

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

THIRTY-FOURTH 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 28, 1997

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

ROLL CALL

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

PRESENT

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

ABSENT

Bagneris
Total—1

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

Prayer

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

Morning Hour

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 125—
BY SENATOR EWING

A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 1998 Regular Session of the Legislature of Louisiana that portion of Section 3 of Act No. 535 of the 1988 Regular Session of the Legislature and that portion of Section 2 of Act No. 285 of the 1992 Regular Session of the Legislature, which provides for the termination of the Louisiana Tax Free Shopping Program.

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

Messages from the House

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

Message from the House

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

May 28, 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. 1871—
BY REPRESENTATIVE FONTENOT
AN ACT

To amend and reenact Code of Criminal Procedure Art. 892.1(A), (B), (D), and (E)(1) and to enact R.S. 32:402.2, relative to traffic violations; to provide for the Department of Public Safety and Corrections, office of motor vehicles to approve driver improvement programs; to provide for a list of all department-approved programs; and to provide for related matters.

HOUSE BILL NO. 1926—
BY REPRESENTATIVE SALTER
AN ACT

To enact R.S. 38:2241.2, relative to construction contracts reporting requirements; to provide for reporting requirements for certain Department of Transportation and Development contracts; and to provide for related matters.

HOUSE BILL NO. 1992—
BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 56:326(F)(1), (3), and (4), relative to fishing; to provide relative to violations by wholesale or retail dealers and commercial fishermen for the possession of undersized crabs; to provide penalties; and to provide for related matters.

HOUSE BILL NO. 1328—
BY REPRESENTATIVE THOMPSON
AN ACT

To enact Code of Evidence Art. 902(10) and R.S. 13:3712.1, relative to the introduction of labor reports in a child or spousal support proceeding; to provide for admissibility and for self-authentication of copies of such reports; to provide prima facie proof of their contents; and to provide for related matters.

HOUSE BILL NO. 720—
BY REPRESENTATIVE DUPRE
A JOINT RESOLUTION

Proposing to amend Article VII, Section 4(D) of the Constitution of Louisiana, to increase the maximum amount of the severance tax on certain natural resources which is remitted to parish governing authorities; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

May 28, 1997

HOUSE BILL NO. 357—

BY REPRESENTATIVES MCCAIN AND KENNEY
AN ACT

To amend and reenact R.S. 38:2212(A)(1)(d)(introductory paragraph), relative to contracts for public works; to provide for an increase in the contract limit over which such contracts must be advertised and let by contract to the lowest bidder; and to provide for related matters.

HOUSE BILL NO. 222—

BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 32:771(7) and (8), relative to used motor vehicle dealers and marine product dealers; to redefine the terms "marine dealer" and "marine product"; to provide for exceptions to the definitions; and to provide for related matters.

HOUSE BILL NO. 251—

BY REPRESENTATIVE TRAVIS
AN ACT

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

HOUSE BILL NO. 367—

BY REPRESENTATIVE TRAVIS
AN ACT

To enact R.S. 32:535.1, relative to automobile repair facilities; to require repair facilities to provide a detailed invoice to consumers; and to provide for related matters.

HOUSE BILL NO. 368—

BY REPRESENTATIVE TRAVIS
AN ACT

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

HOUSE BILL NO. 726—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact Chapter 26 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2021 through 2026, relative to the South Central Regional Transportation Authority; to create the South Central Regional Transportation Authority and to establish the boundaries thereof; to provide for a board of commissioners; to provide for the membership of such board and its powers, duties, and functions; and to provide for related matters.

HOUSE BILL NO. 1308—

BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 38:334(A), relative to the Lafourche Basin Levee District; to provide for revenue utilization; and to provide for related matters.

HOUSE BILL NO. 1423—

BY REPRESENTATIVE PRATT
AN ACT

To amend and reenact R.S. 32:293(C) and to repeal R.S. 32:293(A), relative to seating capacity of school buses; to limit the number of children transported on a school bus at one time to the number of seats available on such bus; to remove provision defining the seating capacity of a school bus; and to provide for related matters.

HOUSE BILL NO. 1580—

BY REPRESENTATIVE HAMMETT
AN ACT

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

land surveyors; and to provide for related matters.

HOUSE BILL NO. 1669—

BY REPRESENTATIVE CHAISSON
AN ACT

To amend and reenact R.S. 34:2471(A)(introductory paragraph) and (1) (introductory paragraph), (2)(introductory paragraph), (3)(introductory paragraph), (4), and (5)(a), relative to the South Louisiana Port Commission; to provide for its membership; and to provide for related matters.

HOUSE BILL NO. 1676—

BY REPRESENTATIVE HUDSON
AN ACT

To amend and reenact R.S. 38:2212(K), relative to the Public Bid Law; to provide relative to exceptions; to provide relative to the purchase of supplies and materials by hospitals from qualified group purchasing organizations; to add hospitals that are owned or operated by public trusts; and to provide for related matters.

HOUSE BILL NO. 1698—

BY REPRESENTATIVE HOLDEN
AN ACT

To amend and reenact R.S. 48:251, relative to highway construction contracts; to require warranties in state contracts for highway construction; and to provide for related matters.

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

House Bills and Joint Resolutions

Senator Jones 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. 222—

BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 32:771(7) and (8), relative to used motor vehicle dealers and marine product dealers; to redefine the terms "marine dealer" and "marine product"; to provide for exceptions to the definitions; and to provide for related matters.

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

HOUSE BILL NO. 251—

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

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

HOUSE BILL NO. 720—

BY REPRESENTATIVE DUPRE

A JOINT RESOLUTION

Proposing to amend Article VII, Section 4(D) of the Constitution of Louisiana, to increase the maximum amount of the severance tax on certain natural resources which is remitted to parish governing authorities; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

HOUSE BILL NO. 726—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To enact Chapter 26 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2021 through 2026, relative to the South Central Regional Transportation Authority; to create the South Central Regional Transportation Authority and to establish the boundaries thereof; to provide for a board of commissioners; to provide for the membership of such board and its powers, duties, and functions; and to provide for related matters.

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

HOUSE BILL NO. 1308—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 38:334(A), relative to the Lafourche Basin Levee District; to provide for revenue utilization; and to provide for related matters.

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

HOUSE BILL NO. 1328—

BY REPRESENTATIVE THOMPSON

AN ACT

To enact Code of Evidence Art. 902(10) and R.S. 13:3712.1, relative to the introduction of labor reports in a child or spousal support proceeding; to provide for admissibility and for self-authentication of copies of such reports; to provide prima facie proof of their contents; and to provide for related matters.

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

HOUSE BILL NO. 1423—

BY REPRESENTATIVE PRATT

AN ACT

To amend and reenact R.S. 32:293(C) and to repeal R.S. 32:293(A), relative to seating capacity of school buses; to limit the number of children transported on a school bus at one time to the number of seats available on such bus; to remove provision defining the seating capacity of a school bus; and to provide for related matters.

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

HOUSE BILL NO. 1580—

BY REPRESENTATIVE HAMMETT

AN ACT

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

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

HOUSE BILL NO. 1669—

BY REPRESENTATIVE CHAISSON

AN ACT

To amend and reenact R.S. 34:2471(A)(introductory paragraph) and (1) (introductory paragraph), (2)(introductory paragraph), (3)(introductory paragraph), (4), and (5)(a), relative to the South Louisiana Port Commission; to provide for its membership; and to provide for related matters.

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

HOUSE BILL NO. 1676—

BY REPRESENTATIVE HUDSON

AN ACT

To amend and reenact R.S. 38:2212(K), relative to the Public Bid Law; to provide relative to exceptions; to provide relative to the purchase of supplies and materials by hospitals from qualified group purchasing organizations; to add hospitals that are owned or operated by public trusts; and to provide for related matters.

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

HOUSE BILL NO. 1698—

BY REPRESENTATIVE HOLDEN

AN ACT

To amend and reenact R.S. 48:251, relative to highway construction contracts; to require warranties in state contracts for highway construction; and to provide for related matters.

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

HOUSE BILL NO. 1871—

BY REPRESENTATIVE FONTENOT

AN ACT

To amend and reenact Code of Criminal Procedure Art. 892.1(A), (B), (D), and (E)(1) and to enact R.S. 32:402.2, relative to traffic violations; to provide for the Department of Public Safety and Corrections, office of motor vehicles to approve driver improvement programs; to provide for a list of all department-approved programs; and to provide for related matters.

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

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

HOUSE BILL NO. 1926—

BY REPRESENTATIVE SALTER

AN ACT

To enact R.S. 38:2241.2, relative to construction contracts reporting requirements; to provide for reporting requirements for certain Department of Transportation and Development contracts; and to provide for related matters.

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

HOUSE BILL NO. 1992—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 56:326(F)(1), (3), and (4), relative to fishing; to provide relative to violations by wholesale or retail dealers and commercial fishermen for the possession of undersized crabs; to provide penalties; and to provide for related matters.

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

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

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

SENATE BILL NO. 268—

BY SENATOR ULLO

AN ACT

To enact R.S. 15:832.1, relative to work by inmates; to authorize the governor to use inmate labor in certain projects or maintenance or repair work at such facilities; to authorize the use of inmate labor for certain custodial services; to provide for the effective date and term of this Act 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. 268 by Senator Ullo

AMENDMENT NO. 1

On page 1, line 2, delete "enact R.S. 15:832.1" and insert "amend and reenact R.S. 15:832.1(A) and (B)"

AMENDMENT NO. 2

On page 1, line 8, after "15:832.1" delete "is hereby enacted" and insert "(A) and (B) are hereby amended and reenacted"

AMENDMENT NO. 3

On page 2, line 3, change "two" to "one"

AMENDMENT NO. 4

On page 2, line 7, delete "or local governmental"

AMENDMENT NO. 5

On page 2, line 20, change "employed by" to "employees of"

AMENDMENT NO. 6

On page 2, between lines 22 and 23, insert " * * *

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. 1315—

BY SENATOR CRAVINS

AN ACT

To enact R.S. 27:65(B)(16), relative to riverboat gaming; to express the intent of the legislature regarding complimentary food service; to require the Louisiana Gaming Control Board to develop rules limiting riverboats providing free food services to patrons; 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. 1315 by Senator Cravins

AMENDMENT NO. 1

On page 1, delete lines 3 through 6, and insert in lieu thereof the following:

"of the legislature regarding the provision of complimentary food service by riverboat casinos; to express the intent of the legislature regarding competition of riverboat casinos with the restaurant industry; and to provide for related matters."

AMENDMENT NO. 2

On page 1, delete lines 15 and 16, and on page 2, delete lines 1 through 10, and insert in lieu thereof the following:

"(16) It is the intent of the legislature that the riverboat casino industry shall not compete unfairly with Louisiana's restaurant industry. The legislature recognizes that extending complimentary food services on certain special occasions and on an infrequent basis is consistent with fair restaurant industry practices. However, the legislature also recognizes: (1) that the general practice of giving away food or providing food to patrons at below-market costs constitutes unfair competition with the restaurant industry and (2) that riverboat casinos are uniquely able to use, and have in fact used, gambling proceeds to subsidize such unfair practices. Therefore, the legislature finds it appropriate to require that, as a general practice, no food be given away or sold at cost on a riverboat or at a licensed berth by the licensee or any employee or agent of the licensee of a riverboat."

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

SENATE BILL NO. 1472—

BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 4:10.4(5), relative to amusement games at fairs and carnivals; to provide for the maximum allowable cost of playing such games and the maximum allowable value of prizes to be won; 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. 1472 by Senator Bean

AMENDMENT NO. 1

On page 1, line 14, change "three" to "two"

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

passed to a third reading.

SENATE BILL NO. 1536—
BY SENATOR SHORT

AN ACT

To enact R.S. 15:571.34, relative to alternative incarceration; to establish a pilot program involving electronic monitoring for certain prisoners; 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. 1536 by Senator Short

AMENDMENT NO. 1

On page 1, line 2, change "15:571.33" to "15:571.34"

AMENDMENT NO. 2

On page 1, line 6, change "15:571.33" to "15:571.34"

AMENDMENT NO. 3

On page 1, line 7, change "571.33" to "571.34"

AMENDMENT NO. 4

On page 1, line 14, change "inform" to "infirm"

On motion of Senator Cravins, 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. 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.

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. 11—

BY REPRESENTATIVES BRUNEAU, CLARKSON, POWELL, SCHNEIDER, WINDHORST, BRUCE, BRUN, CRANE, DONELON, FONTENOT, FORSTER, FRUGE, JENKINS, KENNARD, LANCASTER, MARTINY, PERKINS, ROMERO, SCALISE, SHAW, STELLY, TOOMY, VITTER, WALSWORTH, AND WIGGINS AND SENATORS BEAN, BRANCH, CASANOVA, DEAN, GREENE, HAINKEL, HOLLIS, JORDAN, AND ROMERO
AN ACT

To amend and reenact R.S. 14:20(3) and (4), relative to justifiable homicide; to provide that a homicide is justifiable when committed against a person who is attempting to make an unlawful entry into a motor vehicle or who is believed to be using unlawful force against a person present in a motor vehicle; 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. 78—

BY REPRESENTATIVE ILES
AN ACT

To enact R.S. 15:538(C), relative to probation and parole for sexual offenders; to require as a condition of probation or parole medroxyprogesterone acetate treatment for certain sexual offenders; and to provide for related matters.

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

HOUSE BILL NO. 85—

BY REPRESENTATIVE HEATON
AN ACT

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

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

HOUSE BILL NO. 87—

BY REPRESENTATIVE JOHN SMITH
AN ACT

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

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

HOUSE BILL NO. 182—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 40:967(B)(3) and (4) and to enact R.S. 40:967(B)(5), relative to controlled dangerous substances; to increase the penalties for the production, manufacture, distribution, or dispensing or possessing with intent to produce, manufacture, distribute, or dispense cocaine, cocaine base, and related substances; 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. 182 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 2, after "reenact R.S." delete "40:967(B)(3)" and insert "40:967(B)(1), (3),"

AMENDMENT NO. 2

On page 1, at the end of line 3, delete "increase" and insert "provide with respect to"

AMENDMENT NO. 3

On page 1, line 9, after "R.S." delete "40:967(B)(3)" and insert "40:967(B)(1), (3),"

AMENDMENT NO. 4

On page 1, between lines 14 and 15 insert the following:

"(1) A substance classified in Schedule II which is a narcotic drug, except cocaine or cocaine base or a mixture or substance containing cocaine or its analogues as provided in Schedule II(A)(4) of R.S. 40:964, or which is an

amphetamine or methamphetamine, shall be sentenced to a term of imprisonment at hard labor for not less than five years nor more than thirty years; and may, in addition, be sentenced to pay a fine of not more than fifty thousand dollars."

AMENDMENT NO. 5

On page 2, line 5, after "(4)" and before "or cocaine base" delete "Cocaine" and insert "(a) Production or manufacturing of cocaine"

AMENDMENT NO. 6

On page 2, line 6, delete "a detectable amount of" and after "or" delete "of"

AMENDMENT NO. 7

On page 2, line 7, delete "Schedule II of R.S. 40:964(A)(4)" and insert "Schedule II(A)(4) of R.S. 40:964"

AMENDMENT NO. 8

On page 2, line 8, after "benefit of" and before "probation" insert "parole."

AMENDMENT NO. 9

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

"(b) Distribution, dispensing, or possession with intent to produce, manufacture, distribute or dispense cocaine or cocaine base or a mixture or substance containing cocaine or its analogues as provided in Schedule II(A)(4) of R.S. 40:964 shall be sentenced to a term of imprisonment at hard labor for not less than five years nor more than thirty years, with the first five years of said sentence being without benefit of parole, probation, or suspension of sentence; and may, in addition, be sentenced to pay a fine of not more than fifty thousand dollars."

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

HOUSE BILL NO. 578—

BY REPRESENTATIVE WINDHORST
AN ACT

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

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. 578 by Representative Windhorst

AMENDMENT NO. 1

On page 1, line 14, after "issued" insert "for a violation on the Huey P. Long Bridge or the Lake Pontchartrain Causeway Bridge or approaches to and from such bridges"

AMENDMENT NO. 2

On page 2, line 11, after "of" and before "officers" change "the" to "P.O.S.T. certified"

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. 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.

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

HOUSE BILL NO. 667—

BY REPRESENTATIVES BRUNEAU AND WINDHORST
A JOINT RESOLUTION

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

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. 667 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 3, after "defendant" and before "is" insert "charged with certain criminal offenses"

AMENDMENT NO. 2

On page 1, line 13, after "Section 18." and before "Excessive" insert "(A)"

AMENDMENT NO. 3

On page 2, at the end of line 5, delete "However, a person shall"

AMENDMENT NO. 4

On page 2, at the beginning of line 6, insert "(B) However, a person charged with a crime of violence as defined by law or with production, manufacture, distribution, or dispensing or possession with intent to produce, manufacture, distribute, or dispense a controlled dangerous substance as defined by the Louisiana Controlled Dangerous Substances Law, and the proof is evident and the presumption of guilt is great, shall"

AMENDMENT NO. 5

On page 2, line 7, after "finds" insert "by clear and convincing evidence"

AMENDMENT NO. 6

On page 2, line 17, after "person" and before "shall" insert "who is charged with a crime of violence as defined by law or with production, manufacture, distribution, or dispensing or possession with intent to produce, manufacture, distribute, or dispense a controlled dangerous substance as defined by the Louisiana Controlled Dangerous Substances Law"

AMENDMENT NO. 7

On page 2, line 18, after "finds" insert "by clear and convincing evidence"

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. 668—

BY REPRESENTATIVES BRUNEAU AND WINDHORST
AN ACT

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

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. 668 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 5, after "poses" and before "danger" delete "a" and insert "an imminent"

AMENDMENT NO. 2

On page 1, line 14, after "unless" and before "after" delete the comma "," and insert "the person is charged with a crime of violence as defined by law or with production, manufacture, distribution, or dispensing or possession with intent to produce, manufacture, distribute, or dispense a controlled dangerous substance as defined by the Louisiana Controlled Dangerous Substances Law, and"

AMENDMENT NO. 3

On page 1, line 16, after "finds" insert "by clear and convincing evidence"

AMENDMENT NO. 4

On page 1, line 17, after "poses" and before "danger" delete "a" and insert "an imminent"

AMENDMENT NO. 5

On page 2, line 4, change "ten" to "five"

AMENDMENT NO. 6

On page 2, at the end of line 6, delete "the" and at the beginning of line 7, delete "prosecutor" and insert "clear and convincing evidence"

AMENDMENT NO. 7

On page 2, line 8, after "poses" and before "danger" delete "a" and insert "an imminent"

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. 783—

BY REPRESENTATIVES HEATON AND DUPRE
AN ACT

To enact R.S. 15:574.4(H)(6), relative to conditions of parole; to provide that persons placed on parole must refrain from using and submit to testing for controlled dangerous substances; and to provide for related matters.

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

HOUSE BILL NO. 972—

BY REPRESENTATIVE BRUNEAU
AN ACT

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

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. 1094—

BY REPRESENTATIVES WINDHORST, DEWITT, AND SCHNEIDER
AN ACT

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

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

HOUSE BILL NO. 1251—

BY REPRESENTATIVES WINDHORST AND DEWITT
AN ACT

To amend and reenact R.S. 15:574.4(A)(2)(e), relative to the intensive incarceration and intensive parole supervision program for certain inmates; to provide for the duration of intensive incarceration; and to provide for related matters.

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

HOUSE BILL NO. 1254—

BY REPRESENTATIVES WINDHORST, DEWITT, CLARKSON, FRITH, FRUGE, JOHNS, MCCALLUM, MCMAINS, WIGGINS, AND WRIGHT
AN ACT

To enact Part XVI of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1181 through 1190, relative to suits by prisoners; to enact the Prison Litigation Reform Act, providing for civil actions with respect to prison conditions, the remedies or relief that may be granted and conditions and restrictions thereon, the effects of consent decrees and private settlement agreements, the appointment of experts, the award of attorney fees, and the assessment, disposition, and consequences of actions that are malicious, frivolous, groundless, or otherwise lacking in merit; to provide for the payment of filing fees and costs and for the use of compensatory damages to pay outstanding restitution orders; and to provide for related matters.

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

HOUSE BILL NO. 1309—

BY REPRESENTATIVE WILKERSON
AN ACT

To amend and reenact R.S. 28:841, R.S. 36:258(C) and (E)(1), and R.S. 47:9021, relative to compulsive or problem gambling; to transfer responsibility for operation of certain programs related to compulsive or problem gambling from the office of mental health of the Department of Health and Hospitals to the office of alcohol and drug abuse of the department; and to provide for related matters.

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

HOUSE BILL NO. 1860—

BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 33:4861.12(A)(2)(b), relative to charitable gaming; to authorize increased compensation for employees assisting in holding, operating, or conducting charitable games of chance; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was

read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 2068—

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

AN ACT

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

Reported favorably by the Committee on Finance. 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. 2134—

BY REPRESENTATIVES WINDHORST AND DEWITT

AN ACT

To enact R.S. 40:1379(D), relative to the office of state police, public safety services, of the Department of Public Safety and Corrections; to provide for personnel who are commissioned police employees of the office; and to provide for related matters.

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

HOUSE BILL NO. 2138—

BY REPRESENTATIVES WINDHORST AND DEWITT

AN ACT

To amend and reenact R.S. 40:1375, to designate the State Police Training Academy the "Donald J. Thibodeaux Training Complex"; and to provide for related matters.

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

HOUSE BILL NO. 2233—

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

AN ACT

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

Reported favorably by the Committee on Finance. 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.

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. 63—

BY SENATOR ROBICHAUX

AN ACT

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

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. 63 by Senator Robichaux

AMENDMENT NO. 1

On page 1, line 3, following "To" and before "R.S." change "add" to "enact"

AMENDMENT NO. 2

On page 2, line 2, following "responsibilities" and before "terminated" change "was" to "were"

On motion of Senator Hainkel, the amendments were adopted.

Floor Amendments Sent Up

Senator Robichaux sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Robichaux to Engrossed Senate Bill No. 63 by Senator Robichaux

AMENDMENT NO. 1

On page 1, after "R.S. 56:55.2(C)" delete "(D)"

AMENDMENT NO. 2

On page 1, line 7, after "R.S. 56:55.2(C)" delete "and (D) are" and insert "is"

AMENDMENT NO. 3

On page 2, line 3, after "shall" delete the remainder of the line and delete lines 4 through 12 and insert the following:

"exercise the same enforcement authority, duties, and responsibilities on game management areas and refuges as they exercised prior to September 25, 1996. Such officers and employees shall receive the same adjustment in compensation provided enforcement personnel exercising enforcement authority, duties, and responsibilities and shall receive uniforms, badges, firearms, and other law enforcement equipment which they were issued prior to the termination action by the secretary."

Senator Robichaux moved adoption of the amendments.

Senator Hines objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields	Jones
Campbell	Greene	Landry
Dean	Guidry	Robichaux
Dyess	Irons	Siracusa
Ellington	Johnson	
Total—14		

NAYS

Mr. President	Dardenne	Malone
Barham	Hainkel	Romero
Bean	Heitmeier	Schedler
Branch	Hines	Short
Cain	Hollis	Smith
Casanova	Jordan	Tarver
Cox	Lambert	Theunissen
Cravins	Lentini	Ullo
Total—24		

ABSENT

Bagneris
Total—1

The Chair declared the amendments were rejected.

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

Motion

Senator Robichaux moved to return the amended bill to the Calendar, subject to call.

Senator Hines objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields	Lentini
Barham	Greene	Malone
Branch	Guidry	Robichaux
Cain	Hainkel	Schedler
Campbell	Heitmeier	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Theunissen
Dardenne	Lambert	
Dean	Landry	
Total—28		

NAYS

Bean	Hines	Tarver
Dyess	Jordan	
Ellington	Romero	
Total—7		

ABSENT

Mr. President
Bagneris
Total—4

The Chair declared the amended bill was returned to the Calendar,

subject to call.

Special Order of the Day

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

SENATE BILL NO. 1500—
BY SENATORS ROMERO AND CAIN
AN ACT

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

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. 1500 by Senator Romero

AMENDMENT NO. 1

On page 2, delete line 12, and on line 13, change "Display" to "display"

AMENDMENT NO. 2

On page 2, line 20, following "shall" delete the remainder of the line and on line 21, change "Display" to display"

On motion of Senator Hainkel, the amendments were adopted.

Floor Amendments Sent Up

Senator Romero sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Romero to Engrossed Senate Bill No. 1500 by Senators Romero and Cain

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 2, line 1, change "foreign" to "country designated by the United States government as being a communist"

AMENDMENT NO. 3

On page 2, line 11, change "foreign" to "country designated by the United States government as being a communist"

AMENDMENT NO. 4

On page 2, line 19, change "foreign" to "country designated by the United States government as being a communist"

AMENDMENT NO. 5

On page 2, line 23, change "foreign" to "communist"

On motion of Senator Romero, the amendments were adopted.

Floor Amendments Sent Up

Senator Romero sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

May 28, 1997

Amendments proposed by Senator Romero to Engrossed Senate Bill No. 1500 by Senator Romero

AMENDMENT NO. 1

On page 1, line 4, change "seafood" to "crawfish"

AMENDMENT NO. 2

On page 1, line 14, change "seafood" to "crawfish"

AMENDMENT NO. 3

On page 1, line 16, change "seafood" to "crawfish"

AMENDMENT NO. 4

On page 2, line 11, change "seafood" to "crawfish"

AMENDMENT NO. 5

On page 2, line 13, change "seafood" to "crawfish"

AMENDMENT NO. 6

On page 2, line 15, change "seafood" to "crawfish"

AMENDMENT NO. 7

On page 2, line 19, change "seafood" to "crawfish"

AMENDMENT NO. 8

On page 2, line 23, change "seafood" to "crawfish"

On motion of Senator Romero, the amendments were adopted.

Floor Amendments Sent Up

Senator Romero sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Romero to Engrossed Senate Bill No. 1500 by Senator Romero

AMENDMENT NO. 1

On page 3, line 5, after "dollars" delete the remainder of the line and delete line 6 and insert a period ".".

AMENDMENT NO. 2

On page 3, line 8, after "dollars" delete "or" and insert a period "." and delete line 9.

AMENDMENT NO. 3

On page 3, line 11, after "dollars" delete "or" and delete line 12 and insert a period ".".

Senator Romero moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators who voted 'YEAS' in three columns: Mr. President, Bajoie, Barham, Bean, Cain, Campbell, Casanova, Cox, Cravins, Dardenne; Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones; Landry, Lentini, Robichaux, Romero, Schedler, Smith, Tarver, Theunissen, Ullo.

Dyess
Total—31

Jordan
NAYS

Branch
Dean
Total—4

Ellington
Malone
ABSENT

Bagneris
Lambert
Total—4

Short
Siracusa

The Chair declared the amendments were adopted.

Motion

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

Senator Romero objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bean
Cain
Cravins
Ellington
Total—10

Hines
Hollis
Malone
Schedler

Smith
Tarver

NAYS

Bajoie
Barham
Branch
Casanova
Cox
Dardenne
Dean
Dyess
Total—24

Fields
Greene
Guidry
Hainkel
Heitmeier
Irons
Johnson
Jordan

Lambert
Landry
Lentini
Robichaux
Romero
Short
Theunissen
Ullo

ABSENT

Mr. President
Bagneris
Total—5

Campbell
Jones

Siracusa

The Chair declared the Senate refused to call the previous question on the entire subject matter.

Motion

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

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie
Bean
Cain
Campbell

Greene
Guidry
Hollis
Johnson

Lentini
Malone
Robichaux
Romero

Cox Ellington Total—17	Jordan Lambert	Tarver
NAYS		
Barham Branch Casanova Cravins Dardenne Dean Dyess Total—20	Fields Hainkel Heitmeier Hines Irons Jones Landry	Schedler Short Siracusa Smith Theunissen Ullo
ABSENT		
Mr. President Total—2	Bagneris	

The Chair declared the Senate refused to call the previous question on the entire subject matter.

Motion

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

Without objection, so ordered.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Cain Casanova Cravins Dyess Fields Total—15	Greene Guidry Hines Lambert Robichaux	Romero Short Siracusa Smith Ullo
NAYS		
Bajoie Barham Bean Branch Campbell Cox Dardenne Total—21	Dean Ellington Hainkel Heitmeier Hollis Irons Johnson	Jones Landry Lentini Malone Schedler Tarver Theunissen
ABSENT		
Mr. President Total—3	Bagneris	Jordan

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Romero, 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.

Personal Privilege

Senator Dyess asked for and obtained the floor of the Senate on a

point of personal privilege, and stated he had voted in error on Senate Bill No. 1500. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Special Order of the Day

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

HOUSE BILL NO. 1413—
BY REPRESENTATIVE BARTON
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS		
Bajoie Bean Campbell Cox Cravins Dardenne Dean Total—21	Guidry Heitmeier Hines Hollis Johnson Jones Landry	Malone Romero Schedler Siracusa Tarver Theunissen Ullo
NAYS		
Branch Cain Casanova Ellington Total—11	Fields Greene Hainkel Irons	Lentini Short Smith
ABSENT		
Mr. President Bagneris Barham Total—7	Dyess Jordan Lambert	Robichaux

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

Personal Privilege

Senator Jordan asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on Senate Bill No. 1413. He had intended to vote nay on the bill. He asked that the Official Journal so state.

Personal Privilege

Senator Ullo asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 1413. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

May 28, 1997

Special Order of the Day

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

SENATE BILL NO. 323— BY SENATOR CAMPBELL

A JOINT RESOLUTION

Proposing to amend Article X, Section 20 of the Constitution of Louisiana, relative to political activities of firemen and policemen in the classified fire and police civil service; to prohibit certain political activities for employees in the classified fire and police service system; to restrict the political activities of firemen and policemen in the classified fire and police civil service to elected offices within the agency or entity in which they are employed; to provide for penalties for violations of such prohibitions; to provide for related matters; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Floor Amendments Sent Up

Senator Campbell sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Campbell to Engrossed Senate Bill No. 323 by Senator Campbell

AMENDMENT NO. 1

On page 2, line 5, change "thirteen" to "seven"

AMENDMENT NO. 2

On page 2, line 6, after "thousand" insert ", including all fire protection districts,"

On motion of Senator Campbell, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators and representatives who voted 'YEAS'.

NAYS

Table listing names of senators and representatives who voted 'NAYS'.

ABSENT

Table listing names of senators and representatives who were 'ABSENT'.

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Campbell, 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 Resolutions on Second Reading Reported by Committees

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

SENATE RESOLUTION NO. 31— BY SENATOR JORDAN

A RESOLUTION

To urge and request the Louisiana Supreme Court to study and adopt rules for regulating lawyer advertising that will respond to the needs of the public for information about the legal system, their rights and their ability to engage the services of an attorney that will improve the system for regulating lawyer advertising in a manner that will instill public confidence in the legal system.

Reported favorably by the Committee on Judiciary C.

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

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. 1123 — BY SENATOR LANDRY AND REPRESENTATIVE FAUCHEUX AN ACT

To amend and reenact R.S. 40:1749.12(3), (4), (6), (9), and (10), 1749.13(A) and (B)(1) and (2), 1749.14(C)(1)(a) and (b)(i), and (D), 1749.15, 1749.16(4), 1749.17, 1749.19, 1749.20 and 1749.21 and to enact R.S. 40:1749.12(11), (12), and (13), 1749.13(B)(5) and (D), 1749.14(C)(1)(b)(iii) and (iv), (C)(3), and (E), 1749.23, 1749.24 and 1749.25, all relative to the Louisiana Underground Utilities and Facilities Damage Prevention Law; to provide definitions; to provide relative to excavation and demolition notification procedures and requirements; to provide for immunity from civil liability under certain circumstances; to provide relative to marking of facilities; to require certain actions by excavators and demolishers when there has been damage to an underground facility or utility; to provide relative to participation by municipalities or parish governments under certain circumstances; to provide for violations and penalties, including civil penalties and costs; to provide for enforcement by the Department of Public Safety and Corrections; to provide for proceedings and adjudications for the levying of civil penalties; to provide for the distribution of civil penalties; to create the Underground Damages Prevention Fund within the state treasury and provide for disbursements from such fund; to provide for the uses of monies in such fund; to provide for compliance by the Department of Transportation and Development; and to provide for related matters.

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. 1123 by Senator Landry

AMENDMENT NO. 1

On page 2, line 5, after the semicolon ";" add "to authorize local violation bureaus; to authorize the promulgation of rules by the Department of Public Safety and Correction relative to enforcement;"

AMENDMENT NO. 2

On page 14, line 6, after "Corrections" add "or by any local law enforcement agency"

AMENDMENT NO. 3

On page 14, between lines 25 and 26, add the following:

"D. Each court, except justice of the peace courts, may establish a violations bureau for enforcement of the provisions of this Part and provide for the operation and administration thereof, including any or all of the following:

(1) The fixing of a schedule of civil penalties and costs for the various offenses within the limits of such penalties as are set by law.

(2) Providing that any person charged with such an offense may plead guilty before an officer designated by the court.

E. The secretary of the Department of Public Safety and Corrections may promulgate rules and regulations for the implementation and administration of the provisions of this Part relative to enforcement."

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	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 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.

Rules Suspended

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

Without objection, so ordered.

SENATE BILL NO. 1133—

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 48:251, 252, 253, 255, 255.1 and 256.1(A) and to enact R.S. 48:250, 251.2, 251.3, 251.4, 251.5, 251.6, 251.7, 251.8, 251.9, 252.1, 255.3, 255.4, 255.5, 255.6, 255.7, 256.1(D), and Subpart C of Part XIII of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:256.3 through 256.12, relative to the Department of Transportation and Development; to provide relative to contracts for construction and maintenance projects; to provide for prescription of such contracts; to provide relative to conflict of interests of certain professionals; to provide for invalidation of contracts in certain instances; to provide for definitions; to provide relative to advertisement for bids; to determine contract limits relative to bidding requirements; to provide for advertisements for bids; to provide for plan changes; to provide for disqualification of bidders; to provide for awarding contract; to prohibit certain contracts; to provide for commencement and delays of work; to provide for bond requirements of contractors for public work; to provide for acceptance of completed work by department; to provide for claims of subcontractors; and to provide for related matters.

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. 1133 by Senator Landry

AMENDMENT NO. 1

On page 2, line 19, following "construction" and before "or" delete "of" and after "maintenance" insert "of,"

AMENDMENT NO. 2

On page 9, line 8, following "of" and before "(9)(a)(ii)" change "Subsubparagraph" to "Item"

AMENDMENT NO. 3

On page 9, line 16, following "means" and before "the" insert "to participate in"

AMENDMENT NO. 4

On page 10, line 20, following "its" and before "discretion" delete the comma ","

AMENDMENT NO. 5

On page 12, line 19, following "profit" and before "and" insert a comma ","

AMENDMENT NO. 6

On page 15, line 25, following "or" and before "as" change "approved" to "approval"

AMENDMENT NO. 7

On page 21, line 26, following "Labor" and before "Wholesale" change "Statistic's" to "Statistics"

AMENDMENT NO. 8

On page 22, line 9, following "the" and before "of" change "provision" to "provisions"

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AMENDMENT NO. 9

On page 22, line 15, following "works" and before "contrary" delete "the comma ",

AMENDMENT NO. 10

On page 26, delete line 2 in its entirety and on line 3, change "any" to "Any"

AMENDMENT NO. 11

On page 26, line 25, and on page 27, line 12, following "R.S. 48:" and before the period "." change "256.12" to "256.5"

AMENDMENT NO. 12

On page 34, line 9, following "in" and before "and" change "concurus" to "a concursus proceeding"

AMENDMENT NO. 13

On page 35, line 26, and on page 36, line 8, following "R.S. 48:" and before "(B)" change "256.12" to "256.5"

On motion of Senator Hainkel, the amendments were adopted.

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

SENATE BILL NO. 1150— BY SENATOR LANDRY

AN ACT

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

Motion

On motion of Senator Landry, Senate Bill No. 1150 was made Special Order of the Day 1 on Thursday, May 29, 1997 immediately following the Morning Hour.

SENATE BILL NO. 1167—

BY SENATORS HAINKEL, DARDENNE, EWING AND ROMERO AN ACT

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

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed Senate Bill No. 1167 by Senator Hainkel

AMENDMENT NO. 1

On page 2, line 5, change "as defined in" to "in accordance with"

AMENDMENT NO. 2

On page 3, line 5, change "as defined in" to "in accordance with"

AMENDMENT NO. 3

On page 14, line 7, change "professions" to "professionals"

On motion of Senator Hainkel, 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

Table with 3 columns listing names of senators and their counts for YEAS. Includes Mr. President, Bajoe, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Fields, Greene, Guidry, Hainkel, Heitmeier, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Bagneris Total—2

Hines

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. 1198— BY SENATOR ELLINGTON

AN ACT

To enact Subpart A-1 of Part III of Chapter 1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:181 through 188, relative to creating a career option for high school students; to require the completion of Five Year Educational Plans by students; to provide for the creation of a vocational major in high schools and curriculum design teams; to provide for a vocational major pilot program; to establish timelines for piloting and full implementation; to provide an approval process; and to provide for related matters.

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

SENATE BILL NO. 1267— BY SENATOR BAGNERIS

AN ACT

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

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

SENATE BILL NO. 1329— BY SENATOR JOHNSON

AN ACT

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

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

SENATE BILL NO. 1474—
BY SENATOR SCHEDLER

AN ACT

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

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. 1474 by Senator Schedler

AMENDMENT NO. 1

On page 2 delete line 3, and insert

- "(1) One member appointed by the mayor of the city of Slidell.
(2) Three members appointed by the city council of the city of Slidell.
(3) One member appointed by the board of aldermen of the town of Pearl River.
(4) One member appointed by the St. Tammany Parish Police Jury, who shall be a resident of the Eighth Ward of said parish.
(5) One member appointed by the St. Tammany Parish Police Jury, who shall be a resident of the Ninth Ward of said parish.
(6) Two members appointed by the Greater Slidell Area Chamber of Commerce."

AMENDMENT NO. 2

On page 2, line 25, following the comma "," delete the remainder of the line and all of line 26, and on line 27, delete "District shall be authorized"

On motion of Senator Hainkel, the amendments were adopted.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed Senate Bill No. 1474 by Senator Schedler

AMENDMENT NO. 1

On page 2, between lines 3 and 4, insert the following:

"(2) Three members appointed by the city council of the City of Slidell, one of which is recommended for appointment by the St. Tammany Hotel-Motel Association and is an owner or operator of a hotel, motel, or a campground located in Ward Eight or Ward Nine of St. Tammany parish.

* * *

(6) Two members appointed by the Greater Slidell Area Chamber of Commerce, one of which is recommended for appointment by and is a member or designee of the St. Tammany Parish Tourist and Convention Commission. However, the appointment of a member or designee of the St. Tammany Parish Tourist and Convention Commission shall be granted only after the St. Tammany Parish Tourist and Convention Commission by formal act agrees to financially contribute to the commission in an amount not less than one-eighth of one percent of the current occupancy tax dedicated to the St. Tammany Parish Tourist and Convention Commission for a period concurrent with the term of any bond issued for the purpose of constructing and or maintaining any events facility

or center pursuant to the authority of the East St. Tammany Events Center District."

AMENDMENT NO. 2

On page 3, line 6, after "dollar" delete "and fifty cents"

On motion of Senator Schedler, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Includes names like Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Dardenne, Dean, Dyess, Ellington, Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Includes Mr. President, Bagneris, Cravins.

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

SENATE BILL NO. 1507—
BY SENATOR BARHAM

AN ACT

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

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. 1507 by Senator Barham

AMENDMENT NO. 1

On page 1, line 11, following "of" and before ", the term" change "Section 1177" to "this Section"

AMENDMENT NO. 2

On page 1, line 12, following "in" and before ", shall not" change "R.S. 45:1177(D)" to "Subsection D of this Section"

On motion of Senator Hainkel, the amendments were adopted.

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

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ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Cravins
Campbell	Lambert
Total—4	

The Chair declared the amended 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. 3—
BY SENATOR HAINKEL AND REPRESENTATIVES JOHNS AND MCMAINS
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.

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. 3 by Senator Hainkel

AMENDMENT NO. 1
On page 1, line 15, change "ten" to "thirty"

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	Siracusa
Branch	Greene	Smith
Dean	Hainkel	Theunissen
Dyess	Lambert	
Total—11		

NAYS

Barham	Guidry	Lentini
Bean	Heitmeier	Malone
Cain	Hines	Robichaux
Campbell	Hollis	Schedler
Casanova	Irons	Short
Cox	Johnson	Tarver
Dardenne	Jordan	Ullo
Fields	Landry	
Total—23		

ABSENT

Bagneris	Cravins	Romero
Bajoie	Jones	
Total—5		

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Greene
Total—1

ABSENT

Bagneris	Campbell	Dean
Bean	Cravins	Fields
Total—6		

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

SENATE BILL NO. 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.

Motion

On motion of Senator Hainkel, Senate Bill No. 208 was made Special Order of the Day 1 on Monday, June 2, 1997 immediately following the Morning Hour.

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 Mineral Resources Audit and Collection Fund in the state treasury; to provide relative to the monies in such fund; 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: Mr. President, Fields, Landry, Barham, Greene, Lentini, Bean, Guidry, Malone, Branch, Hainkel, Robichaux, Cain, Heitmeier, Romero, Campbell, Hines, Schedler, Casanova, Hollis, Short, Cox, Irons, Siracusa, Dardenne, Johnson, Smith, Dean, Jones, Tarver, Dyess, Jordan, Theunissen, Ellington, Lambert, Ullo. Total—36

NAYS

Total—0

ABSENT

Table with 3 columns: Bagneris, Bajoie, Cravins. Total—3

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. 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.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Reengrossed Senate Bill No. 680 by Senator Landry

AMENDMENT NO. 1

On page 1, line 3, after "1000" insert ", relative to ferries and bridges; to provide for toll exemptions; to repeal certain toll exemptions"

On motion of Senator Landry, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fields, Lentini, Bajoie, Greene, Malone, Barham, Guidry, Robichaux, Bean, Hainkel, Romero, Branch, Hines, Schedler, Cain, Hollis, Short, Casanova, Irons, Siracusa, Cox, Johnson, Smith, Dardenne, Jones, Tarver, Dyess, Jordan, Theunissen, Ellington, Landry, Ullo. Total—33

NAYS

Table with 1 column: Heitmeier. Total—1

ABSENT

Table with 3 columns: Bagneris, Cravins, Lambert, Campbell, Dean. Total—5

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

SENATE BILL NO. 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.

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. 1091 by Senator Hainkel

AMENDMENT NO. 1

On page 2, line 5, before "to" change "be paid over" to "pay the fee"

AMENDMENT NO. 2

On page 2, line 15, following "have" and before "command" insert "been"

On motion of Senator Hainkel, 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

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

NAYS

Total—0

ABSENT

Bagneris	Cox	Cravins
Total—3		

The Chair declared the 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. 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.

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Branch

Total—1
ABSENT

Mr. President	Cravins
Bagneris	Fields
Total—4	

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

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.

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. 1508 by Senator Lentini

AMENDMENT NO. 1

On page 2, line 11, following "miles" and before "from" delete "or more"

AMENDMENT NO. 2

On page 7, line 5, following "order" delete the comma ","

On motion of Senator Hainkel, the amendments were adopted.

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

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.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed Senate Bill No. 1529 by Senator Hainkel

AMENDMENT NO. 1

On page 6, between lines 2 and 3 insert the following:

"(3) Any immovable property acquired or constructed by an

economic development corporation with public money shall be owned by the state or a political subdivision or some other public entity, and not by any person or private entity."

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

NAYS

Total—0

ABSENT

Bagneris	Cravins	Guidry
Cox	Fields	
Total—5		

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. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Cravins	Guidry
Bagneris	Fields	
Total—5		

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

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.

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

SENATE BILL NO. 80—
BY SENATOR LANDRY

AN ACT

To enact R.S. 56:410.8, relative to wildlife and fisheries; to create a special catfish management area; to create a permit program within such area; to require promulgation of rules and regulations; to provide for funding; 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. 80 by Senator Guidry

AMENDMENT NO. 1

On page 2, line 7, following "fish" change "in" to "by"

AMENDMENT NO. 2

On page 2, line 25, following "department," and before "provision" insert "and"

On motion of Senator Hainkel, 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

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

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Ellington	Lentini	
Total—34		
	NAYS	
Total—0		
	ABSENT	
Mr. President	Cravins	Guidry
Bagneris	Fields	
Total—5		

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

SENATE BILL NO. 355—
BY SENATORS GREENE AND CRAVINS
AN ACT

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

Motion

On motion of Senator Greene, Senate Bill No. 355 was made Special Order of the Day 2 on Monday, June 2, 1997 immediately following the Morning Hour.

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.

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

ROLL CALL

The roll was called with the following result:

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

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

SENATE BILL NO. 1147—
BY SENATOR ELLINGTON AND REPRESENTATIVE FORSTER
AN ACT

To amend and reenact R.S. 23:392(C), 964(F), and 1513 and to enact R.S. 23:108(E), 231(H), 897(K), 1511(E) and (F), 1513.1, 1513.2, and 1532.1(C)(5), relative to certain accounts in the employment security administration fund; to create the penalty and interest account and Reed Act account in the employment security administration fund; to provide for disbursements from the accounts; 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. 1147 by Senator Ellington

AMENDMENT NO. 1

On page 1, lines 3 and 10, following "1511(E)" change "and (F)" to ", (F), and (G)"

AMENDMENT NO. 2

On page 5, line 2, following "fines" and before "or" insert a comma ", "

AMENDMENT NO. 3

On page 5, line 6, following "fine" and before "or" insert a comma ", "

On motion of Senator Hainkel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

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

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

SENATE BILL NO. 1487—
BY SENATOR BAGNERIS

AN ACT

To amend and reenact R.S. 48:756(B), relative to the Parish Transportation Fund; to modify and provide relative to the distribution formula of the mass transit account of the Parish Transportation Fund; 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. 1487 by Senator Bagneris

AMENDMENT NO. 1

On page 2, line 3, following "49" and before "5311" change "U.S.C.A. Section 5310 and Section" to "U.S.C. 5310 and"

AMENDMENT NO. 2

On page 2, line 15, following "Paragraph" and before "shall" change "(b)(1)" to "(1) of this Subsection"

AMENDMENT NO. 3

On page 3, line 18, following "(3)" and before the period "." change "herein" to "at this Subsection."

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 Bagneris to Engrossed Senate Bill No. 1487 by Senator Bagneris

AMENDMENT NO. 1

On page 2, line 15, after "Paragraph" change "(b)" to "(B)"

AMENDMENT NO. 2

On page 2, line 19, after "Subparagraphs" delete "(a) and" and after "(b)" add "and (c)"

AMENDMENT NO. 3

On page 3, line 18, after "in" delete the remainder of the line and add in lieu thereof "Paragraph (1) and Subparagraphs (2)(a) through (c)"

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

Bajoie	Greene	Malone
Barham	Hainkel	Robichaux
Bean	Heitmeier	Romero
Branch	Hines	Schedler
Cain	Hollis	Short
Campbell	Irons	Siracusa
Casanova	Johnson	Smith
Cox	Jones	Tarver

Dardenne
Dean
Dyess
Ellington
Total—34

Jordan
Lambert
Landry
Lentini

Theunissen
Ullo

NAYS

Total—0

ABSENT

Mr. President
Bagneris
Total—5

Cravins
Fields

Guidry

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. 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.

Motion

On motion of Senator Greene, Senate Bill No. 1513 was made Special Order of the Day 3 on Monday, June 2, 1997 immediately following the Morning Hour.

SENATE BILL NO. 1559 — (Substitute for SB 1324 by
Senators Ewing and Hines)

BY SENATORS EWING AND HINES

AN ACT

To enact Part VI-A of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of Subpart A, comprised of R.S. 46:437.1 through 437.10, Subpart B, comprised of R.S. 46:438.1 through 438.8, Subpart C, comprised of R.S. 46:439.1 through 439.4, and Subpart D, comprised of R.S. 46:440.1 through 440.3, and to repeal R.S. 46:442, relative to health services; to create and provide relative to the Medical Assistance Programs Integrity Law; to provide for definitions; to provide for claims review and administrative sanctions; to authorize settlements on behalf of the medical assistance programs; to authorize use of certain legal processes to protect the fiscal integrity of the medical assistance programs; to authorize civil causes of action for certain misconduct relative to the medical assistance programs; to provide for damages, civil fines, penalties, costs, fees, and expenses, and other recovery; to provide for burden of proof and evidence in regard to a civil action instituted pursuant to this Act; to authorize a private person to institute a civil action on behalf of the medical assistance programs and himself, to be known as a "Qui Tam action"; to provide procedures, limitations, and requirements for a Qui Tam action; to provide relative to recovery in a Qui Tam action; to establish a fund to receive recovery in excess of actual damages to the medical assistance programs; to authorize uses for the monies in the fund; to allow the secretary of the Department of Health and Hospitals to grant limited rewards for certain information that leads to recovery; to provide certain protections and a cause of action for a person who supplies such information; and to provide for related matters.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

May 28, 1997

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1559 by Senator Ewing

AMENDMENT NO. 1

On page 3, line 1, following "Part" and before "enacted" insert "is"

AMENDMENT NO. 2

On page 17, line 25, following "46:" and before "from" change "439.6" to "438.6(C)"

AMENDMENT NO. 3

On page 18, line 10, before "1347" delete "§" and following "U.S.C." delete "§" in two places

AMENDMENT NO. 4

On page 20, line 16, following "by" and before ", any" change "R.S. 46:438.6" to "this section"

AMENDMENT NO. 5

On page 20, line 27, following "remuneration" and before "or" insert a comma ",,"

AMENDMENT NO. 6

On page 23, line 2, following "has" and before "guilty" change "plead" to "pled"

AMENDMENT NO. 7

On page 33, line 2, following "general" change "fund" to "funds"

On motion of Senator Hainkel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Fields	Lambert
Cravins	Guidry	
Total—5		

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

Senate 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 Short asked that Senate Bill No. 224 be called from the Calendar at this time.

SENATE BILL NO. 224—

BY SENATOR SHORT

AN ACT

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

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

Rules Suspended

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

Messages from the House

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

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

May 28, 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. 122—

BY SENATOR EWING

A CONCURRENT RESOLUTION

To commend and congratulate M. Douglas Walton on being selected as an effective communicator through speech and art by the National Council on Communicative Disorders.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 124—

BY SENATOR BAGNERIS

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Thelma L. Tucker Desselle Smith, wife, mother, grandmother, teacher, and civic activist.

Reported without amendments.

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

**Introduction of Resolutions,
Senate and Concurrent**

Senator Hollis 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. 43—
BY SENATORS HOLLIS, BAGNERIS, CRAVINS, AND HEITMEIER
A RESOLUTION

To approve a new casino operating contract.

The resolution was read by title; lies over under the rules.

SENATE CONCURRENT RESOLUTION NO. 126—
BY SENATORS HOLLIS, BAGNERIS, CRAVINS, HEITMEIER, AND
JOHNSON AND REPRESENTATIVES MURRAY, HEATON, AND MORRELL
A CONCURRENT RESOLUTION

To approve a new casino operating contract.

The resolution was read by title; lies over under the rules.

SENATE CONCURRENT RESOLUTION NO. 127—
BY SENATOR ULLO
A CONCURRENT RESOLUTION

To direct the Department of Transportation and Development to sell surplus property located between Ehret Road and Ames Boulevard on Barataria Boulevard in Jefferson Parish.

On motion of Senator Hainkel, the resolution 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 28, 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. 157—
BY REPRESENTATIVE R. ALEXANDER
A CONCURRENT RESOLUTION

To urge and request the House Committee on Health and Welfare, the Senate Committee on Health and Welfare, the House Committee on Appropriations, and the Senate Committee on Finance to investigate problems facing rural hospitals and to propose recommendations for solutions to such problems; to provide that such committees receive testimony and recommendations from representatives of the Louisiana Rural Hospital Coalition; and to provide for related matters.

HOUSE CONCURRENT RESOLUTION NO. 160—
BY REPRESENTATIVE ROUSSELLE
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 161—
BY REPRESENTATIVE MCCAIN
A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Social Services, office of family support, support enforcement services, to adopt and implement rules which provide for the possibility of recovering certain costs incurred in providing child support enforcement services pursuant to Title 45 of the Code of Federal Regulations, Section 302.33.

HOUSE CONCURRENT RESOLUTION NO. 165—
BY REPRESENTATIVE FRITH
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 198—
BY REPRESENTATIVE SCHNEIDER
A CONCURRENT RESOLUTION

To recognize and congratulate Jeanne Marie "Mimi" Melancon upon her one hundredth birthday, to commend her for her contributions to her community, and to wish her many more happy birthdays.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 157—
BY REPRESENTATIVE R. ALEXANDER
A CONCURRENT RESOLUTION

To urge and request the House Committee on Health and Welfare, the Senate Committee on Health and Welfare, the House Committee on Appropriations, and the Senate Committee on Finance to investigate problems facing rural hospitals and to propose recommendations for solutions to such problems; to provide that such committees receive testimony and recommendations from representatives of the Louisiana Rural Hospital Coalition; and to provide for related matters.

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

HOUSE CONCURRENT RESOLUTION NO. 160—
BY REPRESENTATIVE ROUSSELLE
A CONCURRENT RESOLUTION

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

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

May 28, 1997

referred to the Committee on Health and Welfare.

HOUSE CONCURRENT RESOLUTION NO. 161—
BY REPRESENTATIVE MCCAIN

A CONCURRENT RESOLUTION

To urge and request the Louisiana Department of Social Services, office of family support, support enforcement services, to adopt and implement rules which provide for the possibility of recovering certain costs incurred in providing child support enforcement services pursuant to Title 45 of the Code of Federal Regulations, Section 302.33.

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

HOUSE CONCURRENT RESOLUTION NO. 165—
BY REPRESENTATIVE FRITH

A CONCURRENT RESOLUTION

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

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

HOUSE CONCURRENT RESOLUTION NO. 198—
BY REPRESENTATIVE SCHNEIDER

A CONCURRENT RESOLUTION

To recognize and congratulate Jeanne Marie "Mimi" Melancon upon her one hundredth birthday, to commend her for her contributions to her community, and to wish her many more happy birthdays.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Fields	Tarver
Cravins	Guidry	
Total—5		

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

May 28, 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. 221—
BY SENATOR CASANOVA

AN ACT

To amend and reenact R.S. 18:564(D)(1) and to enact R.S. 18:1461(A)(21), relative to assistance in voting; to authorize the registrar of voters to certify to a voter's need for assistance at the polls in certain cases; to prohibit a person assisting a voter at the polls from influencing the assisted voter to vote a certain way; to provide for criminal penalties for violations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1010—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 18:401(B), 451, 461, 463(A)(1)(a), 465(B), (D), and (E), 469(A), and (B), 481, 482, 511(A), (B), and (D), 521(A), 551(C)(1) and (2), 1272(A), 1355(3), 1401(A), 1405(A), and to enact R.S. 18:2(11) and (12), 401(C), and 482.1, all relative to elections; to provide for a closed primary election system for congressional elections and elections for offices elected statewide; to provide for a primary election for the nomination of such candidates and for a general election at which certain officers of the state shall be elected; to provide generally and specifically with respect to the conduct of primary and general elections for such offices and matters pertaining thereto; to provide for effective dates; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1063—
BY SENATOR DEAN

AN ACT

To amend and reenact the introductory paragraph of R.S. 25:671(B) and (B)(4) and to enact R.S. 25:671(B)(5), relative to the composition of the Council for Development of Spanish in Louisiana; to add a member from the Canary Island Descendants Association; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1140—
BY SENATOR DEAN

AN ACT

To amend and reenact R.S. 43:31(A)(2), relative to printed matter prohibitions and uniform standards; to provide a set paper size for the printing of certain printed matter by state agencies; and to provide for related matters.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 109—
BY REPRESENTATIVE WILLARD-LEWIS

A CONCURRENT RESOLUTION

To urge and request that the United States Congress condemn the practice of hazing cadets at military academies, potentially freeze federal funds to military academies where the practice of hazing has taken place until such time as there is a more open environment for all cadets, and form a congressional subcommittee

to examine the issue and investigate specific incidents of hazing.

Reported with amendments.

HOUSE BILL NO. 340—
BY REPRESENTATIVE TOOMY
AN ACT

To repeal R.S. 36:706(B), relative to the Board of Commissioners for the Promotion of Uniformity of Legislation in the United States and the Louisiana Commission on Legal Education and Clinical Services; to remove such agencies within the Department of Justice; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 581—
BY REPRESENTATIVES BRUNEAU, COPELIN, HUNTER, AND MURRAY
AN ACT

To amend and reenact R.S. 13:101 and 312.4(D) and to repeal R.S. 13:101.1, relative to the supreme court; to provide that the members of the supreme court shall be elected from the congressional districts; to provide for the terms and assignment of the justices presently serving; to provide for the filling of vacancies; to remove provisions for a specific reapportionment of the supreme court; to provide with respect to the provisions for a temporary additional judgeship for the Court of Appeal for the Fourth Circuit and such judge's appointment to the supreme court; to provide for the term of office and compensation of such temporary judgeship; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 590—
BY REPRESENTATIVE LANCASTER AND SENATOR DARDENNE
AN ACT

To enact R.S. 49:191(10)(g) and to repeal R.S. 49:191(8)(d), relative to the Department of Elections and Registration, including provisions to provide for the re-creation of the Department of Elections and Registration and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 591—
BY REPRESENTATIVE LANCASTER AND SENATOR DARDENNE
AN ACT

To enact R.S. 49:191(10)(g) and to repeal R.S. 49:191(8)(e), relative to the Department of State, including provisions to provide for the re-creation of the Department of State and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 592—
BY REPRESENTATIVE LANCASTER AND SENATOR DARDENNE
AN ACT

To enact R.S. 49:191(10)(g) and to repeal R.S. 49:191(8)(h), relative to the Department of State Civil Service, including provisions to provide for the re-creation of the Department of State Civil Service and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 809—
BY REPRESENTATIVE WESTON
AN ACT

To amend and reenact R.S. 25:783 and R.S. 36:208(E) and to enact Chapter 21-A of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:911 through 913, relative to the Department of Culture, Recreation and Tourism; to establish the division of historic preservation within the office of cultural development of the department; to provide with respect to such division including matters of authority, duties, responsibilities, organization, governance, and placement within the executive branch of state government; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1086—
BY REPRESENTATIVE WESTON
AN ACT

To amend and reenact R.S. 25:341(A), (D), and (E), 342(A)(1), (2)(c), (5), (6), and (8), (B)(2) and (3), and (C), 343, 344, 345(A), (B), (C)(2), 349, and 351 and R.S. 36:207(A)(2) as amended and reenacted by Act No. 687 of the 1983 Regular Session of the Legislature and 909 and to repeal R.S. 25:342(F) and R.S. 36:207(A)(2) as amended and reenacted by Act No. 688 of the 1983 Regular Session of the Legislature, to provide relative to the Louisiana State Museum and the office of the state museum of the Department of Culture, Recreation and Tourism; to provide for the operation and management of the museum and the office; to provide for the holdings of the museum; to provide for the Board of Directors of the Louisiana State Museum, including membership, powers and duties, and the executive committee; to provide for the director of the museum and the assistant secretary of the office of the state museum; to provide for fees, contracts, leases, and donations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1337—
BY REPRESENTATIVES ANSARDI, DONELON, DOWNER, BAYLOR, CLARKSON, DUPRE, PIERRE, PRATT, QUEZAIRE, ROUSSELLE, WESTON, WILLARD-LEWIS, WINSTON, AND WRIGHT
AN ACT

To amend and reenact the title of Chapter 18 of Title 25 of the Louisiana Revised Statutes of 1950 and R.S. 25:851 and 856, to rename the "Louisiana Military History and State Weapons Museum" as the "Ansel M. Stroud, Jr. Military History and Weapons Museum"; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1549—
BY REPRESENTATIVE VITTER
AN ACT

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

Reported favorably.

Respectfully submitted,
JAY DARDENNE
Chairman

**REPORT OF COMMITTEE ON
HEALTH AND WELFARE**

May 28, 1997

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

May 28, 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. 98—
BY SENATOR LANDRY

AN ACT

To amend and reenact Title 40 of the Louisiana Revised Statutes of 1950, relative to public health and safety; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 253—
BY SENATOR HINES

AN ACT

To enact R.S. 36:259(FF) and 919.4 and Part I of Chapter 4 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:651 through 661, relative to food safety; to require the issuance of a food safety certificate prior to the opening of a food service establishment; to provide a date for compliance for existing food service establishments; to provide for definitions; to require the Department of Health and Hospitals to issue food safety certificates; to create the Louisiana Council on Food Safety Practices and to provide for appointment and confirmation of its membership, terms, vacancies, reimbursements, powers, and duties; to establish requirements for certification, renewal of certificates, and reciprocity; to provide for the powers and duties of the department; to provide for fees; to provide causes for nonissuance or nonrenewal of a certificate; to provide a penalty for violations; to provide for an effective date; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 31—
BY REPRESENTATIVE WINDHORST

A CONCURRENT RESOLUTION

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

Reported favorably.

HOUSE BILL NO. 784—
BY REPRESENTATIVE HOLDEN

AN ACT

To amend and reenact R.S. 40:941(C), relative to handling of meat not slaughtered under license; to add field dressing of wild game intended for human consumption to the listing of exceptions to the licensure requirement; to provide that the Louisiana Department of Health and Hospitals promulgate rules and regulations addressing the field dressing of wild game; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1046—
BY REPRESENTATIVES R. ALEXANDER, DEWITT, AND DURAND

AN ACT

To amend and reenact R.S. 28:426 and to enact R.S. 40:2009.6(B)(5), relative to licenses issued by the Department of Health and Hospitals; to authorize the department to revoke the license of a provider of mental retardation and developmental disabilities services, residential living options, or both, who fails to timely

report or pay any fee or who becomes delinquent in the payment of any fee owed to the department; to authorize revocation or denial of renewal of a nursing home license for the failure to timely report or pay any fee or delinquency in payment of any fee owed to the department; to specify that such fees include provider fees imposed by law; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1048—

BY REPRESENTATIVES R. ALEXANDER, DEWITT, DURAND, GAUTREAU, JOHNS, RIDDLE, THOMPSON, THORNHILL, AND VITTER AND SENATOR ROBICHAUX

AN ACT

To enact R.S. 36:254(D)(2) and (3), relative to the powers and duties of the secretary of the Department of Health and Hospitals; to provide for powers and duties of the secretary relative to the Medical Assistance Program; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1237—

BY REPRESENTATIVES THOMAS, DEWITT, AND DURAND

AN ACT

To amend and reenact R.S. 40:17 and to enact R.S. 40:31.22(E), relative to tuberculosis; to authorize the detention of an individual with active and communicable tuberculosis by execution of an emergency certificate; to provide for the maximum period of detention; to provide for the transfer of a patient to a tuberculosis unit or clinic; to provide for penalties for violation of an emergency certificate and release of the patient upon expiration of the emergency certificate; to establish a procedure for the preparation and issuance of an emergency certificate including procedures for the examination of the patient, factors to be used by a physician when determining if an emergency certificate should be executed, and follow-up examination procedures; to require the inpatient treatment facility to determine if a patient in a facility for tuberculosis is in need of medical stabilization for other conditions and to provide for the temporary transfer of such patient for medical stabilization treatment when necessary; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1426—

BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 37:2401.2(B)(4), relative to the powers and duties of the Louisiana State Board of Physical Therapy Examiners; to provide for the employment of an executive director; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1832—

BY REPRESENTATIVE THOMAS

AN ACT

To enact R.S. 37:1270(A)(7) and 1277, relative to the Louisiana State Board of Medical Examiners; to authorize the Louisiana State Board of Medical Examiners to request and obtain state and national criminal history record information from certain state and federal agencies on any person applying for any health care practitioner license, permit, certification, or registration the board is authorized to issue; to require an applicant to submit a full set of fingerprints; to authorize the board to charge and collect a fee from any applicant for costs incurred by the board in requesting and obtaining criminal history record information; to provide for definitions; to provide that state or national criminal history record information obtained by the board which is not already a matter of public record shall be confidential and nonpublic; to provide for the release of such information upon written consent of the applicant or by court order; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1933—
BY REPRESENTATIVE TOOMY
AN ACT

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

Reported favorably.

HOUSE BILL NO. 2038—
BY REPRESENTATIVES DEWITT, DURAND, GAUTREAUX, JOHNS, RIDDLE, THORNHILL, AND VITTEK AND SENATORS ROBICHAUX AND DYESS
AN ACT

To enact R.S. 40:2116(E), relative to facility need review; to require the Department of Health and Hospitals to revoke approvals for nursing facility beds and community group home beds previously approved to participate in the Medicaid program unless such beds are actually certified and enrolled in the program by a certain date; to require the department to revoke or suspend approvals for unbuilt facilities or beds previously approved to participate in the Medicaid program unless construction of such facilities or beds is begun and completed by a certain date and such facilities or beds are certified and enrolled in the program by a certain date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2151—
BY REPRESENTATIVES R. ALEXANDER, DEWITT, AND DURAND
AN ACT

To enact R.S. 49:191(9)(b) and to repeal R.S. 49:191(8)(k), relative to the Department of Health and Hospitals, including provisions to provide for the re-creation of the Department of Health and Hospitals and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2316—
BY REPRESENTATIVES ILES AND THOMAS
AN ACT

To enact R.S. 37:918(16) and R.S. 37:920.1, relative to the Louisiana State Board of Nursing; to authorize the Louisiana State Board of Nursing to request and obtain state and national criminal history record information from certain state and federal agencies on any person applying for a license or permit which the board is authorized to issue, including permission to enroll as a student in clinical nursing courses; to require an applicant to submit a full set of fingerprints; to authorize the board to charge and collect a fee from any applicant for costs incurred by the board in requesting and obtaining criminal history record information and to authorize a charge to the board for such information; to provide for definitions; to provide that state or national criminal history record information obtained by the board which is not already a matter of public record shall be confidential and nonpublic; to provide for the release of such information upon written consent of the applicant or by court order; and to provide for related matters.

Reported favorably.

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

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

Reported favorably.

Respectfully submitted,
DONALD E. HINES
Chairman

**REPORT OF COMMITTEE ON
INSURANCE**

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

May 28, 1997

To the President and Members of the Senate:

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

HOUSE BILL NO. 932—
BY REPRESENTATIVE GREEN
AN ACT

To amend and reenact R.S. 22:2021, relative to health maintenance organizations (HMOs); to require HMOs to approve or disapprove a request for certain medical testing or treatment within forty-eight hours of receipt of the request; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1314—
BY REPRESENTATIVES HOLDEN, DOWNER, JETSON, MURRAY, THORNHILL, DOERGE, HUNTER, PRATT, AND WELCH
AN ACT

To amend and reenact R.S. 22:245(A) and 247(D) and to enact R.S. 22:245(C) and 246(A)(7), relative to health care; to create the Louisiana Healthy Kids Corporation Act; to provide children with increased access to health care; to improve children's health; to reduce the incidence and cost of childhood illnesses and disabilities; and to provide for related matters.

Reported with amendments.

May 28, 1997

HOUSE BILL NO. 1957—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 22:1113(A)(3) and R.S. 23:1407(A), relative to insurance agents; to provide for placement of policies of workers' compensation insurance; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2185—

BY REPRESENTATIVE POWELL
AN ACT

To amend and reenact R.S. 23:1200.1 and to enact R.S. 23:1196.1, relative to group self-insurance funds; to provide with respect to investments by group self-insurance funds; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2191—

BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact R.S. 22:202(4) and (5), 208(1), 209(A)(2), 1731, 1734(2), and 1736(B)(2) and (3) and R.S. 47:297.1(B)(5) and (8) and to enact R.S. 22:202(6) and (7), 209(C)(1)(e), and 1736(B)(4), relative to insurance; to provide for definitions of viatical settlement broker; to provide relative to chronically ill persons; to provide for disclosures in long-term care insurance policies; to provide for definitions of higher deductible and qualified higher deductible plan; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2278—

BY REPRESENTATIVE THORNHILL
AN ACT

To amend and reenact R.S. 22:1262.1(B)(1)(b) and (E)(1), relative to approved unauthorized insurers; to provide for the contents of affidavits for approval; to provide for removal from the list of approved insurers; and to provide for related matters.

Reported favorably.

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.

Reported favorably.

Respectfully submitted,
GREGORY TARVER
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 28, 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. 365—

BY REPRESENTATIVES TRAVIS, BARTON, DURAND, FRITH, GAUTREAUX, HILL, MICHOT, MURRAY, PINAC, POWELL, SCHNEIDER, AND WESTON

AN ACT

To amend and reenact R.S. 51:1752(4), relative to the economically disadvantaged business development program; to provide for the definition of "economically disadvantaged person"; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 389—

BY REPRESENTATIVE MCMAINS
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 417—

BY REPRESENTATIVES TRAVIS, BARTON, DURAND, FRITH, GAUTHREAUX, HILL, MICHOT, MURRAY, PINAC, POWELL, SCHNEIDER, AND WESTON

AN ACT

To enact R.S. 51:2312(G), relative to the Louisiana Economic Development Corporation; to require all persons receiving financial assistance or grants or participating in investment programs be United States citizens; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 418—

BY REPRESENTATIVES TRAVIS, BARTON, DURAND, FLAVIN, FRITH, GAUTREAUX, HILL, MICHOT, MURRAY, PINAC, POWELL, SCHNEIDER, AND WESTON

AN ACT

To amend and reenact R.S. 51:1256(B) and to enact R.S. 51:1256(B)(2)(f) and (i), relative to the Louisiana Tourism Development Commission; to provide for an increase in membership; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 469—

BY REPRESENTATIVE GREEN
AN ACT

To enact R.S. 10:4A-209(e), relative to banks; to prohibit banks from charging a beneficiary a fee for cashing a check; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 471—

BY REPRESENTATIVES GREEN AND MURRAY
AN ACT

To amend and reenact R.S. 9:3527(D), relative to consumer credit transactions; to require a creditor to notify a consumer before converting a precomputed consumer credit transaction into a simple interest transaction; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 499—

BY REPRESENTATIVE MICHOT
AN ACT

To amend and reenact R.S. 51:1909.1(A) and to enact R.S. 51:1901(8) and 1901.2, relative to commercial co-venturers; to provide a definition; to provide for final accounting for charitable sales promotions; to provide for the promulgation of rules for disclosure of the percentage of funds collected by commercial co-venturers that actually goes to the charitable organization; to provide for violations and penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 553—

BY REPRESENTATIVE TRAVIS
AN ACT

To enact R.S. 37:2156.1(D)(3), relative to the licensure of contractors; to provide for ineligibility of service as a qualifying party for any person found cheating on a board examination; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 554—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 37:2150.1(7), relative to contractors; to provide for definition of "person"; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 555—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 37:2150.1(4), relative to contractors; to provide for definition of "contractor"; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 556—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 37:2152(A)(3)(a) and (4)(a), relative to State Licensing Board for Contractors; to provide for appointments from the field of mechanical construction; to provide for appointments from the field of electrical construction; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 557—

BY REPRESENTATIVE TRAVIS
AN ACT

To enact R.S. 37:2153(F), relative to contractors; to provide for powers of the State Licensing Board for Contractors; to allow for delegation of powers and duties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 558—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 37:2156.1(C) and (D)(1)(introductory paragraph) and (c), relative to licensure of contractors; to provide for requirements for issuance of a license; to provide for qualification as a qualifying party; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 559—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 37:2162(A), relative to violations of the provisions regulating contractors; to provide for payment of litigation expenses; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 560—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 37:2158(A)(introductory paragraph) and to enact R.S. 37:2158(A)(8) and (9), relative to contractors; to provide relative to revocation, suspension, and renewal of license; to provide for issuance of cease and desist orders; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 561—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 37:2163(E), relative to contractors; to provide for hearings and imposition of fines by the board for violations of bid procedures; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 567—

BY REPRESENTATIVES TRAVIS, BARTON, DURAND, FLAVIN, FRITH, GAUTREAU, HILL, MICHOT, MURRAY, PINAC, POWELL, SCHNEIDER, AND WESTON
AN ACT

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

Reported favorably.

HOUSE BILL NO. 606—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 37:3276(E), 3277(A)(3), 3279(C), 3283(A)(3) and (4)(a), 3284(C), (D)(2), (H), and (J), and 3290(C)(2) and to repeal R.S. 37:3290(C)(1), relative to licensed private security officers; to provide for the minimum amount of liability insurance required; to provide relative to reexamination and submission of information to the board; to provide relative to registration, training, and uniforms; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 607—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 51:1258(B), relative to the office of tourism; to provide for appointment of the assistant secretary by the lieutenant governor; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 793—

BY REPRESENTATIVE MICHOT
AN ACT

To enact R.S. 37:3503(8)(b)(x), relative to certified public accountants; to exempt certified public accountants from the definition of "private investigator" or "private detective"; and to provide for

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related matters.

Reported favorably.

HOUSE BILL NO. 956—
BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 40:1563.4 and to repeal R.S. 40:1637(B), relative to the state fire marshal; to provide for the imposition of civil penalties for violations; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1095—
BY REPRESENTATIVES GREEN AND MURRAY
AN ACT

To amend and reenact R.S. 6:315.1(A), relative to banks and banking; to provide for the transfer of small deposits to the surviving spouse or heirs upon the death of an intestate depositor; and to provide for related matters.

Reported favorably.

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.

Reported with amendments.

HOUSE BILL NO. 1193—
BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 40:1573, relative to the state fire marshal; to provide for the definition of "structure"; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1607—
BY REPRESENTATIVE GREEN
AN ACT

To enact R.S. 12:204.1 and R.S. 51:281.2 and 1905.1, relative to deceptive practices in charitable solicitations; to provide for injunctive relief; to prohibit the unauthorized use of the name of any public park, play-ground, or other public facility; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1683—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 12:203(B)(5), (6), and (8), relative to nonprofit corporations; to provide for the articles of incorporation of nonprofit corporations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1759 —
BY REPRESENTATIVES DAMICO AND DEWITT
AN ACT

To amend and reenact R.S. 12:148(B), relative to the liquidation of corporations; to provide for certificates; to provide for the Department of Environmental Quality; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1846—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 12:23(B)(introductory paragraph) and 204(B)(introductory paragraph) and to repeal R.S. 12:23(B)(5), relative to corporations; to provide relative to corporate names; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1944—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 12:163(C) and (D) and 262.1(C) and (D), relative to corporations; provides relative to failure to file annual reports required to be filed by corporations with the secretary of state; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1947—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 12:304(B), 307.1, 312(B), and 312.1 and to repeal R.S. 12:304(A)(7) and (C)(3), relative to foreign corporations; to provide for application for certificate of authority and amendment of a certificate of authority; to provide for withdrawal of a foreign corporation; to provide for termination of withdrawal proceedings; to provide relative to certificates of compliance from the office of workers' compensation; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1970—
BY REPRESENTATIVE TRAVIS
AN ACT

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

Reported favorably.

HOUSE BILL NO. 2078—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 9:3560(1), relative to exemptions from consumer loan licensing requirements; to provide that a federally insured depository or certain state-chartered subsidiaries thereof shall be exempt from licensing requirements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2204—
BY REPRESENTATIVE TRAVIS
AN ACT

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

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 2262—
BY REPRESENTATIVES WILLARD-LEWIS, FRITH, HILL, MORRISH,
MURRAY, TRAVIS, AND WESTON
AN ACT

To enact R.S. 45:1166(F), relative to telephone services; to prohibit the transferring of long distance services without the authorization of the customer; and to provide for related matters.

Reported with amendments.

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.

Reported favorably.

Respectfully submitted,
KEN HOLLIS
Chairman

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

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

HOUSE BILL NO. 581—
BY REPRESENTATIVES BRUNEAU, COPELIN, HUNTER, AND MURRAY
AN ACT

To amend and reenact R.S. 13:101 and 312.4(D) and to repeal R.S. 13:101.1, relative to the supreme court; to provide that the members of the supreme court shall be elected from the congressional districts; to provide for the terms and assignment of the justices presently serving; to provide for the filling of vacancies; to remove provisions for a specific reapportionment of the supreme court; to provide with respect to the provisions for a temporary additional judgeship for the Court of Appeal for the Fourth Circuit and such judge's appointment to the supreme court; to provide for the term of office and compensation of such temporary judgeship; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Reengrossed House Bill No. 581 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 2, after "101" and before "and" insert ", 101.1" and after "(D)" insert "," and delete the remainder of the line

AMENDMENT NO. 2

On page 1, line 3, after "court;" delete the remainder of the line and delete line 4 and insert the following:

"to provide relative to redistricting the six supreme court districts into seven single member districts; to"

AMENDMENT NO. 3

On page 1, line 13, after "101" insert ", 101.1"

AMENDMENT NO. 4

On page 3, line 4, delete "which shall be the congressional districts"

AMENDMENT NO. 5

On page 3, line 5, after "justice" delete the remainder of the line and insert "elected from each of the seven districts as set forth below:

District 1 is composed of Precincts 1-H, 2-H, 3-H, 4-H, 5-H, 6-H, 7-H, 8-H, 9-H, 1-K, 2-K, 3-K, 4-K, 5-K, 6-K, 7-K, 8-K, 9-K, 10-K, 11-K, 12-K, 13-KA, 13-KB, 14-K, 15-K, 16-K, 17-K, 18-K, 19-K, 20-K, 21-K, 22-K, 23-K, 24-K, 25-K, 26-K, 27-K, 28-K, 29-K, 30-K, 31-K, 32-K, 33-K, 34-K, 35-K, 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 51, 52, 53, 54, 55, 56, 57, 8, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 150, 151, 152, 153, 154, 155, 157A, 157B, 158, 170, 186, 198, and 199 of Jefferson Parish; Precincts 3-20, 4-8, 4-9, 4-10, 4-10A, 4-11, 4-14, 4-14A, 4-15, 4-16, 4-16A, 4-17, 4-17A, 4-18, 4-18A, 4-19, 4-20, 4-20A, 4-21, 4-21A, 4-22, 4-23, 5-13, 5-14, 5-15, 5-16, 5-17, 5-18, 17-17, 17-18, 17-18A, 17-19A, 17-20, and 17-21 of Orleans Parish; St. Helena Parish; St. Tammany Parish; Tangipahoa Parish; and Washington Parish.

District 2 is composed of Allen Parish; Beauregard Parish; Bossier Parish; Caddo Parish; De Soto Parish; Evangeline Parish; Natchitoches Parish; Red River Parish; Sabine Parish; Vernon Parish; and Webster Parish.

District 3 is composed of Acadia Parish; Avoyelles Parish; Calcasieu Parish; Cameron Parish; Jefferson Davis Parish; Lafayette Parish; St. Landry Parish; and Vermilion Parish.

District 4 is composed of Bienville Parish; Caldwell Parish; Catahoula Parish; Claiborne Parish; Concordia Parish; East Carroll Parish; Franklin Parish; Grant Parish; Jackson Parish; La Salle Parish; Lincoln Parish; Madison Parish; Morehouse Parish; Ouachita Parish; Rapides Parish; Richland Parish; Tensas Parish; Union Parish; West Carroll Parish; and Winn Parish.

District 5 is composed of Ascension Parish; East Baton Rouge Parish; East Feliciana Parish; Iberville Parish; Livingston Parish; Pointe Coupee Parish; West Baton Rouge Parish; and West Feliciana Parish.

District 6 is composed of Assumption Parish; Iberia Parish; Precincts 1-GI, 1-LA, 1-LB, 2-L, 182, 183, 184, 185, 189, 190, 191, 192, 193, 194A, 194B, 195, 196, 197, 246A, 246B, 247, 248, 249, and 250 of Jefferson Parish; Lafourche Parish; Plaquemines Parish; St. Bernard Parish; St. Charles Parish; St. James Parish; St. John the Baptist Parish; St. Martin Parish; St. Mary Parish; and Terrebonne Parish.

District 7 is composed of Precincts 1-G, 2-G, 3-G, 4-G, 5-G, 6-G,

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7-G, 8-G, 9-G, 10-G, 11-G, 1-W, 2-W, 3-W, 4-W, 5-W, 6-W, 7-W, 8-W, 9-W, 156, 171, 172, 173, 174A, 174B, 175, 176, 177, 178, 179A, 179B, 180, 181, 187, 188, 210, 211, 212, 213A, 213B, 213C, 214, 215, 216, 217, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, and 238 of Jefferson Parish; and Precincts 1-1, 1-2, 1-5, 1-6, 1-7, 2-1, 2-2, 2-3, 2-4, 2-6, 2-6A, 2-7, 3-1, 3-3, 3-5, 3-8, 3-9, 3-10, 3-12, 3-14, 3-15, 3-16, 3-18, 3-19, 4-2, 4-3, 4-4, 4-5, 4-6, 4-7, 5-1, 5-2, 5-3, 5-4, 5-5, 5-6, 5-7, 5-8, 5-9, 5-10, 5-11, 5-12, 6-1, 6-2, 6-4, 6-5, 6-6, 6-7, 6-8, 6-9, 7-1, 7-2, 7-4, 7-4A, 7-5, 7-6, 7-7, 7-8, 7-9, 7-9A, 7-10, 7-11, 7-12, 7-13, 7-14, 7-15, 7-16, 7-17, 7-18, 7-19, 7-20, 7-20A, 7-21, 7-22, 7-23, 7-24, 7-25, 7-25A, 7-26, 7-26A, 7-27, 7-27A, 7-27B, 7-28, 7-28A, 7-29, 7-30, 7-31, 7-32, 7-33, 7-33A, 7-34, 7-35, 7-36, 7-36A, 7-37, 7-37A, 7-38A, 7-39, 7-40, 7-41, 7-42, 8-1, 8-2, 8-4, 8-6, 8-7, 8-8, 8-9, 8-10, 8-11, 8-12, 8-13, 8-14, 8-15, 8-16, 8-17, 8-18, 8-19, 8-20, 8-21, 8-22, 8-23, 8-24, 8-25, 8-25A, 8-26, 8-26A, 8-27, 8-27A, 8-28, 8-29, 8-30, 9-1, 9-2, 9-3, 9-3A, 9-3B, 9-4, 9-5, 9-5A, 9-6B, 9-6C, 9-6D, 9-6E, 9-6F, 9-7, 9-8, 9-8A, 9-8B, 9-9, 9-10, 9-11, 9-12, 9-13, 9-14, 9-15, 9-16, 9-17, 9-18, 9-19, 9-21, 9-22, 9-23, 9-24, 9-25, 9-25A, 9-26, 9-26A, 9-27, 9-28, 9-28A, 9-28B, 9-28C, 9-28D, 9-28E, 9-28F, 9-29, 9-29A, 9-30, 9-30A, 9-31, 9-31A, 9-31B, 9-31C, 9-31D, 9-31E, 9-32, 9-33, 9-33A, 9-34, 9-34A, 9-35, 9-35A, 9-36, 9-36A, 9-36B, 9-36C, 9-37, 9-37A, 9-38, 9-38A, 9-38B, 9-39, 9-39A, 9-39B, 9-40, 9-40A, 9-40B, 9-40C, 9-41, 9-41A, 9-41B, 9-41C, 9-41D, 9-42, 9-42A, 9-42B, 9-42C, 9-42D, 9-42E, 9-43A, 9-43B, 9-43C, 9-43D, 9-43E, 9-43F, 9-43G, 9-43H, 9-43I, 9-43J, 9-43K, 9-43L, 9-43M, 9-43N, 9-44, 9-44A, 9-44B, 9-44D, 9-44E, 9-44F, 9-44G, 9-44I, 9-44J, 9-44L, 9-44M, 9-44N, 9-44O, 9-44P, 9-44Q, 9-45, 9-45A, 10-3, 10-5, 10-6, 10-7, 10-8, 10-9, 10-11, 10-12, 10-13, 10-14, 11-2, 11-3, 11-4, 11-5, 11-8, 11-9, 11-10, 11-11, 11-12, 11-13, 11-14, 11-15, 11-16, 11-17, 11-18, 11-19, 12-1, 12-2, 12-3, 12-4, 12-5, 12-6, 12-7, 12-8, 12-9, 12-10, 12-11, 12-12, 12-13, 12-14, 12-15, 12-16, 12-17, 12-18, 12-19, 12-20, 13-1, 13-2, 13-3, 13-4, 13-5, 13-6, 13-7, 13-8, 13-9, 13-10, 13-11, 13-12, 13-13, 13-14, 13-14A, 13-15, 13-16, 14-1, 14-2, 14-3, 14-4, 14-5, 14-6, 14-7, 14-8, 14-9, 14-10, 14-11, 14-12, 14-13, 14-13A, 14-14, 14-15, 14-16, 14-17, 14-18A, 14-19, 14-20, 14-21, 14-22, 14-23, 14-24A, 14-25, 14-26, 15-1, 15-2, 15-3, 15-5, 15-6, 15-8, 15-9, 15-10, 15-11, 15-12, 15-12A, 15-13, 15-13A, 15-13B, 15-14, 15-14A, 15-14B, 15-14C, 15-14D, 15-14E, 15-14F, 15-14G, 15-15, 15-15A, 15-15B, 15-16, 15-17, 15-17A, 15-17B, 15-18, 15-18A, 15-18B, 15-18C, 15-18D, 15-18E, 15-18F, 15-19, 15-19A, 15-19B, 15-19C, 16-1, 16-1A, 16-2, 16-3, 16-4, 16-5, 16-6, 16-7, 16-8, 16-9, 17-1, 17-2, 17-3, 17-4, 17-5, 17-6, 17-7, 17-8, 17-9, 17-10, 17-11, 17-12, 17-13, 17-13A, 17-14, 17-15, and 17-16 of Orleans Parish."

AMENDMENT NO. 6

On page 3, delete lines 6 through 17 and insert in lieu thereof the following:

"§101.1 Assignment of districts, vacancies, elections; redistricting

A. Except as otherwise provided in Subsection D, each office of the justices serving on the supreme court on January 1, 1999, is assigned to the supreme court district provided for in R. S. 13:101 as follows:

- 1. The office of the justice elected from the first supreme court district in 1998 is assigned to District 1.
2. The office of the justice elected from the second supreme court district is assigned to District 2.
3. The office of the justice elected from the third supreme court district is assigned to District 3.
4. The office of the justice elected from the fourth supreme court district is assigned to District 4.
5. The office of the justice elected from the fifth supreme court district is assigned to District 5.

6. The office of the justice elected from the sixth supreme court district is assigned to District 6.

7. The office of the justice elected from the first supreme court district in 1990 is assigned to District 7.

B. A vacancy in the office of a justice of the supreme court shall be filled for the remainder of the unexpired term from the district for which the vacancy occurs.

C. The successor to the office of justice of the supreme court shall be elected from the district assigned to that office in Subsection A. The election shall be from the district provided in R. S. 13:101.

D. When and if a vacancy occurs in the office of either justice of the first supreme court district prior to January 1, 1999, the special election to fill the vacancy shall be held in District 7. The successor to that office shall be elected from District 7 as provided in R. S. 13:101. The successor to the office of the other justice elected from the first supreme court district shall be elected from District 1.

E. The legislature may redistrict the supreme court following the year in which the population of this state is reported to the president of the United States for each decennial federal census."

AMENDMENT NO. 7

On page 3, at the end of line 23, insert the following:

"after being elected in a special election called for District 7, as provided in R. S. 13:101.1(D) or from the date that the justice takes office"

AMENDMENT NO. 8

On page 4, delete lines 2 and 3 and insert "2000 from District 7, whichever occurs first."

AMENDMENT NO. 9

On page 4, delete line 13 in its entirety

AMENDMENT NO. 10

On page 4, line 14, change "Section 4" to "Section 3"

AMENDMENT NO. 11

On page 4, line 15, after "date" insert "." and delete the remainder of the line and lines 16 and 17

AMENDMENT NO. 12

On page 4, after line 17, insert the following:

"Section 4. If the temporary additional judgeship established by the provisions of R.S. 13:312.4 is held invalid by a federal court and all parties have exhausted their appellate remedies, the term of the elected supreme court justice holding such office on the effective date of this section shall not be affected thereby."

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

Motion to Make Special Order

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of making House Bill No. 581, which was just advanced to a third reading and final passage, Special Order of the Day No. 4 on Monday, June 2, 1997 immediately following the Morning Hour.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 28, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 195— BY REPRESENTATIVE WILLARD-LEWIS AND SENATOR BAJOE A CONCURRENT RESOLUTION To recognize June 3, 1997, as "Proud to Call it Home Day" and to recognize the Proud to Call it Home Campaign for its dedication to community service on their third anniversary.

and asked that the President of the Senate affix his signature to the same.

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

The House Concurrent Resolutions contained herein were signed by the President of the Senate.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 28, 1997

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 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.

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.

Respectfully submitted, JAY DARDENNE Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate and the Speaker of the House of Representatives and presented to the Secretary of State by the Secretary.

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 28, 1997

To the President and Members of the Senate:

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

The following Senate Resolutions have been properly enrolled:

SENATE RESOLUTION NO. 40— BY SENATOR GUIDRY A RESOLUTION To commend and congratulate Sister Margaret Mary King on fifty-six years of teaching and sixty years with the Sister of the Holy Family community.

SENATE RESOLUTION NO. 41— BY SENATOR DYESS A RESOLUTION To commend Dr. Robert L. Lynn on his twenty-two years of service in the field of education as President of Louisiana College and to congratulate him on the occasion of his retirement.

SENATE RESOLUTION NO. 42— BY SENATOR FIELDS A RESOLUTION To express the condolences of the Senate of the Legislature of Louisiana upon the death of Myrtle Bernice Anderson Rankins.

Respectfully submitted, JAY DARDENNE Chairman

The foregoing Senate Resolutions were signed by the President of the Senate and presented to the Secretary of State by the Secretary.

Leaves of Absence

The following leaves of absence were asked for and granted:

Bagneris 1 Day

Adjournment

Senator Hainkel moved that the Senate adjourn until Thursday, May 28, 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 28, 1997.

MICHAEL S. BAER, III Secretary of the Senate

GAYE F. HAMILTON Journal Clerk