

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

THIRTY-FIRST DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, May 21, 1997

The Senate was called to order at 1:00 o'clock P.M., by Hon. Randy Ewing, President of the Senate.

ROLL CALL

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

PRESENT

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

ABSENT

Total—0

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

Prayer

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

Morning Hour

**Privileged Report of the
Legislative Bureau**

May 21, 1997

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication. We advise and suggest the following amendments to the engrossed bills.

HOUSE BILL NO. 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 without amendments.

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 without amendments.

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 without amendments.

HOUSE BILL NO. 108—
BY REPRESENTATIVE FLAVIN
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 115—
BY REPRESENTATIVE ILES
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 135—
BY REPRESENTATIVE MCCALLUM
AN ACT

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

Reported without amendments.

May 21, 1997

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 without amendments.

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 without amendments.

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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 248 by Representative Travis

AMENDMENT NO. 1

In Senate Committee Amendment No. 2, proposed by the Senate Committee on Local and Municipal Affairs adopted by the Senate on May 20, 1997, on line 5, change "capitol" to "capital" and on line 8, Amendment No. 3, change "capitol" to "capital"

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 without amendments.

HOUSE BILL NO. 263—
BY REPRESENTATIVE BRUN
AN ACT

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

Reported without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 354 by Representative Fruge

AMENDMENT NO. 1

In Senate Committee Amendment No. 1, proposed by the Senate Committee on Transportation, Highways, and Public Works adopted by the Senate on May 20, 1997, on line 2, after "paragraph" change "on" to "of"

AMENDMENT NO. 2

In Senate Committee Amendment No. 2, proposed by the Senate Committee on Transportation, Highways, and Public Works adopted by the Senate on May 20, 1997, after the open quotation mark "" and before "towing" insert "to provide for allowable means of"

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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 363 by Representative John R. Smith

AMENDMENT NO. 1

In Senate Committee Amendment No. 2, proposed by the Senate

Committee on Local and Municipal Affairs adopted by the Senate on May 20, 1997, on line 6, after "of" change "attorney's" to "attorney"

AMENDMENT NO. 2

In Senate Committee Amendment No. 4, proposed by the Senate Committee on Local and Municipal Affairs adopted by the Senate on May 20, 1997, on line 17, after "all" and before "fees" change "attorney's" to "attorney"

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 without amendments.

HOUSE BILL NO. 439—

BY REPRESENTATIVE DIEZ
AN ACT

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

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 439 by Representative Diez

AMENDMENT NO. 1

On page 1, line 16, following "the" and before "actively" change "vehicle is" to "vehicles are"

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

HOUSE BILL NO. 819—

BY REPRESENTATIVE FAUCHEUX
AN ACT

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

Reported without amendments.

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 with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1009 by Representative Pinac

AMENDMENT NO. 1

On page 2, lines 11 and 21, following "ending" and before "shall" change "1990," to "1997,"

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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1023 by Representative Alario

AMENDMENT NO. 1

On page 3, line 19, before "shall" change "secretary and" to "secretary,"

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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 without amendments.

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 without amendments.

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

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

Reported without amendments.

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

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

Reported without amendments.

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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1149 by Representative Odinet

AMENDMENT NO. 1
On page 1, line 12, following "is" and before "from" delete "derived"

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 without amendments.

HOUSE BILL NO. 1181—
BY REPRESENTATIVE MONTGOMERY
AN ACT

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

Reported without amendments.

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 without amendments.

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.

Reported without amendments.

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 without amendments.

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

To amend and reenact Chapter I 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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1351 by Representative McMains

AMENDMENT NO. 1

On page 7, line 10, following "coupon" and before "or" insert a comma ","

AMENDMENT NO. 2

On page 35, line 9, before "not" delete "publish a notice"

AMENDMENT NO. 3

On page 39, line 15, following "state" and before "which" delete the comma ","

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 without amendments.

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 without amendments.

HOUSE BILL NO. 1538—

BY REPRESENTATIVE FRUGE
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 1553—

BY REPRESENTATIVE DANIEL
AN ACT

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

Reported without amendments.

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 without amendments.

HOUSE BILL NO. 1799—

BY REPRESENTATIVE JOHN SMITH
AN ACT

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

Reported without amendments.

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.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1835 by Representative Travis

AMENDMENT NO. 1

In Senate Committee Amendment No. 1, proposed by the Senate Committee on Commerce and Consumer Protection adopted by the Senate on May 8, 1997, on line 3, following "insert" and before "bond" insert quotation marks

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 without amendments.

May 21, 1997

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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 1987 by Representative John R. Smith

AMENDMENT NO. 1

In Senate Committee Amendment No. 1. proposed by the Senate Committee on Natural Resources adopted by the Senate on May 20, 1997, on line 2, following "after" change ""introductory paragraph"" to "(introductory paragraph)."

AMENDMENT NO. 2

In Senate Committee Amendment No. 3. proposed by the Senate Committee on Natural Resources adopted by the Senate on May 20, 1997, on line 8, following "56:325.4" and before "hereby" change "in" to "is"

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 with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 2141 by Representative Windhorst

AMENDMENT NO. 1

On page 2, line 8, following "to corrections" insert "and concealed weapons and concealed weapon permits," and on line 9, after the comma delete the remainder of the line and all of line 10 and insert "the Louisiana State"

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 without amendments.

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.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 2203 by Representative Flavin

AMENDMENT NO. 1

On page 17, line 15, following "filed" and before "and" insert "in"

AMENDMENT NO. 2

On page 17, line 15, following "adjudicated" and before "the" change "in" to "by"

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.

Reported without amendments.

Respectfully submitted,

DENNIS BAGNERIS
Chairman

Adoption of Legislative Bureau Report

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

**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. 38—
BY SENATORS ELLINGTON AND DYESS
A RESOLUTION

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

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

SENATE CONCURRENT RESOLUTION NO. 118—

BY SENATOR LAMBERT

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install signs indicating Garyville Magnet School on Louisiana Highway 54 in Garyville in St. John the Baptist Parish.

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

SENATE CONCURRENT RESOLUTION NO. 119—

BY SENATOR ROBICHAUX

A CONCURRENT RESOLUTION

To commend Aaron Fletcher of Thibodaux for his many achievements, including winning the inaugural Sidney Bechet Jazz Scholarship.

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

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Ellington	Landry
Bean	Fields	Lentini
Branch	Greene	Malone
Cain	Guidry	Robichaux
Campbell	Hainkel	Romero
Casanova	Heitmeier	Schedler
Cox	Hines	Siracusa
Cravins	Hollis	Smith
Dardenne	Irons	Tarver
Dean	Jordan	Theunissen
Dyess	Lambert	
Total—32		

NAYS

Total—0

ABSENT

Mr. President	Johnson	Ullo
Bagneris	Jones	
Bajoie	Short	
Total—7		

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 21, 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. 7—

BY REPRESENTATIVE BRUNEAU

AN ACT

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

HOUSE BILL NO. 422—

BY REPRESENTATIVE VITTER

AN ACT

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

HOUSE BILL NO. 423—

BY REPRESENTATIVE VITTER

AN ACT

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

HOUSE BILL NO. 424—

BY REPRESENTATIVE VITTER

AN ACT

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

HOUSE BILL NO. 426—

BY REPRESENTATIVE VITTER

AN ACT

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

HOUSE BILL NO. 497—

BY REPRESENTATIVE MCCAIN

AN ACT

To amend and reenact R.S. 15:1174(2) and to enact R.S. 15:1171(D) and 1177(B), all relative to the administrative remedy procedure for prisoners; to provide with respect to status as an "offender"; to provide with respect to delivery of decisions on applications for judicial review; and to provide for related matters.

HOUSE BILL NO. 498—

BY REPRESENTATIVE MCCAIN

AN ACT

To enact R.S. 15:1178 and 1179, relative to the administrative remedy procedure for complaints and grievances filed by prisoners; to provide for pretrial screening of applications for judicial review arising out of that procedure; to provide for service of process in those applications; and to provide for related matters.

HOUSE BILL NO. 1346—

BY REPRESENTATIVE HOLDEN

AN ACT

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

Rouge to the fund; to provide for deposit of monies into the fund and allowable uses of the fund; and to provide for related matters.

HOUSE BILL NO. 1372—
BY REPRESENTATIVE DONELON
AN ACT

To enact R.S. 37:222, relative to attorneys; to provide for a limitation of liability for loss or damages sustained as a result of negotiating or recommending certain structured settlements and the funding thereof; to provide for a presumption of "good faith" when recommending or negotiating certain structured settlements; and to provide for related matters.

HOUSE BILL NO. 1663—
BY REPRESENTATIVE MCCALLUM
AN ACT

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

HOUSE BILL NO. 1691—
BY REPRESENTATIVE DEWITT
AN ACT

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

HOUSE BILL NO. 1699—
BY REPRESENTATIVES JETSON AND FAUCHEUX
AN ACT

To amend and reenact R.S. 48:35, relative to minimum safety standards for highway design, maintenance, and construction; to require the Department of Transportation and Development to adopt rules to establish standards for reflective materials used on highway construction, repair, and maintenance projects; and to provide for related matters.

HOUSE BILL NO. 1863—
BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 13:3732, relative to statements by an injured person; to provide that a copy of any written, recorded, or transcribed statement be furnished to the person making the statement; to provide with respect to the admissibility of such statements; and to provide for related matters.

HOUSE BILL NO. 1894—
BY REPRESENTATIVES DURAND, LEBLANC, MICHOT, AND PIERRE AND SENATOR ROMERO
AN ACT

To enact Part VI-A of Chapter 1 of the Louisiana Revised Statutes of 1950, comprised of R.S. 32:390, relative to motor carriers; to establish a Weigh-In-Motion pilot program in St. Martin and Lafayette Parishes; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 2018—
BY REPRESENTATIVE DONELON
AN ACT

To enact R.S. 47:463.1.1, relative to parish road use taxes; to authorize the parish council of Jefferson Parish to levy and collect an annual parish road use tax on automobiles and trucks, subject to voter approval; and to provide for related matters.

HOUSE BILL NO. 2267—
BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 32:295.1(C), relative to safety belt use; to exempt motor vehicles operated by newspaper delivery persons from mandatory safety belt use; and to provide for related matters.

HOUSE BILL NO. 2304—
BY REPRESENTATIVES WELCH, CLARKSON, AND WALSWORTH
AN ACT

To amend and reenact Code of Evidence Art. 510(A)(2), relative to privileged communications between health care providers and patients; to make changes in the definition of a health care provider; and to provide for related matters.

HOUSE BILL NO. 2318—
BY REPRESENTATIVE HILL
AN ACT

To enact R.S. 33:2737.67, relative to the Beauregard Parish School Board; to authorize the board to levy an additional sales and use tax with voter approval; to provide for the allowable uses of the proceeds of the tax; and to provide for related matters.

HOUSE BILL NO. 169—
BY REPRESENTATIVE ROUSSELLE
AN ACT

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

HOUSE BILL NO. 335—
BY REPRESENTATIVE SALTER
AN ACT

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

HOUSE BILL NO. 495—
BY REPRESENTATIVE JOHNS
AN ACT

To enact R.S. 9:2800.11, relative to offenses and quasi offenses; to provide for a limitation of liability of a municipal or parish airport authority in certain parishes for damage to aircraft parked on airport property; and to provide for related matters.

HOUSE BILL NO. 899—
BY REPRESENTATIVE TRAVIS
AN ACT

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

HOUSE BILL NO. 967 (Duplicate of Senate Bill No. 777)—
BY REPRESENTATIVE WINDHORST AND SENATOR BARHAM AND COAUTHORED BY REPRESENTATIVES BOWLER, CLARKSON, CRANE, DAMICO, DIEZ, DONELON, FONTENOT, FORSTER, FRITH, FRUGE, HAMMETT, KENNARD, LANCASTER, MARTINY, MCMAINS, MICHOT, PIERRE, PINAC, SALTER, SCALISE, SCHNEIDER, JACK SMITH, STRAIN, THOMPSON, WALSWORTH, AND WIGGINS AND SENATOR BEAN
AN ACT

To enact Code of Evidence Art. 515, relative to testimonial privileges; to provide procedures for persons to conduct self-evaluations in order to identify and prevent noncompliance with environmental laws and improve compliance with environmental laws; to provide for a privilege for an environmental self-evaluation report; to provide for exceptions, definitions, procedures, limited immunity from administrative and civil penalties, and effect on other privileges; and to provide for related matters.

HOUSE BILL NO. 1104—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 37:493(A)(1), (B), (D), (G), and (H), 496, 497(A), 498(G), 499, 504(6) through (8), 504.1(6) through (8), 509(A)(1) and (C), 512(B), 516(A)(1), 541(A) and (C), 543, 544, and 554, to enact R.S. 37:493(I) and (J), 499.1, and 509.1, and to repeal R.S. 37:493(C)(3), 497(B), 498(E), and 509(E), relative to cosmetology; to provide relative to the Louisiana State Board of Cosmetology, its members and its duties; to provide for compensation, expenses, and duties of board members, the chief inspector, and the executive director; to provide for inspections and inspectors; to provide for an examination team; and to provide for related matters.

HOUSE BILL NO. 1115—

BY REPRESENTATIVE THOMPSON

AN ACT

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

HOUSE BILL NO. 1141—

BY REPRESENTATIVE HILL

AN ACT

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

HOUSE BILL NO. 1161—

BY REPRESENTATIVE WILKERSON

AN ACT

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

HOUSE BILL NO. 1355—

BY REPRESENTATIVE RIDDLE

AN ACT

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

HOUSE BILL NO. 1421—

BY REPRESENTATIVES MCDONALD, MCMAINS, AND DOWNER

AN ACT

To amend and reenact R.S. 17:416.4, relative to civil liability of public school employees; to provide relative to legal defense and indemnification of all public school employees by city and parish school boards; to provide for notification procedures by school boards to their employees; and to provide for related matters.

HOUSE BILL NO. 1489—

BY REPRESENTATIVES DIMOS AND DEWITT

AN ACT

To amend and reenact Code of Evidence Art. 510(B)(2)(f), relative to the health care provider-patient privilege in civil commitment proceedings; to permit the disclosure of certain information contained in medical records as to the dangerous propensities or grave disability, or both, of a patient; to require notification to patient of certain information; and to provide for related matters.

HOUSE BILL NO. 1545—

BY REPRESENTATIVE MORRISH

AN ACT

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

HOUSE BILL NO. 1556—

BY REPRESENTATIVE DANIEL

AN ACT

To enact R.S. 48:56, relative to functions of the secretary of the Department of Transportation and Development; to require annual submission of a report on departmental operations to the legislature; and to provide for related matters.

HOUSE BILL NO. 1557—

BY REPRESENTATIVE DANIEL

AN ACT

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

HOUSE BILL NO. 1558—

BY REPRESENTATIVE DANIEL

AN ACT

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

HOUSE BILL NO. 1559—

BY REPRESENTATIVE DANIEL

AN ACT

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

HOUSE BILL NO. 1652—

BY REPRESENTATIVES DOWNER, DUPRE, AND GAUTREAUX

AN ACT

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

HOUSE BILL NO. 1252—

BY REPRESENTATIVES WINDHORST AND DEWITT

AN ACT

To amend and reenact R.S. 15:874(4)(d), relative to inmates' compensation accounts; to provide for the use of funds as authorized by the secretary of the department; and to provide for related matters.

HOUSE BILL NO. 1081—

BY REPRESENTATIVE TRAVIS

AN ACT

To enact R.S. 15:867.1, relative to search teams appointed by the wardens of state correctional facilities; to allow for the appointment of such teams by the warden; to provide for composition and duties of search teams; to provide for training; and to provide for related matters.

HOUSE BILL NO. 1061—

BY REPRESENTATIVE FAUCHEUX
AN ACT

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

HOUSE BILL NO. 1002—

BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 15:834.1, relative to the housing of persons employed and living at state correctional institutions; to provide that the secretary of the Department of Public Safety and Corrections shall promulgate rules and regulations regarding the allowance of free housing for such persons; and to provide for related matters.

HOUSE BILL NO. 820—

BY REPRESENTATIVE JOHNS
AN ACT

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

HOUSE BILL NO. 676—

BY REPRESENTATIVES LANCASTER, BARTON, BOWLER, BRUN, BRUNEAU, CRANE, DONELON, FONTENOT, FRUGE, MARTINY, MCMAINS, PERKINS, POWELL, SCALISE, SHAW, STELLY, TOOMY, VITTER, WALSWORTH, WIGGINS, WINDHORST, AND WINSTON AND SENATORS BEAN, BRANCH, DARDENNE, DEAN, HAINKEL, HOLLIS, LENTINI, ROMERO AND SHORT
AN ACT

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

HOUSE BILL NO. 662—

BY REPRESENTATIVE SALTER
AN ACT

To authorize and provide for the conveyance, transfer, or disposition of certain property in the town of Zwolle, Sabine Parish, by the Sabine Parish School Board; to provide terms and conditions; to provide for waiver of reversionary right or interest by the state; and to provide for related matters.

HOUSE BILL NO. 665—

BY REPRESENTATIVE WRIGHT
AN ACT

To amend and reenact R.S. 26:90(I) and 286(I) and to enact R.S. 14:93.11(C), relative to alcoholic beverages; to provide that certain violations are deemed to be the actions of the retail dealer; to provide graduated penalties; and to provide for related matters.

HOUSE BILL NO. 642—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 15:1156 and to enact R.S. 15:708(A)(4), relative to labor performed by state prisoners confined in parish prisons; to allow such prisoners to perform work for Prison Enterprise projects in that parish; to provide for compensation and for deposit of monies earned; to provide for promulgation of rules for enforcement; and to provide for related matters.

HOUSE BILL NO. 595—

BY REPRESENTATIVES WINDHORST AND MARIONNEAUX
AN ACT

To amend and reenact R.S. 15:574.7(B)(2)(a) and 824(B)(1)(a) and to enact Code of Criminal Procedure Art. 900(D), relative to confinement of persons arrested for violating conditions of probation or parole; to provide for the amount of payment to parishes for confining such persons; and to provide for related matters.

HOUSE BILL NO. 2342—

BY REPRESENTATIVE DIEZ
AN ACT

To amend and reenact R.S. 51:1791, relative to rural enterprise zones; to provide for rural enterprise zones in certain parishes; to increase the parish population threshold to meet certain criteria; and to provide for related matters.

HOUSE BILL NO. 2344—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 51:2333, 2335(B), 2336(2), and 2337 and to repeal R.S. 51:2332(1), relative to the Workforce Development and Training Program within the Department of Economic Development; to provide for customized workforce training; to provide for eligibility; to provide for the application and procedure for funding; to repeal the definition of "corporation"; and to provide for related matters.

HOUSE BILL NO. 564—

BY REPRESENTATIVE TRAVIS
AN ACT

To enact R.S. 42:1123(24), relative to Code of Governmental Ethics; to provide for recusal from participation in actions of the State Licensing Board for Contractors in certain circumstances; and to provide for related matters.

HOUSE BILL NO. 1568—

BY REPRESENTATIVES DOWNER, R. ALEXANDER, ANSARDI, BARTON, DEVILLE, DIEZ, DIMOS, FLAVIN, FORSTER, JOHNS, LEBLANC, MCCAIN, MCDONALD, MCMAINS, MICHOT, PIERRE, SCALISE, JOHN SMITH, STELLY, TRICHE, WIGGINS, AND WINDHORST
AN ACT

To amend and reenact R.S. 15:705(C)(1) and (3), 831(B), and 874(4)(d) and to enact R.S. 15:874(4)(e), relative to medical treatment of inmates; to require copayments by inmates upon receiving medical or dental treatment; to authorize collection of copayments from an inmate's drawing or savings account; to authorize the secretary of the Department of Public Safety and Corrections to promulgate rules and regulations governing copayments and their collection; to authorize the parish governing authorities to establish written rules governing copayments and their collection; and to provide for related matters.

HOUSE BILL NO. 2328—

BY REPRESENTATIVE CHAISSON
AN ACT

To amend and reenact R.S. 22:3012(A), relative to self-insurers; to provide for examinations of self-insurers; and to provide for related matters.

HOUSE BILL NO. 2323—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 22:252(A)(1) and to repeal R.S. 22:252(B), relative to life insurance; to increase the death benefits in certain life insurance policies; and to provide for related matters.

HOUSE BILL NO. 2319—

BY REPRESENTATIVES LEBLANC AND DOWNER
AN ACT

To amend and reenact R.S. 27:13(C)(5) and R.S. 47:9072(A), relative to certain boards and corporations; to prohibit a member or former member of such entities from qualifying as a candidate for elective

office for a certain period of time; to provide that such prohibition shall not apply to ex officio members of such entities; to prohibit an officer or former officer of such entities from qualifying as a candidate for elective office for a certain period of time; and to provide for related matters.

HOUSE BILL NO. 2085—

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 15:832(C), relative to work by inmates in the custody of the Department of Public Safety and Corrections; to delete the prohibition against assigning inmates convicted of certain controlled dangerous substances offenses to maintenance work at public facilities; and to provide for related matters.

HOUSE BILL NO. 1347—

BY REPRESENTATIVE LEBLANC AND SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 24:604.1 and 652 and R.S. 39:29(A), 30(B), 32(B), 33, 36 through 38, 51(A), 55(B), 57, and 73(B) and (C), to enact R.S. 39:2(29), 32(I), and 57.1, and to repeal R.S. 39:2(5) and R.S. 48:76(A), relative to the operating budget process; to provide for operating budget development, enactment, and execution; and to provide for related matters.

HOUSE BILL NO. 1648—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 47:322.6 and 322.7 and to enact R.S. 47:322.1 and 322.2, relative to the proceeds of state sales tax on hotel occupancy in Bossier and Caddo Parishes; to create the "Bossier-Caddo Enterprise Fund"; to dedicate a portion of such tax collected in the cities of Shreveport and Bossier City to certain funds; to provide for deposit of monies in the funds and allowable uses of the funds; to dedicate a portion of state sales tax collected in Vermilion Parish to the Vermilion Parish Visitor Enterprise Fund; to provide for the use of the monies in the Vermilion Parish Visitor Enterprise Fund; and to provide for related matters.

HOUSE BILL NO. 1877—

BY REPRESENTATIVES MCDONALD, DIMOS, AND DOWNER

AN ACT

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

HOUSE BILL NO. 1904—

BY REPRESENTATIVES LONG, CLARKSON, CRANE, DEVILLE, DEWITT, HEBERT, HOPKINS, LEBLANC, MCDONALD, PRATT, SCALISE, THOMPSON, THORNHILL, TRICHE, WINDHORST, RIDDLE, AND WALSWORTH AND SENATOR HAINKEL

AN ACT

To enact Subpart F of Part I of Chapter 16 of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:1493.1 through 1493.3, relative to public contracts; to provide for creation of the Commission for the Review and Improvement of Services Procurement to review the procurement of services by the departments of the executive branch of state government; to provide for its membership and duration; to provide for review teams within each department of the executive branch of government; to provide for reporting by the commission and the review teams; and to provide for related matters.

HOUSE BILL NO. 1959—

BY REPRESENTATIVES LONG, CLARKSON, CRANE, DEVILLE, DEWITT, HEBERT, HOPKINS, LEBLANC, MCDONALD, PRATT, RIDDLE, SCALISE, THOMPSON, THORNHILL, TRICHE, AND WINDHORST AND SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 39:1489, 1497(introductory paragraph), and 1500 and to enact R.S. 39:1496(C) and 1497(5) through (8), relative to state procurement of professional, personal, consulting,

and social services; to provide for additional certification, monitoring, and reporting requirements relative to professional, personal, consulting, and social service contracts; to authorize establishment of procurement support teams for consulting services; and to provide for related matters.

HOUSE BILL NO. 2505 (Substitute for House Bill No. 977 by Representative Durand)—

BY REPRESENTATIVES DURAND, BRUCE, AND ILES

AN ACT

To amend and reenact R.S. 40:1400(A) and 1742(B)(1) and R.S. 46:2583(A) and (E) and to enact R.S. 40:1742(C) and (D), relative to parking spaces for persons with disabilities; to authorize the office of state police to request and utilize the advice and assistance of organizations serving persons with disabilities in the development of a program for enforcing provisions relating to parking spaces for persons with disabilities; to provide for increased penalties for violations of laws concerning parking spaces for persons with disabilities; to clarify the offenses to which those penalties apply; to provide for the use of funds received from those penalties; to provide for the enforcement by law enforcement personnel of provisions relating to parking spaces for persons with disabilities; and to provide for related matters.

HOUSE BILL NO. 1389—

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact R.S. 9:2783, relative to liability of owners of certain parking facilities; to provide limitations of liability of owners of parking lots and garages under certain conditions; and to provide for related matters.

HOUSE BILL NO. 226 (Duplicate of Senate Bill No. 1139)—

BY REPRESENTATIVE WIGGINS AND SENATOR DEAN AND COAUTHORED BY REPRESENTATIVES BOWLER, BRUN, CARTER, CLARKSON, CRANE, DIMOS, DONELON, FONTENOT, FORSTER, FRITH, FRUGE, HILL, JOHNS, LANCASTER, MARTINY, MCCALLUM, POWELL, SCALISE, SHAW, TRICHE, VITTER, WALSWORTH, WARNER, WILKERSON, WINDHORST, WINSTON, AND WRIGHT AND SENATORS DARLENNE, HAINKEL, HOLLIS, ROMERO, SHORT

AN ACT

To enact Chapter 4 of Code Title V of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2800.61 through 2800.76, relative to offenses and quasi offenses; to enact the Louisiana Drug Dealer Liability Act; to define terms; to provide for actions for civil damages against certain persons participating in the marketing of illegal controlled substances; to provide for parties, procedures, and recovery of damages; and to provide for related matters.

HOUSE BILL NO. 1203 (Duplicate of Senate Bill No. 801)—

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

AN ACT

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

May 21, 1997

HOUSE BILL NO. 1322—

BY REPRESENTATIVE MORRISH
AN ACT

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

HOUSE BILL NO. 1499—

BY REPRESENTATIVES WINDHORST AND DEWITT
AN ACT

To amend and reenact R.S. 15:871, relative to compensation paid to inmates; to authorize the secretary of the Department of Public Safety and Corrections to establish rules regarding inmate compensation; to delete conditions for receiving such compensation; and to provide for related matters.

HOUSE BILL NO. 2208—

BY REPRESENTATIVES HEATON, ANSARDI, AND MARTINY
AN ACT

To amend and reenact R.S. 37:1861 and to repeal R.S. 37:1861.1, relative to secondhand dealers; to provide relative to the definition of "secondhand dealer"; to provide for the repeal of the provision regarding the definition of secondhand dealer in parishes with a population over four hundred twenty-five thousand; and to provide for related matters.

HOUSE BILL NO. 2338—

BY REPRESENTATIVES GAUTREAUX AND DUPRE
AN ACT

To amend and reenact R.S. 56:427(A), relative to lease of water bottoms for oyster production; to provide that applications for lease shall remain valid until a survey is made; and to provide for related matters.

HOUSE BILL NO. 1385—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 40:1742(B)(3) and to enact R.S. 40:1742(A)(3), relative to fines for violations of certain mobility impaired parking restrictions and requirements; to authorize certain parishes to provide for an additional fine for such violations; to provide for the use of the proceeds of the additional fine; and to provide for related matters.

HOUSE BILL NO. 1356—

BY REPRESENTATIVES ROUSSELLE AND DUPRE
AN ACT

To amend and reenact R.S. 30:214, R.S. 34:3109(C)(4) and 3309(B)(4), R.S. 36:609(C)(1) and 610(E), R.S. 40:5.3(B), (E), (F), and (I) and 5.10(C), R.S. 41:1225 and 1705(8), R.S. 49:214.31(C) and 967(D), and R.S. 56:3, 5(A)(2), 6(15), 302.1(B)(2), 303(B), and 304(B) and to enact Part XVII of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:560.1 through 560.13 and Chapter 20-A of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:3390.1 through 3393.11, and R.S. 56:302.3(F) and 305(G) and R.S. 36:628(H) and 629(R) and to repeal R.S. 56:10(B)(1)(a), 56:303.6, Subpart D of Part VII of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, comprised of R.S. 56:422 through 452, Subpart D-1 of said Part VII, of said Chapter 1 of said Title 56, comprised of R.S. 56:471 through 482, Subpart G-1 of Part VII of Chapter 1 of said Title 56, comprised of R.S. 56:578.1 through 578.12, and Part XV of Chapter 1 of said Title 56, comprised of R.S. 56:700.10 through 700.14, and to repeal House Concurrent Resolution No. 6 of the 1996 Regular Session, all relative to the cultivation, propagation, and management of oysters in the state; to transfer responsibility for the state's oyster program from the Department of Wildlife and Fisheries to the Department of Agriculture and Forestry; to provide relative to permits for surveying public water bottoms; to provide relative to expropriation of property by the Louisiana Offshore Terminal

Authority and the Bulk Cargo Offshore Terminal Commission; to provide relative to administration, operation, and enforcement of programs related to saltwater fisheries in the state; to provide relative to the responsibility for molluscan shellfish sanitation requirements; to provide relative to release of funds from the Oyster Sanitation Fund; to provide relative to the issuance and enforcement of oyster leases; to provide relative to oyster leases in relationship to the State Waterbottom Management and the Coastal Zone Management programs; to provide relative to exemptions from the Administrative Procedure Act for rules and regulations pertaining to oyster seasons; to provide for ownership of and power and authority over oysters and water bottoms on which oysters are cultivated; to provide relative to funding for enforcement of oyster laws; and to provide for related matters.

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

House Bills and Joint Resolutions

Senator Cain 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. 7—

BY REPRESENTATIVE BRUNEAU
AN ACT

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

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

HOUSE BILL NO. 169—

BY REPRESENTATIVE ROUSSELLE
AN ACT

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

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

HOUSE BILL NO. 226 (Duplicate of Senate Bill No. 1139)—

BY REPRESENTATIVE WIGGINS AND SENATOR DEAN AND COAUTHORED BY REPRESENTATIVES BOWLER, BRUN, CARTER, CLARKSON, CRANE, DIMOS, DONELON, FONTENOT, FORSTER, FRITH, FRUGE, HILL, JOHNS, LANCASTER, MARTINY, MCCALLUM, POWELL, SCALISE, SHAW, TRICHE, VITTER, WALSWORTH, WARNER, WILKERSON, WINDHORST, WINSTON, AND WRIGHT AND SENATORS DARDENNE, HAINKEL, HOLLIS, ROMERO, SHORT
AN ACT

To enact Chapter 4 of Code Title V of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2800.61 through 2800.76, relative to offenses and quasi offenses; to enact the Louisiana Drug Dealer Liability Act; to define terms; to provide for actions for civil damages against certain persons participating in the marketing of illegal controlled substances; to provide for parties, procedures, and recovery of damages; and to provide for related matters.

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

HOUSE BILL NO. 335—

BY REPRESENTATIVE SALTER

AN ACT

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

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

HOUSE BILL NO. 422—

BY REPRESENTATIVE VITTER

AN ACT

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

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

HOUSE BILL NO. 423—

BY REPRESENTATIVE VITTER

AN ACT

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

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

HOUSE BILL NO. 424—

BY REPRESENTATIVE VITTER

AN ACT

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

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

HOUSE BILL NO. 426—

BY REPRESENTATIVE VITTER

AN ACT

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

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

HOUSE BILL NO. 495—

BY REPRESENTATIVE JOHNS

AN ACT

To enact R.S. 9:2800.11, relative to offenses and quasi offenses; to provide for a limitation of liability of a municipal or parish airport authority in certain parishes for damage to aircraft parked on airport property; and to provide for related matters.

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

referred to the Committee on Judiciary A.

HOUSE BILL NO. 497—

BY REPRESENTATIVE MCCAIN

AN ACT

To amend and reenact R.S. 15:1174(2) and to enact R.S. 15:1171(D) and 1177(B), all relative to the administrative remedy procedure for prisoners; to provide with respect to status as an "offender"; to provide with respect to delivery of decisions on applications for judicial review; and to provide for related matters.

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

HOUSE BILL NO. 498—

BY REPRESENTATIVE MCCAIN

AN ACT

To enact R.S. 15:1178 and 1179, relative to the administrative remedy procedure for complaints and grievances filed by prisoners; to provide for pretrial screening of applications for judicial review arising out of that procedure; to provide for service of process in those applications; and to provide for related matters.

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

HOUSE BILL NO. 564—

BY REPRESENTATIVE TRAVIS

AN ACT

To enact R.S. 42:1123(24), relative to Code of Governmental Ethics; to provide for recusal from participation in actions of the State Licensing Board for Contractors in certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 595—

BY REPRESENTATIVES WINDHORST AND MARIONNEAUX

AN ACT

To amend and reenact R.S. 15:574.7(B)(2)(a) and 824(B)(1)(a) and to enact Code of Criminal Procedure Art. 900(D), relative to confinement of persons arrested for violating conditions of probation or parole; to provide for the amount of payment to parishes for confining such persons; and to provide for related matters.

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

HOUSE BILL NO. 642—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 15:1156 and to enact R.S. 15:708(A)(4), relative to labor performed by state prisoners confined in parish prisons; to allow such prisoners to perform work for Prison Enterprise projects in that parish; to provide for compensation and for deposit of monies earned; to provide for promulgation of rules for enforcement; and to provide for related matters.

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

HOUSE BILL NO. 662—

BY REPRESENTATIVE SALTER

AN ACT

To authorize and provide for the conveyance, transfer, or disposition of certain property in the town of Zwolle, Sabine Parish, by the Sabine Parish School Board; to provide terms and conditions; to provide for waiver of reversionary right or interest by the state; and to provide for related matters.

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

HOUSE BILL NO. 665—
BY REPRESENTATIVE WRIGHT
AN ACT

To amend and reenact R.S. 26:90(I) and 286(I) and to enact R.S. 14:93.11(C), relative to alcoholic beverages; to provide that certain violations are deemed to be the actions of the retail dealer; to provide graduated penalties; and to provide for related matters.

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

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

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

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

HOUSE BILL NO. 820—
BY REPRESENTATIVE JOHNS
AN ACT

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

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

HOUSE BILL NO. 899—
BY REPRESENTATIVE TRAVIS
AN ACT

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

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

HOUSE BILL NO. 967 (Duplicate of Senate Bill No. 777)—
BY REPRESENTATIVE WINDHORST AND SENATOR BARHAM AND COAUTHORED BY REPRESENTATIVES BOWLER, CLARKSON, CRANE, DAMICO, DIEZ, DONELON, FONTENOT, FORSTER, FRITH, FRUGE, HAMMETT, KENNARD, LANCASTER, MARTINY, MCMAINS, MICHOT, PIERRE, PINAC, SALTER, SCALISE, SCHNEIDER, JACK SMITH, STRAIN, THOMPSON, WALSWORTH, AND WIGGINS AND SENATOR BEAN
AN ACT

To enact Code of Evidence Art. 515, relative to testimonial privileges; to provide procedures for persons to conduct self-evaluations in order to identify and prevent noncompliance with environmental laws and improve compliance with environmental laws; to provide for a privilege for an environmental self-evaluation report; to provide for exceptions, definitions, procedures, limited immunity from administrative and civil penalties, and effect on other privileges; and to provide for related matters.

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

HOUSE BILL NO. 1002—
BY REPRESENTATIVE JACK SMITH
AN ACT

To enact R.S. 15:834.1, relative to the housing of persons employed and living at state correctional institutions; to provide that the secretary of the Department of Public Safety and Corrections shall promulgate rules and regulations regarding the allowance of free housing for such persons; and to provide for related matters.

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

HOUSE BILL NO. 1061—
BY REPRESENTATIVE FAUCHEUX
AN ACT

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

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

HOUSE BILL NO. 1081—
BY REPRESENTATIVE TRAVIS
AN ACT

To enact R.S. 15:867.1, relative to search teams appointed by the wardens of state correctional facilities; to allow for the appointment of such teams by the warden; to provide for composition and duties of search teams; to provide for training; and to provide for related matters.

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

HOUSE BILL NO. 1104—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 37:493(A)(1), (B), (D), (G), and (H), 496, 497(A), 498(G), 499, 504(6) through (8), 504.1(6) through (8), 509(A)(1) and (C), 512(B), 516(A)(1), 541(A) and (C), 543, 544, and 554, to enact R.S. 37:493(I) and (J), 499.1, and 509.1, and to repeal R.S. 37:493(C)(3), 497(B), 498(E), and 509(E), relative to cosmetology; to provide relative to the Louisiana State Board of Cosmetology, its members and its duties; to provide for compensation, expenses, and duties of board members, the chief inspector, and the executive director; to provide for inspections and inspectors; to provide for an examination team; and to provide for related matters.

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

HOUSE BILL NO. 1115—
BY REPRESENTATIVE THOMPSON
AN ACT

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

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

HOUSE BILL NO. 1141—
BY REPRESENTATIVE HILL

AN ACT

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

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

HOUSE BILL NO. 1161—
BY REPRESENTATIVE WILKERSON

AN ACT

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

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

HOUSE BILL NO. 1203 (Duplicate of Senate Bill No. 801)—
BY REPRESENTATIVE FORSTER AND SENATOR DARDENNE AND
COAUTHORED BY REPRESENTATIVE DEWITT AND SENATORS
HAINKEL, EWING, HINES, AND SCHEDLER

AN ACT

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

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

HOUSE BILL NO. 1252—
BY REPRESENTATIVES WINDHORST AND DEWITT

AN ACT

To amend and reenact R.S. 15:874(4)(d), relative to inmates' compensation accounts; to provide for the use of funds as authorized by the secretary of the department; and to provide for related matters.

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

HOUSE BILL NO. 1322—
BY REPRESENTATIVE MORRISH

AN ACT

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

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

HOUSE BILL NO. 1346—
BY REPRESENTATIVE HOLDEN

AN ACT

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

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

HOUSE BILL NO. 1347—
BY REPRESENTATIVE LEBLANC AND SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 24:604.1 and 652 and R.S. 39:29(A), 30(B), 32(B), 33, 36 through 38, 51(A), 55(B), 57, and 73(B) and (C), to enact R.S. 39:2(29), 32(I), and 57.1, and to repeal R.S. 39:2(5) and R.S. 48:76(A), relative to the operating budget process; to provide for operating budget development, enactment, and execution; and to provide for related matters.

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

HOUSE BILL NO. 1355—
BY REPRESENTATIVE RIDDLE

AN ACT

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

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

HOUSE BILL NO. 1356—
BY REPRESENTATIVES ROUSSELLE AND DUPRE

AN ACT

To amend and reenact R.S. 30:214, R.S. 34:3109(C)(4) and 3309(B)(4), R.S. 36:609(C)(1) and 610(E), R.S. 40:5.3(B), (E), (F), and (I) and 5.10(C), R.S. 41:1225 and 1705(8), R.S. 49:214.31(C) and 967(D), and R.S. 56:3, 5(A)(2), 6(15), 302.1(B)(2), 303(B), and 304(B) and to enact Part XVII of Chapter 5 of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:560.1 through 560.13 and Chapter 20-A of Title 3 of the Louisiana Revised Statutes of 1950, comprised of R.S. 3:3390.1 through 3393.11, and R.S. 56:302.3(F) and 305(G) and R.S. 36:628(H) and 629(R) and to repeal R.S. 56:10(B)(1)(a), 56:303.6, Subpart D of Part VII of Chapter 1 of Title 56 of the Louisiana Revised Statutes of 1950, comprised of R.S. 56:422 through 452, Subpart D-1 of said Part VII, of said Chapter 1 of said Title 56, comprised of R.S. 56:471 through 482, Subpart G-1 of Part VII of Chapter 1 of said Title 56, comprised of R.S. 56:578.1 through 578.12, and Part XV of Chapter 1 of said Title 56, comprised of R.S. 56:700.10 through 700.14, and to repeal House Concurrent Resolution No. 6 of the 1996 Regular Session, all relative to the cultivation, propagation, and management of oysters in the state; to transfer responsibility for the state's oyster program from the Department of Wildlife and Fisheries to the Department of Agriculture and Forestry; to provide relative to permits for surveying public water bottoms; to provide relative to expropriation of property by the Louisiana Offshore Terminal Authority and the Bulk Cargo Offshore Terminal Commission; to provide relative to administration, operation, and enforcement of programs related to saltwater fisheries in the state; to provide relative to the responsibility for molluscan shellfish sanitation requirements; to provide relative to release of funds from the Oyster Sanitation Fund; to provide relative to the issuance and enforcement of oyster leases; to provide relative to oyster leases in

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relationship to the State Waterbottom Management and the Coastal Zone Management programs; to provide relative to exemptions from the Administrative Procedure Act for rules and regulations pertaining to oyster seasons; to provide for ownership of and power and authority over oysters and water bottoms on which oysters are cultivated; to provide relative to funding for enforcement of oyster laws; and to provide for related matters.

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

HOUSE BILL NO. 1372—
BY REPRESENTATIVE DONELON
AN ACT

To enact R.S. 37:222, relative to attorneys; to provide for a limitation of liability for loss or damages sustained as a result of negotiating or recommending certain structured settlements and the funding thereof; to provide for a presumption of "good faith" when recommending or negotiating certain structured settlements; and to provide for related matters.

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

HOUSE BILL NO. 1385—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 40:1742(B)(3) and to enact R.S. 40:1742(A)(3), relative to fines for violations of certain mobility impaired parking restrictions and requirements; to authorize certain parishes to provide for an additional fine for such violations; to provide for the use of the proceeds of the additional fine; and to provide for related matters.

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

HOUSE BILL NO. 1389—
BY REPRESENTATIVE MCMAINS
AN ACT

To amend and reenact R.S. 9:2783, relative to liability of owners of certain parking facilities; to provide limitations of liability of owners of parking lots and garages under certain conditions; and to provide for related matters.

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

HOUSE BILL NO. 1421—
BY REPRESENTATIVES MCDONALD, MCMAINS, AND DOWNER
AN ACT

To amend and reenact R.S. 17:416.4, relative to civil liability of public school employees; to provide relative to legal defense and indemnification of all public school employees by city and parish school boards; to provide for notification procedures by school boards to their employees; and to provide for related matters.

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

HOUSE BILL NO. 1489—
BY REPRESENTATIVES DIMOS AND DEWITT
AN ACT

To amend and reenact Code of Evidence Art. 510(B)(2)(f), relative to the health care provider-patient privilege in civil commitment proceedings; to permit the disclosure of certain information contained in medical records as to the dangerous propensities or grave disability, or both, of a patient; to require notification to patient of certain information; and to provide for related matters.

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

referred to the Committee on Judiciary A.

HOUSE BILL NO. 1499—
BY REPRESENTATIVES WINDHORST AND DEWITT
AN ACT

To amend and reenact R.S. 15:871, relative to compensation paid to inmates; to authorize the secretary of the Department of Public Safety and Corrections to establish rules regarding inmate compensation; to delete conditions for receiving such compensation; and to provide for related matters.

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

HOUSE BILL NO. 1545—
BY REPRESENTATIVE MORRISH
AN ACT

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

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

HOUSE BILL NO. 1556—
BY REPRESENTATIVE DANIEL
AN ACT

To enact R.S. 48:56, relative to functions of the secretary of the Department of Transportation and Development; to require annual submission of a report on departmental operations to the legislature; and to provide for related matters.

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

HOUSE BILL NO. 1557—
BY REPRESENTATIVE DANIEL
AN ACT

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

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

HOUSE BILL NO. 1558—
BY REPRESENTATIVE DANIEL
AN ACT

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

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

HOUSE BILL NO. 1559—
BY REPRESENTATIVE DANIEL
AN ACT

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

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

HOUSE BILL NO. 1568—

BY REPRESENTATIVES DOWNER, R. ALEXANDER, ANSARDI, BARTON, DEVILLE, DIEZ, DIMOS, FLAVIN, FORSTER, JOHNS, LEBLANC, MCCAIN, MCDONALD, MCMAINS, MICHOT, PIERRE, SCALISE, JOHN SMITH, STELLY, TRICHE, WIGGINS, AND WINDHORST
AN ACT

To amend and reenact R.S. 15:705(C)(1) and (3), 831(B), and 874(4)(d) and to enact R.S. 15:874(4)(e), relative to medical treatment of inmates; to require copayments by inmates upon receiving medical or dental treatment; to authorize collection of copayments from an inmate's drawing or savings account; to authorize the secretary of the Department of Public Safety and Corrections to promulgate rules and regulations governing copayments and their collection; to authorize the parish governing authorities to establish written rules governing copayments and their collection; and to provide for related matters.

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

HOUSE BILL NO. 1648—

BY REPRESENTATIVE MONTGOMERY
AN ACT

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

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

HOUSE BILL NO. 1652—

BY REPRESENTATIVES DOWNER, DUPRE, AND GAUTREAUX
AN ACT

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

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

HOUSE BILL NO. 1663—

BY REPRESENTATIVE MCCALLUM
AN ACT

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

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

HOUSE BILL NO. 1691—

BY REPRESENTATIVE DEWITT
AN ACT

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

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

HOUSE BILL NO. 1699—

BY REPRESENTATIVES JETSON AND FAUCHEUX
AN ACT

To amend and reenact R.S. 48:35, relative to minimum safety standards for highway design, maintenance, and construction; to require the Department of Transportation and Development to adopt rules to establish standards for reflective materials used on highway construction, repair, and maintenance projects; and to provide for related matters.

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

HOUSE BILL NO. 1863—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 13:3732, relative to statements by an injured person; to provide that a copy of any written, recorded, or transcribed statement be furnished to the person making the statement; to provide with respect to the admissibility of such statements; and to provide for related matters.

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

HOUSE BILL NO. 1877—

BY REPRESENTATIVES MCDONALD, DIMOS, AND DOWNER
AN ACT

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

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

HOUSE BILL NO. 1894—

BY REPRESENTATIVES DURAND, LEBLANC, MICHOT, AND PIERRE AND SENATOR ROMERO
AN ACT

To enact Part VI-A of Chapter 1 of the Louisiana Revised Statutes of 1950, comprised of R.S. 32:390, relative to motor carriers; to establish a Weigh-In-Motion pilot program in St. Martin and Lafayette Parishes; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 1904—

BY REPRESENTATIVES LONG, CLARKSON, CRANE, DEVILLE, DEWITT, HEBERT, HOPKINS, LEBLANC, MCDONALD, PRATT, SCALISE, THOMPSON, THORNHILL, TRICHE, WINDHORST, RIDDLE, AND WALSWORTH AND SENATOR HAINKEL
AN ACT

To enact Subpart F of Part I of Chapter 16 of Subtitle III of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:1493.1 through 1493.3, relative to public contracts; to provide for creation of the Commission for the Review and Improvement of Services Procurement to review the procurement of services by the departments of the executive branch of state government; to provide for its membership and duration; to provide for review teams within each department of the executive branch of government; to provide for reporting by the commission and the review teams; and to provide for related matters.

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

May 21, 1997

HOUSE BILL NO. 1959—

BY REPRESENTATIVES LONG, CLARKSON, CRANE, DEVILLE, DEWITT, HEBERT, HOPKINS, LEBLANC, MCDONALD, PRATT, RIDDLE, SCALISE, THOMPSON, THORNHILL, TRICHE, AND WINDHORST AND SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 39:1489, 1497(introductory paragraph), and 1500 and to enact R.S. 39:1496(C) and 1497(5) through (8), relative to state procurement of professional, personal, consulting, and social services; to provide for additional certification, monitoring, and reporting requirements relative to professional, personal, consulting, and social service contracts; to authorize establishment of procurement support teams for consulting services; and to provide for related matters.

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

HOUSE BILL NO. 2208—

BY REPRESENTATIVES HEATON, ANSARDI, AND MARTINY

AN ACT

To amend and reenact R.S. 37:1861 and to repeal R.S. 37:1861.1, relative to secondhand dealers; to provide relative to the definition of "secondhand dealer"; to provide for the repeal of the provision regarding the definition of secondhand dealer in parishes with a population over four hundred twenty-five thousand; and to provide for related matters.

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

HOUSE BILL NO. 2018—

BY REPRESENTATIVE DONELON

AN ACT

To enact R.S. 47:463.1.1, relative to parish road use taxes; to authorize the parish council of Jefferson Parish to levy and collect an annual parish road use tax on automobiles and trucks, subject to voter approval; and to provide for related matters.

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

HOUSE BILL NO. 2085—

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 15:832(C), relative to work by inmates in the custody of the Department of Public Safety and Corrections; to delete the prohibition against assigning inmates convicted of certain controlled dangerous substances offenses to maintenance work at public facilities; and to provide for related matters.

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

HOUSE BILL NO. 2267—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 32:295.1(C), relative to safety belt use; to exempt motor vehicles operated by newspaper delivery persons from mandatory safety belt use; and to provide for related matters.

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

HOUSE BILL NO. 2304—

BY REPRESENTATIVES WELCH, CLARKSON, AND WALSWORTH

AN ACT

To amend and reenact Code of Evidence Art. 510(A)(2), relative to privileged communications between health care providers and patients; to make changes in the definition of a health care provider; and to provide for related matters.

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

HOUSE BILL NO. 2318—

BY REPRESENTATIVE HILL

AN ACT

To enact R.S. 33:2737.67, relative to the Beauregard Parish School Board; to authorize the board to levy an additional sales and use tax with voter approval; to provide for the allowable uses of the proceeds of the tax; and to provide for related matters.

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

HOUSE BILL NO. 2319—

BY REPRESENTATIVES LEBLANC AND DOWNER

AN ACT

To amend and reenact R.S. 27:13(C)(5) and R.S. 47:9072(A), relative to certain boards and corporations; to prohibit a member or former member of such entities from qualifying as a candidate for elective office for a certain period of time; to provide that such prohibition shall not apply to ex officio members of such entities; to prohibit an officer or former officer of such entities from qualifying as a candidate for elective office for a certain period of time; and to provide for related matters.

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

HOUSE BILL NO. 2323—

BY REPRESENTATIVE MURRAY

AN ACT

To amend and reenact R.S. 22:252(A)(1) and to repeal R.S. 22:252(B), relative to life insurance; to increase the death benefits in certain life insurance policies; and to provide for related matters.

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

HOUSE BILL NO. 2328—

BY REPRESENTATIVE CHAISSON

AN ACT

To amend and reenact R.S. 22:3012(A), relative to self-insurers; to provide for examinations of self-insurers; and to provide for related matters.

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

HOUSE BILL NO. 2338—

BY REPRESENTATIVES GAUTREUX AND DUPRE

AN ACT

To amend and reenact R.S. 56:427(A), relative to lease of water bottoms for oyster production; to provide that applications for lease shall remain valid until a survey is made; and to provide for related matters.

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

HOUSE BILL NO. 2342—

BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 51:1791, relative to rural enterprise zones; to provide for rural enterprise zones in certain parishes; to increase the parish population threshold to meet certain criteria; and to provide for related matters.

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

HOUSE BILL NO. 2344—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 51:2333, 2335(B), 2336(2), and 2337 and to repeal R.S. 51:2332(1), relative to the Workforce Development and Training Program within the Department of Economic Development; to provide for customized workforce training; to provide for eligibility; to provide for the application and procedure for funding; to repeal the definition of "corporation"; and to provide for related matters.

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

HOUSE BILL NO. 2505 (Substitute for House Bill No. 977 by Representative Durand)—

BY REPRESENTATIVES DURAND, BRUCE, AND ILES

AN ACT

To amend and reenact R.S. 40:1400(A) and 1742(B)(1) and R.S. 46:2583(A) and (E) and to enact R.S. 40:1742(C) and (D), relative to parking spaces for persons with disabilities; to authorize the office of state police to request and utilize the advice and assistance of organizations serving persons with disabilities in the development of a program for enforcing provisions relating to parking spaces for persons with disabilities; to provide for increased penalties for violations of laws concerning parking spaces for persons with disabilities; to clarify the offenses to which those penalties apply; to provide for the use of funds received from those penalties; to provide for the enforcement by law enforcement personnel of provisions relating to parking spaces for persons with disabilities; and to provide for related matters.

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

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 21, 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. 184—

BY REPRESENTATIVES ALARIO, BOWLER, AND SCALISE

A CONCURRENT RESOLUTION

To direct the Department of Transportation and Development to provide for two-way traffic on the Huey P. Long Bridge in Jefferson Parish, Louisiana, during general roadway surface repair work on the bridge.

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. 184—

BY REPRESENTATIVES ALARIO, BOWLER, AND SCALISE

A CONCURRENT RESOLUTION

To direct the Department of Transportation and Development to provide for two-way traffic on the Huey P. Long Bridge in Jefferson Parish, Louisiana, during general roadway surface repair work on the bridge.

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

House Bills and Joint Resolutions on Second Reading to be Referred

The following House Bills and Joint Resolutions were read by title and referred to committees as follows:

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.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

INSURANCE

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

May 21, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 1025—

BY SENATOR CAMPBELL

AN ACT

To amend and reenact R.S. 22:215.8, relative to health insurance coverage; to provide for coverage for the treatment and correction of cleft lip and cleft palate; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 545—

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

AN ACT

To amend and reenact R.S. 9:3542(B), relative to credit life insurance; to reduce the per-dollar premium rate assessed and collected on credit life insurance, joint credit life insurance, level term credit life insurance, and joint level term insurance; and to provide for related matters.

May 21, 1997

Reported favorably.

HOUSE BILL NO. 1059—
BY REPRESENTATIVE FAUCHEUX
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 1147—
BY REPRESENTATIVE MURRAY
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 1853—
BY REPRESENTATIVE DONELON
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 2111—
BY REPRESENTATIVE DONELON
AN ACT

To enact R.S. 22:15, relative to automobile insurance; to create the Council on Automobile Insurance Rates and Enforcement; to provide for the membership, authority, quorum, public hearings and records, employment, supervision, and compensation of personnel, duties, obligations, and report of the council; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2228—
BY REPRESENTATIVE DONELON
AN ACT

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

Reported favorably.

Respectfully submitted,
GREGORY TARVER
Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

May 21, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 355—
BY SENATOR GREENE
AN ACT

To amend and reenact R. S. 24:35 (District No. 6), (District No. 11 through District No. 18), (District No. 22 through District No. 28), (District No.30), and District No. 32 through District No. 35), relative to senate districts, to provide for the redistricting of Senate Districts 6, 11 through 18, 22 through 28, 30, and 32 through 35, to provide for the effectiveness of this Act, to provide for certain vacancies, and to provide with respect thereto.

Reported with amendments.

SENATE BILL NO. 1513—
BY SENATOR GREENE
AN ACT

To amend and reenact R.S. 17:2 (B) and (D), and to enact R.S. 17:2.1, relative to the State Board of Elementary and Secondary Education; to create eight single-member districts for the purposes of elections; to provide for the effectiveness of the Act; to provide for certain vacancies; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JAY DARDENNE
Chairman

REPORT OF COMMITTEE ON

COMMERCE AND CONSUMER PROTECTION

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

May 21, 1997

To the President and Members of the Senate:

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

HOUSE BILL NO. 149—
BY REPRESENTATIVE ROUSSELLE
AN ACT

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

Reported favorably.

HOUSE BILL NO. 287—
BY REPRESENTATIVE ROUSSELLE
AN ACT

To amend and reenact R.S. 37:1437(C)(6)(c)(iv), relative to real estate brokers and salespersons; to permit brokers and salespersons who have been on inactive status to cumulate continuing education hours; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 502—
BY REPRESENTATIVE WESTON

AN ACT

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

Reported favorably.

HOUSE BILL NO. 920—
BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 51:911.24(C)(3) and to repeal R.S. 51:911.24(C)(2), relative to manufactured housing; to repeal domiciliary and prior service requirements for licensure of manufactured housing dealers; to delete domiciliary requirements for licensure of salesmen; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 921—
BY REPRESENTATIVE DIEZ

AN ACT

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

Reported favorably.

HOUSE BILL NO. 922—
BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 51:911.23(D)(2) and (E), relative to manufactured housing; to provide for revisions to the Uniform Standards Code; to provide for the location of offices where documents will be held; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 923—
BY REPRESENTATIVE DIEZ

AN ACT

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

Reported favorably.

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

AN ACT

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

Reported with amendments.

HOUSE BILL NO. 1275—
BY REPRESENTATIVE DIEZ

AN ACT

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

of rules, and compliance with installation instructions; to provide for violations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1690—
BY REPRESENTATIVE CRANE

AN ACT

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

Reported with amendments.

HOUSE BILL NO. 2060—
BY REPRESENTATIVE TRAVIS

AN ACT

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

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 2156—
BY REPRESENTATIVE TRAVIS

AN ACT

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

Reported favorably.

HOUSE BILL NO. 2205—
BY REPRESENTATIVE TRAVIS

AN ACT

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

Reported with amendments.

Respectfully submitted,
KEN HOLLIS
Chairman

**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:

May 21, 1997

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 by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 3 by Senator Hainkel

AMENDMENT NO. 1

On page 2, line 22, change "cost" to "costs"

AMENDMENT NO. 2

On page 2, at the end of line 23 insert the following:

"The posting of a bond shall not be required where the respondent is proceeding in forma pauperis"

AMENDMENT NO. 3

On page 2, line 23, delete "attorney's fees,"

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

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

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 by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 109 by Senator Landry

AMENDMENT NO. 1

On page 1, line 2 delete "1 and"

AMENDMENT NO. 2

On page 1, line 7, delete "1 and 327(B)(1)(d) are" and insert "327(B)(1)(d) is"

AMENDMENT NO. 3

On page 1, delete lines 9 through 16

AMENDMENT NO. 4

On page On page 2, delete lines 1 through 14

AMENDMENT NO. 5

On page 3, after line 19, insert

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

SENATE BILL NO. 208—
BY SENATOR HAINKEL

A JOINT RESOLUTION

Proposing to add Article V, Sections 4, 9, 21, 22, and 24 of the Constitution of Louisiana, to provide for the selection of judges; to provide for filling of a newly created judgeship or vacancy in the office of judge; to provide a term of office for judges; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 208 by Senator Hainkel

AMENDMENT NO. 1

On page 1, after "Article V," delete the remainder of line and lines 3 through 16 and pages 2 through 4 in their entirety and insert the following:

" Sections 4, 9, 21, 22, and 24 of the Constitution of Louisiana, to provide for the selection of judges; to provide for filling of a newly created judgeship or vacancy in the office of judge; to provide a term of office for judges; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members elected to each house concurring, that there shall be submitted to the electors of the state of Louisiana, for their approval or rejection in the manner provided by law, a proposal to amend Article V, Sections 4, 9, 21, 22, and 24 of the Constitution of Louisiana, to read as follows:

§4. Supreme Court; Districts

Section 4. The state shall be divided into at least six supreme court districts, and at least one judge shall be ~~elected~~ selected from each. The districts and the number of judges assigned to each on the effective date of this constitution are retained, subject to change by law enacted by two-thirds of the elected members of each house of the legislature.

* * *

§9. Courts of Appeal; Circuits and Districts

Section 9. Each circuit shall be divided into at least three districts, and at least one judge shall be ~~elected~~ selected from each. The circuits and districts and the number of judges as ~~elected~~ selected in each circuit on the effective date of this constitution are retained, subject to change by law enacted by two-thirds of the elected members of each house of the legislature.

* * *

§21. Judges; Decrease in Terms and Compensation Prohibited

Section 21. The term of office, retirement benefits, and compensation of a judge shall not be decreased during the term for which he is ~~elected~~ selected.

§22. Judges; ~~Election~~; Vacancy; ~~Selection~~

Section 22.(A) ~~Election~~ Selection. ~~Except as otherwise provided in this Section, all~~ All judges shall be ~~elected~~ selected as provided by law enacted by two-thirds of the elected members of each house. ~~Election~~ Elections for judges selected by that method shall be at the regular congressional election.

(B) Vacancy. A newly created judgeship or a vacancy in the

office of a judge shall be filled by ~~as provided by law by special election called by the governor and held within twelve months after the day on which the vacancy occurs or the judgeship is established, except when the vacancy occurs in the last twelve months of an existing term. Until the vacancy is filled, the supreme court shall appoint a person meeting the qualifications for the office, other than domicile, to serve at its pleasure. The appointee shall be ineligible as a candidate at the election to fill the vacancy or the newly created judicial office. No person serving as an appointed judge, other than a retired judge, shall be eligible for retirement benefits provided for the elected judiciary.~~

(C) End of Term. A judge serving on the effective date of ~~this constitution the amendment of this Section by Act No. 10 of the 1997 Regular Session of the Legislature shall serve through December thirty-first of the last year of his term or, if the last year of his term is not in the year of a regular congressional election, then through December thirty-first of the following year: the remaining period of his term of office. The election selection for the next term shall be held in the year in which the term expires, as provided above in Paragraphs A and B of this Section.~~

§24. Judges; Qualifications

Section 24. A judge of the supreme court, a court of appeal, district court, family court, parish court, or court having solely juvenile jurisdiction shall have been admitted to the practice of law in this state for at least five years prior to his ~~election; selection,~~ and shall have been domiciled in the respective district, circuit, or parish for the two years preceding ~~election his selection.~~ He shall not practice law.

Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state of Louisiana at the congressional primary election to be held in 1998.

Section 3. Be it further resolved that on the official ballot to be used at said election there shall be printed a proposition, upon which the electors of the state shall be permitted to vote FOR or AGAINST, to amend the Constitution of Louisiana, which proposition shall read as follows:

To authorize the legislature to provide by law for the selection of all judges and for filling of a newly created judgeship or vacancy in the office of judge; to provide that the term of office for judges serving on the effective date of this constitutional amendment shall be the remaining period of the term of office. (Amends Article V, Sections 4, 9, 21, 22, and 24) "

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

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

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 by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 635 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 3, before "Audit" insert "Mineral Resources"

AMENDMENT NO. 2

On page 1, line 11, after the quotes and before "Audit" insert "Mineral Resources"

AMENDMENT NO. 3

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

AMENDMENT NO. 4

On page 2, at the beginning of line 3, change "million" to "six hundred thousand"

AMENDMENT NO. 5

On page 2, line 5 after "each" insert "fiscal"

AMENDMENT NO. 6

On page 2, line 5, delete "one million" and insert "six hundred thousand"

AMENDMENT NO. 7

On page 2, delete lines 9 and 10 and insert "resources, to be used solely for "

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

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 by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 680 by Senator Landry

AMENDMENT NO. 1

On page 2, line 24, change "six o'clock" to "five o'clock"

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

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

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 by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 1091 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 13 after "duty" insert "municipal"

AMENDMENT NO. 2

On page 1, line 16, delete "district, parish, or" and after "city court" delete "or any"

AMENDMENT NO. 3

On page 2, line 1, delete "court exercising juvenile jurisdiction"

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

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 by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 1262 by Senator Bagneris

AMENDMENT NO. 1

On page 1, line 13, after "interrogation" insert "in a structured environment"

AMENDMENT NO. 2

On page 2, line 2, after "persons" add "materially involved in the investigation"

AMENDMENT NO. 3

On page 2, line 4, after "omissions", delete the period "." and insert ", unless such gaps, additions, or omissions are explained on the recording or are the result of mechanical failure. Any sign language confession or admission shall be video recorded."

AMENDMENT NO. 4

On page 2, between lines 4 and 5, insert the following:
"(3) "Structured environment" means an area where electronic recording equipment is, or should be, readily available."

AMENDMENT NO. 5

On page 2, line 7, after "crime" and before "must" insert ", defined as a felony,"

AMENDMENT NO. 6

On page 2, line 13, after "crime" and before the comma "," insert "defined as a felony"

AMENDMENT NO. 7

On page 2, line 14, after "at trial" insert ", unless the defendant requests that the interrogation not be taped and such request is recorded"

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

SENATE BILL NO. 1325—

BY SENATORS HINES, DYESS, ROBICHAUX AND SCHEDLER AND REPRESENTATIVES GAUTREAUX, 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 by the Committee on Finance. On motion of Senator Hainkel, the bill was read by title and passed to a third reading.

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 by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 1351 by Senator Hines

AMENDMENT NO. 1

On page 1, line 9, after "A." delete the remainder of the line and on line 10, delete "income per month or less, in" and insert "In"

AMENDMENT NO. 2

On page 1, line 12, after "earining" insert "up to nine hundred dollars of gross earnings per month"

AMENDMENT NO. 3

On page 2, line 1, after "household" delete the remainder of the line and insert "only one time."

AMENDMENT NO. 4

On page 2, delete line 2

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

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 by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 1369 by Senator Jordan

AMENDMENT NO. 1

On page 7, at the end of line 16, insert "the number of meetings of the board and attendance,"

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

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

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

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 by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original

Senate Bill No. 1508 by Senator Lentini

AMENDMENT NO. 1

On page 2, line 9, after "(2)" delete "Intent" and insert the following:

"If there is no court order awarding custody, an intent"

AMENDMENT NO. 2

On page 2, at the end of line 11, insert the following:

"If there is a court order awarding custody, then an intent to establish legal residence with the child at a distance of more than one hundred fifty miles from the domicile of the primary custodian at the time the custody decree was rendered."

AMENDMENT NO. 3

On page 3, line 12, change "relocating" to "relocation"

AMENDMENT NO. 4

On page 3, line 23, change "and " to "or"

AMENDMENT NO. 5

On page 5, line 26, change "shall" to "may"

AMENDMENT NO. 6

On page 6, line 1, after "determination" delete "of" and insert the following:

"as to whether the proposed relocation is in"

AMENDMENT NO. 7

On page 6, at the end of line 26, insert the following:

"Moving without prior notice or moving in violation of a court order, may constitute a change of circumstances warranting a modification of custody."

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

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 by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 1509 by Senator Casanova

AMENDMENT NO. 1

On page 2, delete line 2, and insert in lieu thereof the following "(b)(i) Pursuant to the provisions of Subsubparagraph (iii) of this Subparagraph, six and sixty-seven hundredths percent, or twelve million dollars annually, whichever is greater, of the franchise fee collections pursuant to R.S. 27:91 (C), not to exceed twenty million dollars annually,"

AMENDMENT NO. 2

On page 2, line 3, delete "pursuant to R.S. 27:91 (C)"

AMENDMENT NO. 3

On page 2, line 6, change "Three quarters" to "Seventy percent"

AMENDMENT NO. 4

On page 2, delete lines 17 through 27, and insert in lieu thereof the following:

"(bb) Thirty percent of the funds appropriated to the commission pursuant to this Subparagraph shall be allocated and provided to the Louisiana Quarterhorse Breeders' Association to be used to supplement quarterhorse races with two-thirds of such funds to be used solely to supplement purses in Louisiana bred quarterhorse races and the remaining one-third to supplement purses of open quarterhorse races."

AMENDMENT NO. 5

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

"(iii) The required appropriation and allocations contained in this Subparagraph shall be in accordance with the General Appropriation Act and shall not become effective until the riverboat licensed to conduct gaming activities on May 19, 1997, but not in operation on that date, begins remitting franchise fee payments to the division pursuant to R.S. 27:92.

(iv) In the event a track ceases to operate, the allocation of funds for that track shall be reallocated to the remaining existing tracks proportional to the number of Louisiana bred horses raced at each of the remaining tracks in the preceding year.

(v) In the event a track ceases to operate and a new track begins operation, the funds previously allocated to the former track pursuant to this Subparagraph shall be reallocated to the new track for its initial year of operation. Thereafter, the funds to be allocated to the new track shall be determined pursuant to Subparagraph (b)(i) herein."

AMENDMENT NO. 6

On page 3, delete lines 5 through 10 and insert the following "Section 2. This Act shall become effective on July 1, 1997."

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

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

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 by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 1530 by Senator Cravins

AMENDMENT NO. 1

On page 4, after line 11, insert "Section 2. This Act shall be come effective on July 1, 1997."

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

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 four hundred seventy-five thousand; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 1531 by Senator Bagneris

AMENDMENT NO. 1

On page 1, line 4, delete "475,000" and insert "Four hundred seventy-five thousand"

AMENDMENT NO. 2

On page 2, line 1, delete "475,000" and insert "Four hundred seventy-five thousand"

AMENDMENT NO. 3

On page 2, after line 10, insert

"Section 2. This Act shall become effective July 1, 1997."

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

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 attendance at a divorce parenting course; to provide for an order of contempt or other sanctions; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 1543 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 4, after "require" insert "attendance at a divorce" and change "courses" to "course;"

AMENDMENT NO. 2

On page 1 delete lines 5 and 6 in their entirety and insert the following:

"to provide for an order of contempt or other sanctions;"

AMENDMENT NO. 3

On page 2, line 3, delete "divorced" and after "parents" insert "who have filed for a divorce"

AMENDMENT NO. 4

On page 2, delete lines 5 through 10 in their entirety and insert the following:

"B. All parties who file for a divorce and who have minor children or parties to a modification of a final judgment action involving custody or visitation rights may be required to complete a court-approved divorce parenting course."

AMENDMENT NO. 5

On page 2, line 11, after "complete a " insert "divorce" and on line 12 after "court" delete the remainder of the line and lines 13 and 14 and insert the following:

" prior to termination of the action pending before the court."

AMENDMENT NO. 6

On page 2, line 23, delete "shared parental" and insert "joint custody"

AMENDMENT NO. 7

On page 2, delete line 27, and insert the following:

"parties who have filed for a divorce to attend a court-approved parenting"

AMENDMENT NO. 8

On page 3, change "courses" to "course"

On motion of Senator Ullo, 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. 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 by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 61 by Representative Faucheux

AMENDMENT NO. 1

On page 1, line 15, change "police" to "peace"

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

HOUSE BILL NO. 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 by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 64 by Representative Heaton

AMENDMENT NO. 1

On page 1, lines 8, 9, and 11, change "police" to "peace"

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

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

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

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

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

HOUSE BILL NO. 551—

BY REPRESENTATIVES TOOMY, ANSARDI, BAUDOIN, BRUCE, DIEZ, FAUCHEUX, FORSTER, FRITH, FRUGE, GAUTREAU, 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 by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 551 by Representative Toomy

AMENDMENT NO. 1

On page 2, line 14, change "six" to "seven"

AMENDMENT NO. 2

On page 2, at the end of line 22 add the following:
"Server" shall not include individuals employed on a temporary or casual basis by a bona fide hotel or motel for banquets, catering, or other special events."

AMENDMENT NO. 3

On page 3, line 5, at the end of the line change "six" to "seven"

AMENDMENT NO. 4

On page 3, line 7, change "five" to "six"

AMENDMENT NO. 5

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

"(f) Louisiana Hotel/Motel Association."

AMENDMENT NO. 6

On page 6, at the end of line 3, after "persons" insert "if required by law"

AMENDMENT NO. 7

On page 7, line 18, change "ten" to "thirty"

On motion of Senator Jordan the committee amendment was adopted. The amended bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

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 by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 623 by Representative Fauchoux

AMENDMENT NO. 1

On page 2, line 1, after "2370," insert "and may include a spouse who owns the interest in the partnership, corporation, or other legal entity as that spouse's separate property, pursuant to Civil Code Article 2341,"

AMENDMENT NO. 2

On page 2, line 13, after "conviction," insert "and (1)"

AMENDMENT NO. 3

On page 2, line 15, after "therefor" insert ", or (2) owns the permitted premises as the applicant's separate property, pursuant to Civil Code Article 2341"

AMENDMENT NO. 4

On page 2, line 25, after "2370," insert "and may include a spouse who owns the interest in the partnership, corporation, or legal entity as that spouse's separate property, pursuant to Civil Code Article 2341"

AMENDMENT NO. 5

On page 3, line 10, after "conviction," insert "and (1)"

AMENDMENT NO. 6

On page 3, line 12, after "therefor" insert "or (2) owns the permitted premises as the applicant's separate property, pursuant to Civil Code Article 2341"

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

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

HOUSE BILL NO. 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 by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 698 by Representative Windhorst

AMENDMENT NO. 1

On page 1, line 10, after "known" insert "by the declarant at the time the statement is made"

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

HOUSE BILL NO. 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 by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Engrossed House Bill No. 777 by Representative Windhorst

AMENDMENT NO. 1
 On page 1, line 2, delete "and to enact R.S. 14:123(C)(4)"

AMENDMENT NO. 2
 On page 1, line 5, delete "to provide penalties;"

AMENDMENT NO. 3
 On page 1, line 8, delete "and R.S." and on line 9, delete "14:123(C)(4) is hereby enacted"

AMENDMENT NO. 4
 On page 2, delete lines 1 through 6

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

HOUSE BILL NO. 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 by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 1393 by Representative Schneider

AMENDMENT NO. 1
 On page 1, line 14, change "space" to "parks"

AMENDMENT NO. 2
 On page 1, line 16, change the last word "and" to "which"

AMENDMENT NO. 3
 On page 1, line 17, change "seventy" to "eighty-five"

AMENDMENT NO. 4
 On page 2, line 4, after "purpose" insert "or when used in conjunction with a permitted event"

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

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

Reconsideration

On motion of Senator Theunissen, pursuant to the previous notice given, the vote by which the following bill failed to pass on Tuesday, May 20, 1997 was reconsidered.

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.

Floor Amendments Sent Up

Senator Theunissen sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Theunissen to Engrossed Senate Bill No. 1443 by Senator Theunissen

AMENDMENT NO. 1
 On page 2, line 2, delete "**monthly salary shall be established by ordinance**" and insert in lieu thereof "maximum salary allowable shall be one thousand two hundred dollars per month for each member of the police jury"

On motion of Senator Theunissen, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Heitmeier	Lentini
Bean	Hines	Robichaux
Campbell	Hollis	Romero
Cox	Irons	Schedler
Cravins	Johnson	Short
Dyess	Jones	Siracusa
Ellington	Jordan	Smith
Fields	Lambert	Tarver
Guidry	Landry	Theunissen
Total—27		

NAYS

Mr. President	Casanova	Hainkel
Barham	Dardenne	Malone
Branch	Dean	Ullo
Cain	Greene	
Total—11		

ABSENT

Bagneris

May 21, 1997

Total—1

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

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. 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.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Table with 3 columns: Bagneris, Total—3, Ellington, Romero.

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

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. 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 by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Concurrent Resolution No. 5 by Senator Hines

AMENDMENT NO. 1

On page 1, line 2, after "provide in the" delete the remainder of the line and insert "1997-98 Fiscal Year"

AMENDMENT NO. 2

On page 2, line 12, after "provide in the" delete the remainder of the line and insert "1997-98 Fiscal Year"

On motion of Senator Hainkel, the committee amendment was adopted.

The resolution was read by title.

Motion

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

Without objection, so ordered.

Senator Hines moved to adopt the amended Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dyess, Ellington, Fields, Total—31. Guidry, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry, Lentini. Malone, Robichaux, Romero, Schedler, Short, Smith, Tarver, Theunissen, Ullo.

NAYS

Table with 3 columns: Barham, Dean, Total—5, Greene, Hainkel, Siracusa.

ABSENT

Table with 3 columns: Mr. President, Total—3, Bagneris, Dardenne.

The Chair declared the Senate had adopted the amended Senate Concurrent Resolution and ordered it engrossed and 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. 59—
BY SENATOR GUIDRY

AN ACT

To enact R.S. 32:295.3, relative to school buses; to implement a school bus safety belt pilot program in East Baton Rouge Parish; to provide for the promulgation of rules and regulations; to provide that the owner or operator of a school bus shall not be liable for injuries sustained by an individual not wearing a safety belt or child restraint system; to require a report on the pilot program; to require funding of program by the Board of Elementary and Secondary Education to the extent that funds are appropriated; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Hines	Siracusa
Total—3		

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

SENATE BILL NO. 234—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 32:3 and to enact R.S. 32:2(D), Part VI-A of Chapter 1 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:390.1 through 390.4, and R.S. 36:409(O), 45:163(E), and 47:802.4, relative to motor carriers; to provide relative to issuance of permits and licenses; to create the Louisiana Truck Center; to place such center within the Department of Public Safety and Corrections; to determine required services of such center; to authorize participation of certain state agencies; to establish a coordinating authority; to determine responsibilities of such authority; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Total—1
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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. 296—
BY SENATOR JORDAN

A JOINT RESOLUTION

Proposing to amend Article I, Section 5 of the Constitution of Louisiana, relative to the right to privacy; to secure vehicles or other means of transportation against unreasonable searches, seizures, or invasions of privacy; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Motion

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

Without objection, so ordered.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields	Jordan
Cain	Greene	Landry
Campbell	Guidry	Smith
Cox	Irons	Tarver
Cravins	Johnson	
Dean	Jones	
Total—16		

NAYS

Mr. President	Ellington	Malone
Barham	Hainkel	Robichaux
Bean	Heitmeier	Romero
Branch	Hines	Schedler
Casanova	Hollis	Short
Dardenne	Lambert	Theunissen
Dyess	Lentini	Ullo
Total—21		

ABSENT

Bagneris	Siracusa
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May 21, 1997

Total—2

The Chair declared the bill failed to pass.

Notice of Reconsideration

Senator Jordan, 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. 310—

BY SENATOR HAINKEL

AN ACT

To enact R.S. 14:64.2(C), relative to offenses against property; to provide with respect to carjacking; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris Dyess
Total—2

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

SENATE BILL NO. 427—

BY SENATOR HEITMEIER

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Landry

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

Total—35

NAYS

Total—0

ABSENT

Bagneris Jordan
Dyess Short
Total—4

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

SENATE BILL NO. 579—

BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS

AN ACT

To amend and reenact R.S. 9:224(A)(2) and 245(A)(1) and R.S. 40:34(C), 55, and 57, and to enact R.S. 37:22, R.S. 40:34(B)(2)(s), and Code of Civil Procedure Art. 1923, relative to applications for various licenses, vital statistics records and registries, and certain judicial proceedings; to require the inclusion of the social security numbers of individuals therein; to require parties to paternity and child support proceedings to file and update information regarding their location, identity, and employment; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris Hainkel
Total—2

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

bill was passed and laid the motion on the table.

SENATE BILL NO. 583—
BY SENATORS HAINKEL, DARDENNE, EWING, BAGNERIS AND SCHEDLER

AN ACT

To amend and reenact Civil Code Art. 203(B)(1) and to enact Civil Code Art. 206, relative to illegitimate children; to provide the effect of a declaration of legitimation or acknowledgment; to provide with respect to rescission of such acknowledgments; 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. 583 by Senator Hainkel

AMENDMENT NO. 1

On page 2, line 6, following "rescind" and before "the earlier" change "the same within" to "it before"

AMENDMENT NO. 2

On page 2, line 7, before the semicolon ";" delete "the following events"

On motion of Senator Hainkel, the amendments were adopted.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Hainkel and Bagneris to Engrossed Senate Bill No. 583 by Senator Hainkel

AMENDMENT NO. 1

On page 2, line 9, after "declaration," delete the remainder of the line, and delete line 10 in its entirety, and insert in lieu thereof the following: "in a judicial hearing for the limited purpose of rescinding the acknowledgment or declaration."

On motion of Senator Hainkel, the amendments were adopted.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 579 by Senator Hainkel

AMENDMENT NO. 1

On page 1, at the end of line 2, delete "55,"

AMENDMENT NO. 2

On page 2, line 20, delete "55,"

AMENDMENT NO. 3

On page 3, delete lines 10 through 20 in their entirety

On motion of Senator Landry, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris
Total—1

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

SENATE BILL NO. 585—
BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To enact R.S. 9:315.24, relative to child support; to specify that an obligee of child support may seek enforcement of the obligation by all lawful means, including a revocatory or oblique action; to require DSS to pursue such action; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris
Hainkel

May 21, 1997

Total—2

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

SENATE BILL NO. 681—
BY SENATOR BARHAM

AN ACT

To enact R.S. 14:72.2, relative to misappropriation without violence; to provide for the crime of monetary instrument abuse; to provide definitions and penalties for such an offense; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Lambert
Total—2	

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. 868—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:2178(K), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to cost-of-living adjustments; to provide for the payment of cost-of-living adjustments on the current benefit being received; to establish maximum and minimum allowable cost-of-living adjustments; and to provide for related matters.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed Senate Bill No. 868 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 2, delete "11:2178(K)" and insert:

"11:2173(A)(1) and (6) and 2178(K)"

AMENDMENT NO. 2

On page 1, line 3, after "Fund;" insert:

"to provide with respect to the composition of the board of trustees; to provide with respect to election procedures for such board members and terms of office related thereto;"

AMENDMENT NO. 3

On page 1, line 9, delete "11:2178(K) is" and insert:

"11:2173(A)(1) and (6) and 2178(K) are"

AMENDMENT NO. 4

On page 1, between lines 10 and 11, insert:

"§2173. Board of trustees; executive counsel

A. The board of trustees shall consist of fourteen voting members as follows:

(1) One member, who shall be an active or retired sheriff, and shall be ~~nominated by the board of trustees and approved elected~~ by the members of the Louisiana Sheriffs' Association as president, for a term of ~~four~~ two years from the date of taking office. A vacancy shall be filled in the same manner. ~~Reappointment~~ Reelection shall be permissible.

* * *

(6) Annually, following the assumption of office of members set forth above, one member, who shall be an active sheriff who is a participating member of the fund or a former sheriff who has retired and is a recipient of the fund, shall be ~~appointed jointly elected~~ by the ~~presidents~~ members of the Louisiana Sheriffs' Association ~~and the fund at a joint meeting of the executive board of the Louisiana Sheriffs' Association and the board of trustees of the fund called for this purpose~~. This member who shall be a voting member shall be designated as secretary-treasurer, with remuneration being limited to travel expenses and per diem, and whose duties shall consist of keeping the minutes of the meetings of the board and signing checks drawn on the fund. His term of office shall ~~last until the next such joint meeting~~ be one year.

* * *

On motion of Senator Heitmeier, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean
Total—1

ABSENT

Dardenne Robichaux Schedler
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. 876—
BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To amend and reenact the introductory paragraph of R.S. 6:333(B) and to enact R.S. 6:333(F)(14) and R.S. 46:236.1 (A)(5) and (6) and (D)(1)(d), relative to the disclosure of certain financial data to child support enforcement services; to provide with respect to liability for such disclosure; to provide for penalties; to provide for data matches; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 876 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 10, following "6:333(F)(14)" and before "hereby" change "and (J) and "to "is"

AMENDMENT NO. 2

On page 5, line 7, before "(iii)" change "Subsubparagraph" to "Item" and on line 13, following "under" and before "(iv)" change "Subsubparagraph" to "Item"

On motion of Senator Bagneris, the amendments were adopted.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 876 by Senator Hainkel

AMENDMENT NO. 1

On page 5, line 12, between "Subsection" and the period insert "except in cases of gross negligence; however, nothing in this Subsubparagraph shall be interpreted contrary to federal law"

On motion of Senator Landry, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Casanova	Irons	Smith
Cox	Johnson	Tarver
Cravins	Jones	Theunissen
Dardenne	Jordan	Ullo
Dyess	Lambert	
Total—38		

NAYS

Total—0

ABSENT

Dean
Total—1

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

SENATE BILL NO. 881—
BY SENATOR LANDRY
AN ACT

To amend and reenact R.S. 17:3977(B)(3), and to enact R.S. 17:3977(E), relative to the charter schools demonstration program; to require compliance by charter schools with the public bid law; to provide that charter schools be subject to certain audits; and to provide for related matters.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 881 by Senator Landry

AMENDMENT NO. 1

On page 2, line 6, after "public bids" insert "under Title 38 of the Louisiana Revised Statutes of 1950"

On motion of Senator Landry, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Branch
Total—1

ABSENT

May 21, 1997

Total—0

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. 898— BY SENATOR JORDAN

AN ACT

To enact R.S. 14:98.1 and Code of Criminal Procedure Art. 814(A)(59), relative to driving offenses; to create the crime of operating a vehicle while impaired; to provide penalties; to provide responsive verdicts for the crime of operating a vehicle while impaired; and to provide for related matters.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed Senate Bill No. 898 by Senator Jordan

AMENDMENT NO. 1

On page 2, line 9, after "B." delete "The" and insert "On a first conviction, the"

AMENDMENT NO. 2

On page 2, between lines 11 and 12, and insert the following:

"C. On a second or subsequent conviction, regardless of whether the second offense occurred before or after the first conviction, the offender shall be fined not less than three hundred dollars nor more than five hundred dollars and imprisoned for not less than ten days nor more than six months. Imposition or execution of sentence shall not be suspended unless:

(1) The offender is placed on probation with a minimum condition that he serve two days in jail and participate in a court-approved substance abuse program and participate in a court-approved driver improvement program; or

(2) The offender is placed on probation with a minimum condition that he perform four eight-hour days of court-approved community service activities, participate in a court-approved substance abuse program, and participate in a court-approved driver improvement program."

On motion of Senator Lentini, the amendments were adopted.

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

SENATE BILL NO. 899— BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 49:992(D)(1) and to enact R.S. 49:992(D)(8), relative to the division of administrative law; to provide for the exemption of the Department of Public Safety and Corrections from provisions requiring adjudications by the division of administrative law; and to provide for related matters.

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

SENATE BILL NO. 914— BY SENATORS COX AND JOHNSON

AN ACT

To amend and reenact R.S. 15:1204.2(B)(4) and 1204.4, to enact R.S. 14:107.2 and R.S. 40:2403(H), relative to offenses affecting the general peace and order; to provide for hate crimes; to provide for penalties; to provide for the training of law enforcement officers;

to provide for record keeping and reporting; to provide for studies by the Louisiana Commission on Human Rights; and to provide for related matters.

Floor Amendments Sent Up

Senator Cox sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cox to Engrossed Senate Bill No. 914 by Senator Cox

AMENDMENT NO. 1

On page 2, at the end of line 5, before the period "." insert:

"or by reason of their actual or perceived membership or service in, or employment with, an organization as defined in R.S. 14:107.2"

AMENDMENT NO. 2

On page 3, line 2, change the semicolon ";" to "or because of actual or perceived membership or service in, or employment with, an organization:"

AMENDMENT NO. 3

On page 4, between lines 1 and 2, insert the following:

"D. "Organization", as used in this Section, means all of the following:

(1) Any lawful corporation, trust, company, partnership, association, foundation, or fund.

(2) Any lawful group of persons, whether or not incorporated, banded together for joint action on any subject or subjects.

(3) Any entity or unit of federal, state, or local government."

On motion of Senator Cox, the amendments were adopted.

Floor Amendments Sent Up

Senator Short sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Short to Engrossed Senate Bill No. 914 by Senators Cox and Johnson

AMENDMENT NO. 1

On page 2, line 4, after "race" delete the remainder of the line and delete line 5 and insert "birth, age, sex, culture, physical condition or religious or political ideas, beliefs, or affiliations."

AMENDMENT NO. 2

On page 2, line 27, after "race," delete the remainder of the line and on page 3, line 1, delete "orientation, national origin, or ancestry" and insert "birth, age, sex, culture, physical condition or religious or political ideas, beliefs, or affiliations"

AMENDMENT NO. 3

On page 4, line 9, after "race" delete age and delete lines 10 and 11 and insert "birth, age, sex, culture, physical condition or religious or political ideas, beliefs, or affiliations."

Motion

Senator Guidry moved to table the amendment.

Senator Short objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bagneris	Dean	Johnson
Bajoie	Dyess	Jones
Barham	Fields	Lentini
Bean	Guidry	Robichaux
Campbell	Heitmeier	Siracusa
Cravins	Hines	Smith
Dardenne	Irons	Ullo
Total—21		

NAYS

Branch	Greene	Schedler
Cain	Jordan	Short
Casanova	Landry	Theunissen
Ellington	Malone	
Total—11		

ABSENT

Mr. President	Hollis	Tarver
Cox	Lambert	
Hainkel	Romero	
Total—7		

The Chair declared the amendment was tabled.

Rules Suspended

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

Without objection, so ordered.

Motion

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

Senator Short objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bagneris	Dyess	Johnson
Bajoie	Ellington	Jones
Bean	Fields	Jordan
Cain	Guidry	Robichaux
Campbell	Heitmeier	Siracusa
Cravins	Hines	Tarver
Dean	Irons	Theunissen
Total—21		

NAYS

Barham	Greene	Malone
Branch	Hainkel	Schedler
Casanova	Landry	Short
Dardenne	Lentini	Smith
Total—12		

ABSENT

Mr. President	Hollis	Romero
Cox	Lambert	Ullo
Total—6		

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

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	Dardenne	Johnson
Bagneris	Dean	Jones
Bajoie	Dyess	Landry
Bean	Fields	Lentini
Campbell	Guidry	Robichaux
Casanova	Heitmeier	Tarver
Cox	Hines	Ullo
Cravins	Irons	
Total—23		

NAYS

Barham	Hainkel	Siracusa
Branch	Jordan	Smith
Cain	Malone	Theunissen
Ellington	Schedler	
Greene	Short	
Total—13		

ABSENT

Hollis	Lambert	Romero
Total—3		

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

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

Called from the Calendar

Senator Casanova asked that Senate Bill No. 750 be called from the Calendar at this time.

SENATE BILL NO. 750—
BY SENATOR CASANOVA

AN ACT

To amend and reenact R.S. 13:1875(12) and to enact R.S. 13:1874(G) and 1875(13), relative to city court judges; to prohibit city court judges from representing clients in lawsuits against certain governmental entities; and to provide for related matters.

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

Called from the Calendar

Senator Hainkel asked that Senate Bill No. 969 be called from the Calendar at this time for its final passage.

May 21, 1997

SENATE BILL NO. 969—
BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To enact R.S. 46:233.1, relative to certain public assistance benefits; to provide for a one year period of ineligibility for the receipt of certain public assistance or food stamp benefits for individuals convicted of certain drug related crimes; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Table with 3 columns: Dean, Total—3; Hollis; Lambert.

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

Called from the Calendar

Senator Dardenne asked that Senate Bill No. 845 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 845—
BY SENATORS DARDENNE, HAINKEL, EWING AND BARHAM
AN ACT

To amend and reenact Code of Civil Procedure Art. 1732(A)(1), relative to limitations on jury trials; to reduce the monetary threshold necessary to request a jury trial; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 845 by Senator Dardenne.

AMENDMENT NO. 1
On page 1, line 10, delete "no" and insert "any one"

AMENDMENT NO. 2
On page 1, line 11, after "action" insert "does not"

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 845 by Senator Dardenne

AMENDMENT NO. 1
On page 1, line 11, change "fifteen" to "twenty"

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 845 by Senator Dardenne

AMENDMENT NO. 1
In Senate Floor Amendment No. 1 in the set of 2 Amendments proposed by Senator Dardenne and adopted by the Senate on May 21, 1997, on line 1, delete "one"

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Cox sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cox to Engrossed Senate Bill No. 845 by Senator Dardenne

AMENDMENT NO. 1
On page 1, line 2, after "1732(A)(1)," insert "and to enact R.S. 13:3044(D),"

AMENDMENT NO. 2
On page 1, at the beginning of line 3, delete "limitations on"

AMENDMENT NO. 3
On page 1, line 4, after "trial;" insert "to provide for wages or salary for employees serving as jurors;"

AMENDMENT NO. 4
On page 1, after line 13, insert the following:

"§3044. Selection of names for general venire box; drawing of jurors in civil cases; disposition of slips drawn; record; summoning; excusing

* * *

R.S. 13:3044(D) is all proposed new law.

D. No employer may penalize or discharge an employee for serving on a jury. Employers must continue wage or salary payment for employees serving as jurors. The employer may reduce the regular compensation by the amount the employee actually receives for such jury service less mileage or meal expense."

Senator Cox moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie Dyess Jones
Bean Fields Jordan
Cain Guidry Landry
Campbell Hines Robichaux
Cox Irons Schedler
Cravins Johnson
Total—17

NAYS

Mr. President Greene Short
Barham Hainkel Siracusa
Branch Heitmeier Smith
Casanova Lentini Tarver
Dardenne Malone Theunissen
Ellington Romero Ullo
Total—18

ABSENT

Bagneris Hollis
Dean Lambert
Total—4

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Cox sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cox to Engrossed Senate Bill No. 845 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, after "1732(A)(1)," insert "and to enact R.S. 13:3044(D)."

AMENDMENT NO. 2

On page 1, at the beginning of line 3, delete "limitations on"

AMENDMENT NO. 3

On page 1, line 4, after "trial;" insert "to provide for wages or salary for employees serving as jurors;"

AMENDMENT NO. 4

On page 1, after line 13, insert the following:

"§3044. Selection of names for general venire box; drawing of jurors in civil cases; disposition of slips drawn; record; summoning; excusing

* * *

R.S. 13:3044(D) is all proposed new law.

D. No employer shall penalize or discharge an employee for serving on a jury. Employers must continue wage or salary payment for employees serving as jurors. The employer may reduce the regular compensation by the amount the employee actually receives for such jury service less mileage or meal expense."

Senator Cox moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bagneris Fields Jordan
Bajoie Guidry Landry
Bean Heitmeier Lentini
Cain Hines Robichaux
Campbell Irons Schedler
Cox Johnson Tarver
Cravins Jones
Total—20

NAYS

Mr. President Ellington Siracusa
Barham Greene Smith
Branch Hainkel Theunissen
Casanova Romero Ullo
Dardenne Short
Total—14

ABSENT

Dean Hollis Malone
Dyess Lambert
Total—5

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Casanova sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Casanova to Engrossed Senate Bill No. 845 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 11, change "fifteen" to "thirty-five"

AMENDMENT NO. 2

Delete Senate Floor Amendment No. 1 of the second set of amendments proposed by Senator Dardenne and adopted by the Senate on May 21, 1997.

Motion

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

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie Greene Robichaux
Bean Guidry Romero
Cain Hainkel Schedler
Campbell Hines Siracusa
Cox Irons Smith
Cravins Johnson Tarver
Dardenne Jones Theunissen
Dyess Jordan Ullo

May 21, 1997

Ellington Fields Total—28	Lentini Malone NAYS	
Barham Branch Total—6	Casanova Heitmeier ABSENT	Landry Short
Mr. President Bagneris Total—5	Dean Hollis	Lambert

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

Senator Casanova moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

	YEAS	
Bean Cain Casanova Total—7	Hines Johnson Robichaux	Short
	NAYS	
Mr. President Bajoie Barham Branch Campbell Cox Cravins Dardenne Dyess Total—27	Ellington Fields Greene Guidry Hainkel Heitmeier Irons Jones Jordan	Landry Lentini Malone Romero Schedler Smith Tarver Theunissen Ullo
	ABSENT	
Bagneris Dean Total—5	Hollis Lambert	Siracusa

The Chair declared the amendments were rejected.

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 Barham Bean Branch Dardenne Ellington Total—16	Greene Hainkel Hines Malone Romero Short	Siracusa Smith Theunissen Ullo
	NAYS	
Bajoie	Fields	Landry

Cain Campbell Casanova Cox Cravins Dyess Total—19	Guidry Heitmeier Irons Johnson Jones Jordan ABSENT	Lentini Robichaux Schedler Tarver
Bagneris Dean Total—4	Hollis Lambert	

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Dardenne, 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.

Called from the Calendar

Senator Jordan asked that Senate Bill No. 899 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 899—
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 49:992(D)(1) and to enact R.S. 49:992(D)(8), relative to the division of administrative law; to provide for the exemption of the Department of Public Safety and Corrections from provisions requiring adjudications by the division of administrative law; and to provide for related matters.

Floor Amendments Sent Up

Senator Jordan sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jordan to Engrossed Senate Bill No. 899 by Senator Jordan

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 49:992(D)(8)" insert ", (9) and (10)"

AMENDMENT NO. 2

On page 1, line 4, after "Corrections" insert ", the Office of Alcoholic Beverage Control and the Department of Insurance"

AMENDMENT NO. 3

On page 1, line 9, delete "is" and insert ", (9) and (10) are"

AMENDMENT NO. 4

On page 1, line 11, change "**(8)**" to "**(10)**"

AMENDMENT NO. 5

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

" (9) The Office of Alcoholic Beverage Control
(10) The Department of Insurance"

On motion of Senator Jordan, the amendments were adopted.

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

Motion

Senator Bean moved to suspend the rules to advance to the order of House Bills on Third Reading and Final Passage, to take up House Bill No. 1413 out of its regular order.

Senator Fields objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Hainkel	Robichaux
Barham	Hines	Siracusa
Bean	Johnson	Smith
Cain	Jones	Tarver
Cox	Lentini	Theunissen
Dardenne	Malone	
Total—17		

NAYS

Branch	Greene	Romero
Casanova	Guidry	Short
Cravins	Irons	Ullo
Ellington	Jordan	
Fields	Landry	
Total—13		

ABSENT

Mr. President	Dean	Hollis
Bagneris	Dyess	Lambert
Campbell	Heitmeier	Schedler
Total—9		

The Chair declared the Senate refused to suspend the rules.

Rules Suspended

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

Messages from the Governor

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

STATE OF LOUISIANA
DEPARTMENT OF HEALTH AND HOSPITALS

May 9, 1997

Honorable Randy Ewing
President of the Senate
P.O. Box 94183
Baton Rouge, LA 70804

Dear Senator Ewing:

Pursuant to R.S. 1299.40, the following are individuals whom I have appointed to the Louisiana Medical Disclosure Panel. I hereby submit these names to you for Senate confirmation.

Donald J. Palmisano, M.D., J.D., Chair 4417 Lorino Street, Ste. 200 Metairie, LA 70006	Lawrence S. Kullman 2615 Pan American Life Ctr. 601 Poydras Street New Orleans, LA 70130
John Clifford, M.D., Vice Chairman 7777 Hennessey Blvd., Ste. 10,000 Baton Rouge, LA 70809	Richard M. Lauve, M.D., MBA 2236 Palmer Avenue New Orleans, LA 70118

Mr. Henry B. Alsobrook, Jr.
4500 One Shell Square
New Orleans, LA 70139

John Cooksey, M.D.
1310 North 19th Street
Monroe, LA 71201

Kenneth E. Cranor, M.D.
5408 Flanders Drive
Baton Rouge, LA 70808

Nicholas Gachassin, Jr.
1026 St. John St.
Lafayette, LA 70501

Michael C. Palmintier
628 St. Louis Street
Baton Rouge, LA 70802

Richard H. Tannehill, M.D.
455 East Airport Avenue
Baton Rouge, LA 70806

Tooley M. Towns, D.D.S.
5227 Flanders Dr.
Baton Rouge, LA 70808

Thank you for your assistance as it concerns this matter.

Sincerely,
Bobby P. Jindal
Secretary

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 21, 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. 113—
BY SENATOR HINES**

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

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 116—
BY SENATOR CAIN AND REPRESENTATIVE HILL**

A CONCURRENT RESOLUTION
To commend Randi Schamerhorn for her outstanding achievements and service to community.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 117—
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 REPRESENTATIVES R. ALEXANDER AND WILKERSON**

A CONCURRENT RESOLUTION
To commend Karl Malone on being named the 1997 winner of the NBA's Most Valuable Player Award.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 119—
BY SENATORS ROBICHAUX AND LANDRY AND REPRESENTATIVES DOWNER AND TRICHE**

A CONCURRENT RESOLUTION
To commend Aaron Fletcher of Thibodaux for his many achievements, including winning the inaugural Sidney Bechet Jazz Scholarship.

May 21, 1997

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 114—
BY SENATORS ULLO, BAGNERIS, BAJOIE, BARHAM, BEAN, BRANCH,
CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN,
DYESS, ELLINGTON, EWING, FIELDS, GREENE, GUIDRY, HAINKEL,
HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN,
LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO,
SCHEDLER, SHORT, SIRACUSA, SMITH, TARVER AND THEUNISSEN AND
REPRESENTATIVES ALARIO, ANSARDI, BOWLER, DAMICO, DONELON,
GREEN, LANCASTER, MARTINY, ROUSSELLE, SCALISE, THERIOT,
TOOMY, VITTER AND WINDHORST

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.

Reported without amendments.

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

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. 39—

BY SENATOR SHORT

A RESOLUTION

To acknowledge the service and achievements of, and commend and
congratulate R.S. "Pat" Roussell, posthumously, on the occasion
of the dedication of Bogalusa VFW Post 2232 in his memory.

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

SENATE CONCURRENT RESOLUTION NO. 120—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To commend and congratulate Claude Minor for long term service and
dedication to his community, state, and country.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris Dean Lambert
Cravins Dyess
Dardenne Hollis
Total—7

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

SENATE CONCURRENT RESOLUTION NO. 121—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To commend Danny Poullard on his musical talent and his relentless
promotion of Cajun French and Creole culture.

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

NAYS

Total—0

ABSENT

Bagneris Dyess Lambert
Dean Hollis
Total—5

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 21, 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. 188—

BY REPRESENTATIVE R. ALEXANDER

A CONCURRENT RESOLUTION

To designate the month of August as Hepatitis C Educational Awareness Month and to urge and request the office of public health of the Department of Health and Hospitals, and private and charitable entities on the office's behalf, to promote public awareness of Hepatitis C through increased public education.

HOUSE CONCURRENT RESOLUTION NO. 190—

BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

To express the tribute of the Louisiana Legislature to Mr. Victor Bussie, upon his retirement after forty-one years as president of the Louisiana AFL-CIO, and to record his invaluable contributions to the state of Louisiana and her citizens.

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

House Concurrent Resolutions

Senator Bajoie 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. 188—

BY REPRESENTATIVE R. ALEXANDER

A CONCURRENT RESOLUTION

To designate the month of August as Hepatitis C Educational Awareness Month and to urge and request the office of public health of the Department of Health and Hospitals, and private and charitable entities on the office's behalf, to promote public awareness of Hepatitis C through increased public education.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Landry
Bajoie	Ellington	Malone
Barham	Fields	Robichaux
Bean	Greene	Romero
Branch	Guidry	Schedler
Cain	Hainkel	Short
Campbell	Hines	Siracusa
Casanova	Irons	Smith
Cox	Johnson	Theunissen
Cravins	Jordan	Ullo
Total—30		

NAYS

Total—0

ABSENT

Bagneris	Heitmeier	Lambert
Dean	Hollis	Lentini
Dyess	Jones	Tarver
Total—9		

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

HOUSE CONCURRENT RESOLUTION NO. 190—

BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

To express the tribute of the Louisiana Legislature to Mr. Victor Bussie, upon his retirement after forty-one years as president of the Louisiana AFL-CIO, and to record his invaluable contributions to the state of Louisiana and her citizens.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Hollis	Tarver
Dean	Jones	
Dyess	Lambert	
Total—7		

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

HEALTH AND WELFARE

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

May 21, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 762—

BY SENATOR SHORT

AN ACT

To amend and reenact R.S. 46:450.1(A), and (B)(2), and (4) and Part VII of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, by enacting R.S. 46:440, and to enact R.S. 46:450.1(B)(7) through (11) and (F), relative to electronic benefits transfer for public entitlements; to define terms; to require plastic cards with photo identification; to require training; to prohibit transfer of unused benefits; to prohibit the purchase of certain food items; to require the reporting of certain nutritional information; to require

May 21, 1997

receipt showing benefit balance be provided to recipients; to provide for inactivation of cards; to terminate benefits for failure to report loss or unauthorized use of cards; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1324—
BY SENATORS EWING AND HINES
AN ACT

To enact Chapter 7-A of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:442.1 through 442.16, and to repeal R.S. 46:442, relative to health services; to create and provide relative to the Medical Assistance Program Integrity Law; to provide for a civil penalty for fraud and misrepresentation and agency review of suspected cases; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 1533—
BY SENATORS HINES AND IRONS
AN ACT

To enact R.S. 36:4(R) and Chapter 7-A of Title 46 of the Revised Statutes of 1950, to be comprised of R.S. 46:945 to 949, relative to assisted living of the elderly, to provide for findings and declarations; to authorize the office of elderly affairs to develop and implement a residential assisted living pilot project; to provide for cooperation between departments; to provide for guidelines for such project; to specify duration of project; to require reports; to create an advisory committee; to provide for membership and duties of such committee; and to provide for related matters.

Reported by substitute.

HOUSE BILL NO. 1044—
BY REPRESENTATIVES R. ALEXANDER, DEWITT, AND DURAND
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1047—
BY REPRESENTATIVES R. ALEXANDER AND DEWITT
AN ACT

To enact R.S. 40:2006, relative to the Department of Health and Hospitals; to provide for the assessment of licensing fees, unit fees, and delinquency fees for specified types of health care facilities and providers; to provide for the assessment of subsidiary fees for applicable facilities; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1049—
BY REPRESENTATIVES R. ALEXANDER, DEWITT, GAUTREAUX, JOHNS, RIDDLE, THORNHILL, VITTER, AND WALSWORTH AND SENATORS DYESS AND ROBICHAUX
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 1077—
BY REPRESENTATIVES RIDDLE, DEWITT, DURAND, AND JOHNS
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1108—
BY REPRESENTATIVES R. ALEXANDER, DEWITT, AND GAUTREAUX
AN ACT

To enact Part XIII of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2199, relative to the Department of Health and Hospitals; to establish as a misdemeanor the opening or operation of certain health care facilities without a license; to provide for fines upon conviction; to provide for civil liability when the violation poses a threat to the health, safety, rights, or welfare of a resident or client of a health care facility; to provide for the adoption of rules and regulations which define specific classifications of violations, articulate factors in assessing fines, and which explain the treatment of continuing and repeat deficiencies; to provide for a schedule of violations and related fines; to limit the amount of aggregate fines which may be assessed for violations determined in a month; to provide for the adoption of rules and regulations which provide for notice to health care facilities of any violation, for an informal reconsideration process, and for an appeal procedure including judicial review; to limit appeals to suspensive appeals; to require the health care facility to furnish a bond with an appeal; to provide with respect to the bond including the minimum amount of such bond and the provisions of such bond; to authorize the department to institute civil actions to collect fines; to require civil fines collected to be deposited into the state treasury in the Health Care Facility Fund and to provide for the fund; to provide for purposes for which the fund may be used; to authorize the secretary to promulgate rules and regulations to provide for administration of the fund; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1176—
BY REPRESENTATIVE LANDRIEU
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1490—
BY REPRESENTATIVES DEVILLE, DEWITT, AND DURAND
AN ACT

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

Reported with amendments.

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

To amend and reenact R.S. 40:4(A)(8) and 5.8, relative to the State Sanitary Code; to require the state health officer to provide for a strategy for public water systems to comply with federal and state drinking water regulations; to define types of public water systems; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1493—
BY REPRESENTATIVES SHAW, DEWITT, AND DURAND
AN ACT

To amend and reenact R.S. 28:21, relative to state mental health institutions; to authorize the assistant secretary of the office of mental health of the Department of Health and Hospitals to reorganize and consolidate the administration of state mental health institutions to comply with the State Mental Health Plan; to provide for the authority of the assistant secretary to establish community cottages; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1723—
BY REPRESENTATIVES WESTON, CLARKSON, JETSON, RIDDLE, BARTON, BAUDOIN, BAYLOR, BRUCE, BRUNEAU, DOERGE, DOWNER, DUPRE, FAUCHEUX, FLAVIN, FRITH, FRUGE, GUILLORY, HEBERT, HILL, HOLDEN, HUNTER, ILES, JOHNS, LANDRIEU, MARIONNEAUX, MARTINY, MCDONALD, MICHOT, MURRAY, ODINET, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, ROMERO, ROUSSELLE, SCHNEIDER, STELLY, TRAVIS, WELCH, WIGGINS, WILKERSON, AND WILLARD-LEWIS
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 2049—
BY REPRESENTATIVES R. ALEXANDER AND DEWITT
AN ACT

To amend and reenact the title of Part XIII of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, R.S. 40:1058.1(A)(1) through (7), 1058.2 through 1058.5(A), 1058.6, 1058.7, and 1058.9 and to repeal R.S. 40:1058.1(A)(8) through (29), relative to substance abuse/addiction treatment facilities; to provide for the Department of Health and Hospitals to license and monitor service providers engaged in operating substance abuse/addiction treatment facilities; to define terms; to provide penalties for violations; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2050—
BY REPRESENTATIVES RIDDLE AND DEWITT
AN ACT

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

Reported with amendments.

Respectfully submitted,
DONALD E. HINES
Chairman

Motion to Recommit

Senator Landry asked for and obtained a suspension of the rules and asked that Senate Bill No. 77 be recommitted from the Committee on Environmental Quality to the Committee on Transportation, Highways, and Public Works.

Motion to Recommit

Senator Heitmeier asked for and obtained a suspension of the rules and asked that Senate Bill No. 1541, which was on Third Reading and Final Passage, be recommitted to the Committee on Finance.

Adjournment

Senator Bagneris moved that the Senate adjourn until Thursday, May 22, 1997 at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Thursday, May 22, 1997.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk