 700 from the Committee on Judiciary C.

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 Hainkel, the bill which is a duplicate of Senate Bill No. 1428 was read by title and lies over under the rules.

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

SENATE BILL NO. 1528—
BY SENATOR HOLLIS
AN ACT

To enact Subpart J of Chapter 2 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:463 through 467, relative to advertisements; to prohibit certain practices; to provide for civil and criminal penalties and other actions and procedures for violations; and to provide for related matters.

Floor Amendments Sent Up

Senator Hainkel 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. 1528 by Senator Hollis

AMENDMENT NO. 1

On page 1, lines 2 and 8, following "Chapter" and before "of Title" change "2" to "1"

AMENDMENT NO. 2

On page 2, line 10, following "thing" and before "directly" insert a comma ","

AMENDMENT NO. 3

On page 2, line 10, following "public" and before "or" insert a comma ","

AMENDMENT NO. 4

On page 2, line 11 and on page 2, line 27, following "consumption" and before "or" insert "thereof,"

AMENDMENT NO. 5

On page 2, line 12 and on page 3, line 1, following "title" and before the comma "," insert "thereto"

AMENDMENT NO. 6

On page 2, line 13, following "means" and before "advertisement" insert "an"

AMENDMENT NO. 7

On page 2, line 14, following "wire," delete "or"

AMENDMENT NO. 8

On page 2, line 17, following "in" and before "form" change "a" to "the"

AMENDMENT NO. 9

On page 2, line 18, following "pamphlet" and before "or" insert a comma ","

AMENDMENT NO. 10

On page 3, line 9, following "representation" insert a comma ","

AMENDMENT NO. 11

On page 3, line 10, following "deceptive" and before "or" insert a comma ","

AMENDMENT NO. 12

On page 4, line 7, following "Trade" and before "and" insert "Practices"

AMENDMENT NO. 13

On page 4, line 7, following "Chapter 13" delete "of Title 13"

AMENDMENT NO. 14

On page 4, lines 14 and 17, following "agent" and before "or" insert a comma ","; and on line 15, following "periodical" insert a comma ","; and following "station" insert a comma ","

AMENDMENT NO. 15

On page 4, line 19, following "advertisement" and before "and" insert a comma ","

AMENDMENT NO. 16

On page 4, lines 24 and 27, following "distributor" and before "or" insert a comma ","

AMENDMENT NO. 17

On page 4, line 26, following "director" and before "to" delete the comma ","

AMENDMENT NO. 18

On page 5, line 1, following "service" and before "and" insert a comma ","

AMENDMENT NO. 19

On page 5, line 2, following "Chapter 13" insert "of this Title"

On motion of Senator Hainkel, the amendments were adopted.

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Engrossed Senate Bill No. 1528 by Senator Hollis

AMENDMENT NO. 1

On page 3, line 18, after "advertisement" delete the remainder of the line, and on line 19, delete "of the advertisement, and"

AMENDMENT NO. 2

On page 3, line 24, after "advertisement" insert "in no print smaller than nine point type." and delete the remainder of the line, all of line 25 and line 26

AMENDMENT NO. 3

On page 4, line 3, at the end of the line insert "." and delete line 4

AMENDMENT NO. 4

On page 4, between line 11 and 12, insert the following:

"C. A licensee of the Louisiana Motor Vehicle Commission who violates any provision of this Subpart shall be subject to the provisions of R.S. 32:1251 et seq."

AMENDMENT NO. 5

On page 4, line 12, change "C" to "D"

On motion of Senator Hollis, the amendments were adopted.

Floor Amendments Sent Up

Senator Romero sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Romero to Engrossed Senate Bill No. 1528 by Senator Hollis

AMENDMENT NO. 1

On page 4, at the end of line 18, delete ", did not" and at the beginning of line 19, delete "prepare the advertisement"

On motion of Senator Romero, the amendments were adopted.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Engrossed Senate Bill No. 1528 by Senator Hollis

AMENDMENT NO. 1

On page 3, between lines 26 and 27, insert the following:

"C. Any written or printed political advertisement published in a newspaper shall contain a disclaimer in at least sixteen point print, and any spoken advertisement on the radio or on television shall contain a disclaimer either in a distinct voice at a speed which makes the words easily intelligible to the average listener or in print across the screen easily readable by the viewer, stating that the printer or broadcaster of such advertisement is not responsible for the accuracy or truthfulness of the information contained therein."

Senator Cain moved adoption of the amendments.

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

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Bean	Guidry	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Short
Cox	Hollis	Siracusa
Cravins	Irons	Tarver
Ellington	Jones	Ullo
Greene	Malone	
Total—20		

NAYS

Mr. President	Dean	Landry
Barham	Dyess	Lentini
Branch	Fields	Smith
Casanova	Hainkel	Theunissen
Dardenne	Jordan	
Total—14		

ABSENT

Bagneris	Johnson	Robichaux
Bajoie	Lambert	
Total—5		

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Greene	Lambert
Bajoie	Heitmeier	Lentini
Cain	Hollis	Robichaux
Campbell	Irons	Romero
Cravins	Johnson	Schedler
Dean	Jones	Short
Fields	Jordan	Tarver
Total—21		

NAYS

Barham	Dardenne	Landry
Bean	Dyess	Malone
Branch	Ellington	Siracusa
Casanova	Guidry	Smith
Cox	Hines	Theunissen
Total—15		

ABSENT

Bagneris	Hainkel	Ullo
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.

Personal Privilege

Senator Ullo 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. 1528. He had intended to vote yea on the bill. He asked that the Official Journal so state.

Special Order of the Day

The following House Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 2, was taken up and acted upon as follows:

HOUSE BILL NO. 2068—

BY REPRESENTATIVES DOWNER, BRUN, MCDONALD, LONG, DEWITT, ALARIO, CRANE, DANIEL, DUPRE, ILES, JOHNS, KENNEY, LEBLANC, MCCAIN, MCMAINS, MICHOT, POWELL, SALTER, SHAW, THOMAS, WALSWORTH, WIGGINS, DOERGE, R. ALEXANDER, BAUDOIN, BAYLOR, BOWLER, BRUCE, CLARKSON, DIMOS, DONELON, FLAVIN, FORSTER, FRITH, HEATON, HILL, KENNARD, LANCASTER, MITCHELL, MURRAY, PIERRE, RIDDLE, SCALISE, SCHNEIDER, JOHN SMITH, STRAIN, AND THOMPSON AND SENATORS DARDENNE, EWING, HAINKEL, BEAN, SCHEDLER, SMITH, AND THEUNISSEN

AN ACT

To enact R.S. 17:10.1 through 10.3 and R.S. 36:651(G)(3) and to repeal Subpart B of Part III of Chapter 39 of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:3917 through 3919, relative to school performance accountability; to provide for the development and implementation of a school and district accountability system; to provide for the implementation of such system to include both incentives and corrective actions to encourage excellent performance; to provide for the responsibilities and duties of the state Department of Education and the State Board of Elementary and Secondary Education; to create and provide for the School and District Accountability Advisory Commission; to establish and provide relative to a special fund for use in the program; to repeal the School Incentive Program established as part of the Children First Act; and to provide for related matters.

On motion of Senator Dardenne, the bill was referred to the Committee on Finance.

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 3, was taken up and acted upon as follows:

SENATE BILL NO. 338—

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

AN ACT

To repeal R.S. 17:47(D) and 1202, relative to sick leave for teachers; to provide relative to sick leave for teachers; to eliminate the prohibition on certain deductions from a teacher's salary under certain circumstances; and to provide for related matters.

Motion

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

Senator Greene objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields	Lambert
Bean	Guidry	Lentini
Branch	Heitmeier	Robichaux
Cain	Hines	Schedler
Campbell	Irons	Short
Cox	Johnson	Siracusa
Cravins	Jones	Tarver
Dyess	Jordan	Ullo
Total—24		

NAYS

Barham	Greene	Romero
Casanova	Hainkel	Smith
Dardenne	Hollis	Theunissen

Dean	Malone
Total—11	
	ABSENT
Mr. President	Ellington
Bagneris	Landry
Total—4	

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

Personal Privilege

Senator Romero asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the motion to return Senate Bill No. 338 to the Involuntary Calendar. He voted nay on the motion and had intended to vote yea. He asked that the Official Journal so state.

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 4, was taken up and acted upon as follows:

SENATE BILL NO. 339—
BY SENATORS GREENE, DEAN AND HAINKEL AND REPRESENTATIVES BOWLER, BRUNEAU, DONELON, FORSTER, LANCASTER, PERKINS, SCALISE, STELLY, VITTER, WALSWORTH AND WINSTON
AN ACT

To amend and reenact R.S. 17:46(A) through (G), 1171(A), 1172 through 1177, 3321(A), and 3323, relative to sabbatical leave for teachers and college faculty; to repeal the authority for the granting of such leaves for rest and recuperation; to provide relative to the effect of such repeal on leaves previously granted; and to provide for related matters.

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

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 5, was taken up and acted upon as follows:

SENATE BILL NO. 1068—
BY SENATOR GREENE
AN ACT

To enact R.S. 17:3223, relative to institutions of higher education; to transfer the Louisiana Technical College - New Orleans Campus from the State Board of Elementary and Secondary Education to Delgado Community College under the management of the Board of Trustees for State Colleges and Universities; to provide for an independent audit of the accounts of the Louisiana Technical College - New Orleans Campus; to provide for an effective date; to provide with regard to the students, faculty, employees, property, and programs of the Louisiana Technical College - New Orleans Campus; to provide for the obligations of both institutions; and to provide for related matters.

Floor Amendments Sent Up

Senator Greene sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Greene to Engrossed Senate Bill No. 1068 by Senator Greene

AMENDMENT NO. 1

On page 1, line 11, after "institutions;" insert "to provide for admission requirements;"

AMENDMENT NO. 2

On page 3, between lines 14 and 15, insert the following:

"4. The admission requirements for any technical college students shall comply with the admission requirements as established by the State Board of Elementary and Secondary Education for other technical colleges"

On motion of Senator Greene, the amendments were adopted.

Floor Amendments Sent Up

Senator Ullo sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Ullo, Heitmeier, and Lentini to Engrossed Senate Bill No. 1068 by Senator Greene

AMENDMENT NO. 1

On page 3, between lines 14 and 15, insert the following:

"D. Notwithstanding any other provisions of this Section to the contrary, this Act shall have no effect whatsoever on the West Jefferson, East Jefferson and Algiers educational facilities and such facilities shall remain under the control of the Louisiana Board of Elementary and Secondary Education."

On motion of Senator Ullo, 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. 1068 by Senator Greene.

AMENDMENT NO. 1

On page 1, line 2, at the end of the line add "the property of"

AMENDMENT NO. 2

On page 2, line 5, after "The" delete "funds," and after "property," delete "and obligations"

AMENDMENT NO. 3

On page 2, line 6, change "are" to "is"

AMENDMENT NO. 4

On page 2, line 8, between "Universities" and the period insert ", provided however, that the State Board of Elementary and Secondary Education shall be allowed to use whatever space which may be necessary to administer and conduct the operations of the Louisiana Technical College"

Senator Bajoie moved adoption of the amendments.

Senator Hainkel objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Guidry	Landry
Campbell	Heitmeier	Tarver
Cox	Irons	Ullo

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Cravins
Fields
Total—13

Johnson
Jones

NAYS

Mr. President
Barham
Bean
Branch
Cain
Casanova
Dardenne
Dean
Total—23

Dyess
Greene
Hainkel
Hines
Hollis
Jordan
Lentini
Malone

Robichaux
Romero
Schedler
Short
Siracusa
Smith
Theunissen

ABSENT

Bagneris
Total—3

Ellington
Lambert

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Ullo sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ullo to Engrossed Senate Bill No. 1068 by Senator Greene

AMENDMENT NO. 1

On page 3, between lines 14 and 15 insert the following:

"(4) Notwithstanding any other law to the contrary, Delgado Community Collage shall in all cases give preference to blind persons, under the administration of the Department of Social Services, and shall with the Department of Social Services jointly work to insure proper operation of vending stands, vending machines, and other small business concessions which are currently in operation on the premises and shall give priority to similar concessions in the future in accordance with R.S. 44:333. No other vending stands, vending machines, or small business concessions shall be operated on the same premises with vending stands, vending machines, or other small business concessions operated under the provisions of this Subsection. No blind person shall be required to pay any fee, service charge, or equivalent thereof in the operation of a vending stand, vending machines, or other small business concessions transferred pursuant to R.S. 17:3223., nor shall the blind person be disturbed in the security of the operation of the vending stand, vending machine, or small business concession in any way, without reasonable or just cause."

On motion of Senator Ullo, the amendments were adopted.

Floor Amendments Sent Up

Senator Irons sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Engrossed Senate Bill No. 1068 by Senator Greene

AMENDMENT NO. 1

On page 3, between lines 14 and 15 insert the following:

"Section 2. The Louisiana Technical College - New Orleans Campus, involved in the transfer in this Act shall be renamed and known as the Delgado Community and Technical College after July 1, 1997.

Section 3. The Board of Trustees for Colleges and Universities shall submit to the legislature a status report for Delgado Community College no later than December 31, 1998, to ensure that access to the

training program at the college has been maintained. Such report shall include the general status of the program compared to that program prior to the transfer, and the number of students which have applied and have been admitted or refused admission as compared to that program prior to the transfer."

On motion of Senator Irons, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Barham
Bean
Branch
Cain
Campbell
Casanova
Dardenne
Dean
Dyess
Total—28

Greene
Guidry
Hainkel
Hines
Hollis
Jordan
Landry
Lentini
Malone
Robichaux

Romero
Schedler
Short
Siracusa
Smith
Tarver
Theunissen
Ullo

NAYS

Bajoie
Cox
Cravins
Total—8

Fields
Heitmeier
Irons

Johnson
Jones

ABSENT

Bagneris
Total—3

Ellington
Lambert

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

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

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

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 by the Committee on Transportation, Highways, and Public Works.

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

NAYS

Total—0

ABSENT

Bagneris	Ellington	Lambert
Bajoie	Jones	
Total—5		

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

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. 1391—
BY SENATOR LANDRY

AN ACT

To enact R.S. 32:2216(L), relative to public contracts; to provide relative to certain overtime costs; to prohibit such costs; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Ellington	Lambert
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.

SENATE BILL NO. 1443—
BY SENATOR THEUNISSEN (BY REQUEST)
AN ACT

To amend and reenact R.S. 33:1233(A)(2)(b)(ii), relative to parishes; to authorize a parish governing authority, by ordinance, to establish the monthly salary for members of police juries.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Irons	Romero
Cravins	Johnson	Siracusa
Fields	Jones	Tarver
Guidry	Jordan	Theunissen
Heitmeier	Lentini	
Hollis	Robichaux	
Total—16		

NAYS

Mr. President	Dardenne	Malone
Barham	Dean	Schedler
Bean	Dyess	Short
Branch	Hainkel	Smith
Cain	Hines	Ullo
Casanova	Landry	
Total—17		

ABSENT

Bagneris	Cox	Greene
Campbell	Ellington	Lambert
Total—6		

The Chair declared the bill failed to pass.

Notice of Reconsideration

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

SENATE BILL NO. 1459—
BY SENATORS COX, BEAN, DYESS, IRONS, LANDRY AND SMITH
AN ACT

To enact R.S. 33:4574.10, relative to tourism; to grant additional powers to certain convention and visitors bureaus; and to provide for related matters.

Floor Amendments Sent Up

Senator Hainkel 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. 1459 by Senator Cox

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AMENDMENT NO. 1

On page 1, line 11, following "(2)" and before "a" change "with" to "within"

AMENDMENT NO. 2

On page 3, line 8, following "be" and before "invalid" delete "in"

On motion of Senator Hainkel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

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

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

SENATE BILL NO. 1473—

BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 22:228.6(B)(2)(b), relative to health insurance premiums; to provide criteria for community rating of premiums for small groups; to delete the twenty percent limit on small group health insurance; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Dyess	Landry
Bajoie	Fields	Lentini
Barham	Guidry	Malone
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Short
Campbell	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver

Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Total—33		

NAYS

Casanova	Robichaux
Total—2	

ABSENT

Bagneris	Greene
Ellington	Lambert
Total—4	

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

SENATE BILL NO. 1477—

BY SENATOR ELLINGTON

AN ACT

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

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

SENATE BILL NO. 1481—

BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 34:3251, relative to ports; to provide relative to the Grand Isle Port Commission; to require gubernatorial appointment of commission members; to require terms of office concurrent with the governor; to require Senate confirmation of appointees; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

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

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

SENATE BILL NO. 1482— BY SENATOR LAMBERT

AN ACT

To amend and reenact R.S. 34:2472, relative to the South Louisiana Port Commission; to provide for the domicile and regular meeting location for the commission; 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 Lambert to Engrossed Senate Bill No. 1482 by Senator Lambert

AMENDMENT NO. 1

On page 2, line 4, between "B." and "However" insert "The domicile and regular meeting place of the commission shall be LaPlace, Louisiana."

On motion of Senator Landry, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris Ellington Lambert
Campbell Greene
Total—5

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.

SENATE BILL NO. 1484— BY SENATOR SHORT

AN ACT

To amend and reenact R.S. 47:463.26(E), relative to motor vehicles; to provide relative to Purple Heart recipient prestige license plates; to authorize multiple issuance of such plates; 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

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

NAYS

Total—0

ABSENT

Bagneris Ellington Lambert
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. 1494— BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 38:1806(A), relative to public contracts, works and improvements; to authorize expansion of the size of the sales tax district of the Gravity Drainage District No. 3 of the parish of St. Tammany; to provide for the consent of a municipality's governing authority before being included within the sales tax district; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Hainkel 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. 1494 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 6, following "provided" and before "that" delete ", however,"

On motion of Senator Hainkel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fields Lentini
Bajoie Greene Malone

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Barham	Guidry	Robichaux
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Dyess	Landry	
Total—35		

NAYS

Total—0

ABSENT

Bagneris	Ellington
Campbell	Lambert
Total—4	

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

SENATE BILL NO. 1520—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 22:202(4) relative to health insurance; to provide for definitions of viatical settlement broker; and to provide for related matters.

Floor Amendments Sent Up

Senator Hainkel 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. 1520 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, following "R.S. 22:" and before "relative" change "202(4)" to "202(2)"

AMENDMENT NO. 2

On page 1, line 6, following "R.S. 22:" and before "is" change "202(2)" to "202(4)"

On motion of Senator Hainkel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—35

NAYS

Total—0

ABSENT

Bagneris	Ellington
Campbell	Lambert
Total—4	

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

SENATE BILL NO. 1523—
BY SENATOR SCHEDLER

AN ACT

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

Floor Amendments Sent Up

Senator Hainkel 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. 1523 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 10, following "equipment." insert "Notwithstanding the above, if mutual aid is provided, it shall be provided only pursuant to the particular policy of the responding department."

AMENDMENT NO. 2

On page 2, lines 13 through 15, following "successfully." delete the remainder of the line and delete lines 14 and 15 in their entirety.

AMENDMENT NO. 3

On page 2, line 16, following "of" and before ", any" change "Paragraph (2)" to "Subsection A"

AMENDMENT NO. 4

On page 3, line 19, following "for" and before "compensation" change "workman's" to "workers"

On motion of Senator Hainkel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Dardenne Dean Total—36	Jones Jordan	Theunissen Ullo
	NAYS	
Total—0		
	ABSENT	
Bagneris Total—3	Ellington	Lambert

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

SENATE BILL NO. 1526—
BY SENATOR BARHAM (BY REQUEST)
AN ACT

To enact R.S. 40:1502.14, relative to fire protection districts; to exempt insurers and insurance agents in certain parishes from having a current service charge receipt considering any reduced insurance rate because of fire district protection; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

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

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

SENATE BILL NO. 1552— (Substitute for SB No. 739 by Senator Heitmeier)
BY SENATORS HEITMEIER, DARDENNE, EWING, AND IRONS
AN ACT

To amend and reenact R.S. 46:1608(E) and to enact R.S. 46:932(13) and (14), relative to the office of elderly affairs; to require the office to develop a plan for the delivery of services to the elderly; to provide for reporting of the plan; to authorize the office to approve additional senior centers; to provide relative to funding the parish councils on aging; and to provide for related matters.

Floor Amendments Sent Up

Senator Irons sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Engrossed Senate Bill No. 1552 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, change "HEITMEIER, DARDENNE, EWING, AND IRONS" to "IRONS, DARDENNE, AND EWING"

On motion of Senator Irons, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

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

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

SENATE BILL NO. 1553— (Substitute for SB No. 741 by Senator Heitmeier)
BY SENATORS HEITMEIER, DARDENNE, EWING, AND IRONS
AN ACT

To amend and reenact R.S. 14:403.2(B)(2), (D)(1), (E)(7), and the introductory paragraph of (K) and to enact R.S. 14:403.2(B)(11), (D)(3), and (F)(3), relative to abuse of the elderly; to define terms; to provide for reporting of alleged abuse or neglect; to provide for referral of such reports; to provide for orders of protective custody or judicial commitment; to provide relative to production of certain evidence; to provide for immunity under certain circumstances; and to provide for related matters.

Floor Amendments Sent Up

Senator Irons sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Engrossed Senate Bill No. 1553 by Senator Heitmeier

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AMENDMENT NO. 1

On page 1, change "HEITMEIER, DARDENNE, EWING, AND IRONS" to "IRONS, DARDENNE, EWING, HINES, CASANOVA, BAJOIE, DYESS, LANDRY, AND SCHEDLER"

On motion of Senator Irons, the amendments were adopted.

Floor Amendments Sent Up

Senator Irons sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Engrossed Senate Bill No. 1553 by Senator Heitmeier

AMENDMENT NO. 1

On page 2, line 20, after "agency" delete the remainder of the line and on line 21, delete "agency is unavailable to accept the report"

AMENDMENT NO. 2

On page 3, line 20, after "attorney" insert ", attorney general"

On motion of Senator Irons, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris Ellington Lambert
Total—3

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

SENATE BILL NO. 1554— (Substitute for SB No. 1231 by Senator Ewing)

BY SENATOR EWING

AN ACT

To enact Subpart A of Part V-A of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:81 through 84, relative to the Department of Transportation and Development; to create the Louisiana Infrastructure Bank; to provide for a board of directors to govern such bank; to provide for membership, duties, and authority of the board; to require the adoption of bylaws, rules, regulations by the board; to require the state treasurer to serve as chairman of the board; to provide for the

receipt, administration, and expenditure of federal grants allotted for the fund; to require approval of all eligible projects by the Department of Transportation and Development; to provide for the capitalization, investment and disposition of the funds; to provide for the length of time of loans; to provide for interest on such loans; to provide for the dedication of revenues by local political subdivisions to pay for such loans; to authorize the infrastructure bank to incur debt and issue bond, notes, or other evidences of indebtedness and to guarantee the debt of other entities; to provide for the manner by which such evidences of indebtedness, guarantees, and pledges shall be authorized, issued, executed and delivered; to require written approval of the State Bond Commission for expenditure of fund or issuance of bonds; to require investment of monies in the fund by the state treasurer; to authorize loans from the fund to local governments, political subdivisions, and private entities; to require and provide relative to a resolution of the governing authority of a political subdivision prior to the issuance of evidence of indebtedness; to exempt evidence of indebtedness issued by the bank from taxation; 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 Dyess Landry
Bajoie Fields Lentini
Barham Greene Malone
Bean Guidry Robichaux
Branch Hainkel Romero
Cain Heitmeier Schedler
Campbell Hines Short
Casanova Hollis Siracusa
Cox Irons Smith
Cravins Johnson Tarver
Dardenne Jones Theunissen
Dean Jordan Ullo
Total—36

NAYS

Total—0

ABSENT

Bagneris Ellington Lambert
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. 53— BY SENATORS SMITH AND CAIN AN ACT

To enact R.S. 32:387.8, relative to motor vehicles; to provide for issuance of special permits for vehicles transporting logging equipment from weight restrictions under certain conditions; to provide for weight limits under the special permit; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Guidry	Robichaux
Branch	Heitmeier	Romero
Cain	Hines	Schedler
Campbell	Irons	Short
Cox	Johnson	Siracusa
Cravins	Jones	Smith
Dardenne	Landry	Theunissen
Fields	Malone	Ullo
Total—24		

NAYS

Barham	Dean	Hollis
Bean	Greene	Jordan
Casanova	Hainkel	Lentini
Total—9		

ABSENT

Mr. President	Dyess	Lambert
Bagneris	Ellington	Tarver
Total—6		

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

Personal Privilege

Senator Dyess 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. 53. He had intended to vote yea on the bill. He asked that the Official Journal so state.

SENATE BILL NO. 1354—
BY SENATOR BARHAM

AN ACT

To enact R.S. 47:1707.1; to clarify the definition of "agricultural products while owned by the producer" as intended by and for purposes of Article VII, Section 21 of the Constitution of Louisiana; and to provide for related matters.

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

SENATE BILL NO. 1514—
BY SENATORS BAJOIE, HAINKEL, BAGNERIS, JORDAN AND SHORT
AN ACT

To amend and reenact Sections 4(C) and 20 of Act No. 305 of the 1978 Regular Session of the Legislature, as amended by Act No. 657 of the 1979 Regular Session of the Legislature, Act No. 99 of the 1980 Regular Session of the Legislature, Act No. 9 of the 1980 Second Extraordinary Session of the Legislature, Act No. 287 of the 1982 Regular Session of the Legislature, Act No. 572 of the 1984 Regular Session of the Legislature, Act No. 390 of the 1987 Regular Session of the Legislature, Act No. 43 of the 1992 Regular Session of the Legislature, Act No. 1013 of the 1993 Regular Session of the Legislature, and Acts 13 and 42 of the 1994 Regular Session of the Legislature, and to amend and reenact Section 1 of Act 45 of the 1995 Regular Session of the Legislature and Section 1 of Act 1096 of the 1996 Regular Session of the Legislature concerning a provision for a certain capital outlay project, and to enact Section 4(P) of Act No. 305 of the 1978 Regular Session of the Legislature, all relative to the Ernest N. Morial Convention Center-New Orleans; to provide to the New Orleans Exhibition Hall Authority authorizations for the acquisition of property; to provide for values for property acquired

or disposed of; to provide for expansion projects and the sites thereof; and to provide for related matters.

Floor Amendments Sent Up

Senator Bajoie sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bajoie to Engrossed Senate Bill No. 1514 by Senator Bajoie.

AMENDMENT NO. 3

On page 1, line 12, change "45" to "1096"

AMENDMENT NO. 2

On page 1, line 13, change "1096" to "45"

AMENDMENT NO. 3

On page 5, line 4, change "45" to "1096"

AMENDMENT NO. 4

On page 6, line 14, change "1096" to "45"

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

NAYS

Total—0

ABSENT

Bagneris	Greene	Tarver
Ellington	Lambert	
Total—5		

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

Rules Suspended

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

May 20, 1997

**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. 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 by the Committee on Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—33

NAYS

Total—0

ABSENT

Bagneris	Ellington	Lambert
Cain	Heitmeier	Tarver

Total—6

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

Rules Suspended

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

**Introduction of Resolutions,
Senate and Concurrent**

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

**SENATE RESOLUTION NO. 37—
BY SENATOR EWING**

A RESOLUTION

To urge and request the Department of Public Safety and Corrections to study the feasibility of creating a statewide emergency communications office.

On motion of Senator Ewing, the resolution was read by title and

adopted.

**SENATE CONCURRENT RESOLUTION NO. 114—
BY SENATOR ULLO**

A CONCURRENT RESOLUTION

To commend J. Kenneth Leithman for being named the winner of the first special education Lifetime Achievement Award by the Jefferson Parish Special Education Advisory Council.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—35

NAYS

Total—0

ABSENT

Bagneris	Lambert
Ellington	Tarver

Total—4

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

**SENATE CONCURRENT RESOLUTION NO. 115—
BY SENATOR LANDRY**

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to develop a policy to authorize local governments to install or assist in the installation of bilingual French-English signage denoting attractions, sites, and events which are associated with the Franco Fete.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lentini
Bajoie	Fields	Malone
Barham	Greene	Robichaux
Bean	Guidry	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Johnson	Theunissen
Cravins	Jones	Ullo

Dardenne	Jordan	
Dean	Landry	
Total—34		
	NAYS	
Total—0		
	ABSENT	
Bagneris	Irons	Tarver
Ellington	Lambert	
Total—5		

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

SENATE CONCURRENT RESOLUTION NO. 116—
BY SENATOR CAIN

A CONCURRENT RESOLUTION

To commend Randi Schamerhorn for her outstanding achievements and service to community.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Ellington	Tarver
Campbell	Lambert	
Total—5		

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

SENATE CONCURRENT RESOLUTION NO. 117—
BY SENATOR EWING

A CONCURRENT RESOLUTION

To commend Karl Malone on being named the 1997 winner of the NBA's Most Valuable Player Award.

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	Fields	Landry
---------------	--------	--------

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

NAYS

Total—0

ABSENT

Bagneris	Dyess	Lambert
Campbell	Ellington	Tarver
Total—6		

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

May 20, 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. 182—
BY REPRESENTATIVES KENNARD, CRANE, DANIEL, JENKINS, PERKINS, AND WESTON

A CONCURRENT RESOLUTION

To commend Jerry Simmons for fifteen years of incomparable excellence as the renowned head coach of the Louisiana State University Fighting Tiger men's tennis team.

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. 182—
BY REPRESENTATIVES KENNARD, CRANE, DANIEL, JENKINS, PERKINS, AND WESTON

A CONCURRENT RESOLUTION

To commend Jerry Simmons for fifteen years of incomparable excellence as the renowned head coach of the Louisiana State University Fighting Tiger men's tennis team.

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

May 20, 1997

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Ellington	Tarver
Campbell	Lambert	
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

JUDICIARY A

Senator Ullo, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

May 20, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 3— BY SENATOR HAINKEL

AN ACT

To amend and reenact Code of Civil Procedure Art. 966(B),(C),(D) and (E), relative to judgments; to provide for the creation of a provisional judgment; to provide for procedures; to provide for posting of a bond; to provide for exceptions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 208— BY SENATOR HAINKEL

A JOINT RESOLUTION

Proposing to add Article V, Section 22(D) and (E) of the Constitution of Louisiana, to provide for selection and election of judges of the supreme court, courts of appeal, district courts, parish courts, family courts, juvenile courts, city courts including the city courts of New Orleans, and the municipal and traffic courts of New Orleans; to provide for retention elections; to provide for filling of newly created judgeships and vacancies by gubernatorial appointment from nominees named by a nominating commission;

and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

SENATE BILL NO. 1091— BY SENATOR HAINKEL

AN ACT

To enact R.S. 15:261, relative to witness fees; to provide with regard to the disposition of witness fees provided by law for the payment of certain law enforcement officers when they make a criminal or juvenile court appearance; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1508— BY SENATOR LENTINI

AN ACT

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

Reported with amendments.

SENATE BILL NO. 1543— BY SENATOR LENTINI

AN ACT

To enact Subpart E of Part III of Chapter 1 of Code Title V of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9: 351.1, relative to parenting courses; to require parenting courses where there is repeated requests for support modification, visitation or custody rights; to provide for an order of contempt or other sanctions; and to provide for related matters.

Reported with amendments.

Respectfully submitted, CHRIS ULLO Chairman

REPORT OF COMMITTEE ON

JUDICIARY C

Senator Jordan, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

May 20, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 1262— BY SENATOR BAGNERIS

AN ACT

To enact R.S. 15:455.1 through 15:455.3, relative to evidence; to provide with respect to admissions and confessions; to provide for definitions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 61— BY REPRESENTATIVE FAUCHEUX AN ACT

To amend and reenact R.S. 46:1802(7) and (10)(a), relative to the Crime Victims Reparations Act; to extend coverage of the Act to

include peace officers, firemen, and certain others; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 64—
BY REPRESENTATIVES HEATON, ANSARDI, AND MARTINY
AN ACT

To amend and reenact R.S. 14:37.2(A), relative to the crime of aggravated assault with a firearm; to provide for changes in the definition of the crime; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 74—
BY REPRESENTATIVE SCHNEIDER
AN ACT

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

Reported favorably.

HOUSE BILL NO. 174—
BY REPRESENTATIVE SCHNEIDER
AN ACT

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

Reported favorably.

HOUSE BILL NO. 290—
BY REPRESENTATIVE SCHNEIDER
AN ACT

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

Reported favorably.

HOUSE BILL NO. 441—
BY REPRESENTATIVE FAUCHEUX
AN ACT

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

Reported favorably.

HOUSE BILL NO. 551—
BY REPRESENTATIVES TOOMY, ANSARDI, BAUDOIN, BRUCE, DIEZ, FAUCHEUX, FORSTER, FRITH, FRUGE, GAUTREAUX, HEATON, HEBERT, KENNEY, MICHOT, MORRELL, MORRISH, PERKINS, PIERRE, POWELL, PRATT, ROMERO, ROUSSELLE, SCALISE, SHAW, WALSWORTH, WELCH, WIGGINS, WILLARD-LEWIS, WINSTON, AND WRIGHT
AN ACT

To enact Chapter 7 of Title 26 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 26:901 through 909, relative to the Louisiana Responsible Vendor Program; to establish a program for the responsible sale, service, and consumption of alcoholic beverages; to provide for definitions; to provide for qualification and certification as a responsible vendor; to provide for server training courses; to provide for suspension and revocation of

permits and other penalties; to provide for fees; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 623—
BY REPRESENTATIVES FAUCHEUX AND DOWNER
AN ACT

To enact R.S. 26:76(A)(7), 80(G), 276(A)(7), and 280(G), relative to the Alcoholic Beverage Control Law; to provide for the qualification of a spouse separate in property under certain circumstances; to permit such a spouse to continue to operate under a permit for one year under certain circumstances; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 632—
BY REPRESENTATIVES WINDHORST AND HEATON
AN ACT

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

Reported favorably.

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

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

Reported with amendments.

HOUSE BILL NO. 777—
BY REPRESENTATIVES WINDHORST, BRUCE, AND MARIONNEAUX
AN ACT

To amend and reenact R.S. 14:123(A) and to enact R.S. 14:123(C)(4), relative to perjury; to provide for the crime of perjury before legislative committees; to provide for the crime of perjury in proceedings other than criminal cases; to provide penalties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1393—
BY REPRESENTATIVES SCHNEIDER, FAUCHEUX, HEATON, KENNARD, MCCAIN, MORRISH, PERKINS, ROMERO, AND TRICHE
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 1647—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 14:404, relative to the crime of self-mutilation by a prisoner; to provide that this crime applies to any person who is in the lawful custody of a peace officer; and to provide for related matters.

Reported favorably.

Respectfully submitted,
J. LOMAX JORDAN, JR.
Chairman

May 20, 1997

Motion to Recommit

Senator Landry asked for and obtained a suspension of the rules and recommitted Senate Bill No. 95 from the Committee on Senate and Governmental Affairs to the Committee on Transportation, Highways, and Public Works.

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 319 from the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 319—
BY SENATOR THEUNISSEN

AN ACT

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

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

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 337 from the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 337—

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

AN ACT

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

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

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 672 from the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 672—

BY SENATOR BAGNERIS (BY REQUEST)

AN ACT

To amend and reenact R.S. 38:307(H), relative to levees; to provide for citations issued by Orleans Levee District police; to require ten dollars of fines resulting from such citations to be credited to the Orleans Levee District; to provide for effective date; and to provide for related matters.

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

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 673 from the Committee on

Revenue and Fiscal Affairs.

SENATE BILL NO. 673—
BY SENATOR BAGNERIS

AN ACT

To enact R.S. 9:315.6(3) and 315.24, relative to child support; to provide with respect to expenses for higher education in addition to the basic child support obligation; to authorize support for a major child in school or a higher education program; and to provide for related matters.

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

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 1123 from the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 1123 —

BY SENATOR LANDRY AND REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 40:1749.12(3), (4), (6), (9), and (10), 1749.13(A) and (B)(1) and (2), 1749.14(C)(1)(a) and (b)(i), and (D), 1749.15, 1749.16(4), 1749.17, 1749.19, 1749.20 and 1749.21 and to enact R.S. 40:1749.12(11), (12), and (13), 1749.13(B)(5) and (D), 1749.14(C)(1)(b)(iii) and (iv), (C)(3), and (E), 1749.23, 1749.24 and 1749.25, all relative to the Louisiana Underground Utilities and Facilities Damage Prevention Law; to provide definitions; to provide relative to excavation and demolition notification procedures and requirements; to provide for immunity from civil liability under certain circumstances; to provide relative to marking of facilities; to require certain actions by excavators and demolishers when there has been damage to an underground facility or utility; to provide relative to participation by municipalities or parish governments under certain circumstances; to provide for violations and penalties, including civil penalties and costs; to provide for enforcement by the Department of Public Safety and Corrections; to provide for proceedings and adjudications for the levying of civil penalties; to provide for the distribution of civil penalties; to create the Underground Damages Prevention Fund within the state treasury and provide for disbursements from such fund; to provide for the uses of monies in such fund; to provide for compliance by the Department of Transportation and Development; and to provide for related matters.

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

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 1240 from the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 1240—

BY REPRESENTATIVES TRAVIS, DOWNER, AND DEWITT

AN ACT

To amend and reenact R.S. 51:2461(A) and (B), relative to the Louisiana Quality Jobs Program Act; to extend the date by which the Department of Economic Development shall submit a report regarding fiscal impact and new jobs created under the Louisiana Quality Jobs Program Act; to extend the date beyond which no new applications to receive tax credits shall be approved; and to provide for related matters.

On motion of Senator Barham, the bill was read by title and referred to the Legislative Bureau.

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 1835 from the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 1835—

BY REPRESENTATIVE TRAVIS

AN ACT

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

On motion of Senator Barham, the bill was read by title and referred to the Legislative Bureau.

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 2203 from the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 2203—

BY REPRESENTATIVE FLAVIN

AN ACT

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

On motion of Senator Barham, the bill was read by title and referred to the Legislative Bureau.

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 2283 from the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 2283—

BY REPRESENTATIVE STELLY

AN ACT

To enact R.S. 13:2080.1, relative to particular city courts; to provide for an increase in court costs in certain city courts; and to provide for related matters.

On motion of Senator Barham, the bill was read by title and referred to the Legislative Bureau.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 20, 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. 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.

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.

Leaves of Absence

The following leaves of absence were asked for and granted:

Bagneris 1 Day

Adjournment

Senator Bagneris moved that the Senate adjourn until Wednesday, May 21, 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 Wednesday, May 21, 1997.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk