

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

THIRTY-FIFTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Thursday, May 29, 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	Dyess	Landry
Bagneris	Ellington	Lentini
Bajoie	Greene	Malone
Barham	Guidry	Robichaux
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Short
Campbell	Hollis	Siracusa
Casanova	Irons	Smith
Cox	Johnson	Theunissen
Cravins	Jones	Ullo
Dardenne	Jordan	
Dean	Lambert	
Total—37		

ABSENT

Fields	Tarver
Total—2	

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

Prayer

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

Morning Hour

Messages from the Governor

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

State of Louisiana
Office of the Governor
Baton Rouge

May 28, 1997

To the Honorable President and Members of the Senate:

Please be advised that the following individuals have been commissioned as Notaries Public for the parishes indicated through May 28, 1997. In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, I do hereby present them for your review.

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

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May 29, 1997

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**Privilege Report of the
Legislative Bureau**

May 29, 1997

To the President and Members of the Senate:

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

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

HOUSE BILL NO. 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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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 without amendments.

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.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 581 by Representative Bruneau

AMENDMENT NO. 1

In Senate Committee Amendment No. 6 proposed by the Senate Committee on Senate and Governmental Affairs adopted by the Senate on May 28, 1997, on line 16, change "1." to "(1)"; on line 18, change "2." to "(2)"; on line 20, change "3." to "(3)"; on line 22, change "4." to "(4)"; on line 24, change "5." to "(5)"; on line 26, change "6." to "(6)"; and on line 28, change "7." to "(7)"

AMENDMENT NO. 2

On page 3, line 3, delete "A."

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 without amendments.

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 without amendments.

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 without amendments.

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 with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 1094 by Representative Windhorst

AMENDMENT NO. 1

On page 1, line 8, following "of" and before "membership" change "Parole;" to "parole;"

AMENDMENT NO. 2

On page 1, lines 13 and 14, following "the" and before "shall" change "Board of Parole" to "board of parole"

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 without amendments.

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 without amendments.

May 29, 1997

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 DARZENNE, EWING, HAINKEL, BEAN, SCHEDLER, SMITH, AND THEUNISSEN

AN ACT

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

Reported without amendments.

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 without amendments.

HOUSE BILL NO. 2233—

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

AN ACT

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

Reported without amendments.

Respectfully submitted,

DENNIS BAGNERIS
Chairman

Adoption of Legislative Bureau Report

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

Introduction of Senate Concurrent Resolutions

Senator Cain 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. 128—

BY SENATORS CAIN AND COX

A CONCURRENT RESOLUTION

To urge and request United States Department of Agriculture (USDA) to investigate San Jacinto Port Corporation's alleged practices of employing illegal aliens and if such allegations are true, to consider suspension or debarment of San Jacinto Port Corporation as a contractor in its PL-480 cargo unloading program.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Dean	Tarver
Bajoie	Johnson	
Total—5		

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

May 29, 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. 1062—

BY REPRESENTATIVE GREEN

AN ACT

To enact R.S. 32:1715.1, relative to the Louisiana Towing and Storage Act; to provide for towing fees which may be charged by a private towing company or a private tow truck in parishes with a population of four hundred thousand or more; and to provide for related matters.

HOUSE BILL NO. 1377—

BY REPRESENTATIVES DOWNER AND WINDHORST
AN ACT

To enact Chapter 6-A of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:601 through 620, relative to DNA testing of certain criminal defendants; to establish DNA databases and data banks of DNA samples; to provide for definitions; to provide for powers and duties of state police; to provide for compatibility with the Federal Bureau of Investigation; to provide for instances where DNA samples are taken; to provide for certain procedures; to provide for imposition of costs; to provide for confidentiality; to provide for removal of records and destruction of samples; to create a DNA detection fund and provide for uses of monies in the fund; and to provide for related matters.

HOUSE BILL NO. 522—

BY REPRESENTATIVE DUPRE
AN ACT

To amend and reenact R.S. 14:32.1(A)(introductory paragraph) and (2), to provide with respect to the method of measuring blood alcohol concentration for purposes of the crime of vehicular homicide; and to provide for related matters.

HOUSE BILL NO. 1981—

BY REPRESENTATIVE THORNHILL
AN ACT

To amend and reenact R.S. 45:162(2) and to enact R.S. 45:162(19) and 164.1, relative to transporters of household goods and furnishings; to provide for licensure of household goods carriers; and to provide for related matters.

HOUSE BILL NO. 2337—

BY REPRESENTATIVE THOMAS
AN ACT

To amend and reenact R.S. 40:1299.41(A)(1) and 1299.45(A)(2), relative to the Medical Malpractice Act; to include certain corporations, partnerships, limited liability partnerships, and limited liability companies within the definition of "health care provider"; to provide for malpractice coverage; and to provide for related matters.

HOUSE BILL NO. 550—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact R.S. 32:63.1, relative to speed limits; to establish maximum speed limits in parts of St. Tammany Parish and adjacent areas; and to provide for related matters.

HOUSE BILL NO. 955—

BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 40:1563(C)(2), relative to the state fire marshal; to provide for powers and duties of the fire marshal and fire prevention bureaus; and to provide for related matters.

HOUSE BILL NO. 1194—

BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 23:531, 534(2) and (6), 535, 540, 543(A), and 544(A), relative to regulations affecting boilers; to delete exceptions made for New Orleans; to provide for special inspectors for the city of New Orleans; to provide for authority of the state fire marshal; and to provide for related matters.

HOUSE BILL NO. 1329—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact Civil Code Art. 3497.1 and to enact Civil Code Art. 3501.1, relative to liberative prescription; to change the prescriptive period in which to bring an action for arrearages in child support from five to ten years; and to provide for related matters.

HOUSE BILL NO. 1190—

BY REPRESENTATIVE ROUSSELLE
AN ACT

To amend and reenact R.S. 38:2215(A) and to enact R.S. 38:2215(E), relative to the Public Bid Law; to provide for the period of review of bids for political subdivisions; and to provide for related matters.

HOUSE BILL NO. 1510—

BY REPRESENTATIVES DONELON, DUPRE, HUDSON, AND POWELL AND SENATOR SHORT
AN ACT

To amend and reenact R.S. 32:295(A), (C), (D), and (H), relative to safety restraint systems in motor vehicles; to provide for the age at which child restraint systems must be used; to provide relative to penalties for lack of use of safety restraint systems; and to provide for related matters.

HOUSE BILL NO. 1541—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 37:682(1), (3), (5), (7), and (13), 688(B), 692, 693, 694(A)(2) and (B)(1), 696(A), and 697, relative to engineers and land surveyors; to revise terms regarding engineers and land surveyors in training; to provide for the deletion of expired provisions; and to provide for related matters.

HOUSE BILL NO. 1662—

BY REPRESENTATIVE KENNEY
AN ACT

To amend and reenact Sections 1 and 5 of Act No. 1153 of the 1995 Regular Session of the Louisiana Legislature, relative to the Bayou de Chene Reservoir; to increase the pool level of the reservoir; to redefine the boundaries of the reservoir and other lands within the authority of the Bayou de Chene Reservoir Commission; and to provide for related matters.

HOUSE BILL NO. 1675—

BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 37:682(8), relative to the practice of engineering; to revise the definition of "practice of engineering"; and to provide for related matters.

HOUSE BILL NO. 1101—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 32:771, 772(F)(1), (2), and (5), 773.1(A)(1)(introductory paragraph), (a) and (b), (2)(a) through (d), (f) through (j), and (l)(introductory paragraph), and (B), 773.2(A) through (C), 774(A)(1), (B)(4)(a), (D)(2), (E), (G)(1), (J)(1), (3), and (4), and 775(A)(3) and (F)(2) and (3) and to repeal R.S. 32:755, relative to used motor vehicle dealers; to include buses, motor homes, recreational vehicles, travel trailers, and other motor vehicles in provisions relating to used motor vehicles; to delete the requirement for a bond; to change the expiration date of licenses; and to provide for related matters.

HOUSE BILL NO. 1164—

BY REPRESENTATIVES CLARKSON, BRUNEAU, AND WINDHORST
AN ACT

To amend and reenact R.S. 18:1434, relative to elections; to provide that under certain circumstances an objection to the qualifications of a voter is not waived; and to provide for related matters.

HOUSE BILL NO. 1327—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact Code of Civil Procedure Art. 74.2(C) and (D) and R.S. 46:236.2, to enact Code of Civil Procedure Art. 74.2(E), Section 2 of Chapter 7 of Title II of Book V of the Code of Civil Procedure, comprised of Articles 2785 through 2794, and Children's Code Art. 314.1, all relative to child support; to provide with respect to venue and the transferring of child support cases

within this state; to provide a process to register intrastate support orders; to provide for transfer of a proceeding for subsequent enforcement and modification by the district attorney; and to provide for related matters.

HOUSE BILL NO. 1813—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact Chapter 20 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3381 through 3384, to create the Intermodal Transportation Act; to provide for cooperative agreements involving all forms of commercial transportation; to authorize the creation of and to provide relative to the South Louisiana Port and Intermodal Transportation Commission by the governing authority of St. John the Baptist Parish and the South Louisiana Port Commission; and to provide for related matters.

HOUSE BILL NO. 1285—
BY REPRESENTATIVE FORSTER
AN ACT

To enact R.S. 40:2009.44, relative to residents of nursing home facilities; to require the Department of Health and Hospitals to promulgate rules and regulations which provide for a specified minimum number of leave days per spell of illness for which Medicaid payments will be made on behalf of Medicaid eligible residents when said residents are admitted as inpatients to other licensed health care facilities; to require the department to promulgate rules and regulations which provide for a specified minimum number of leave days per year for which Medicaid payments will be made on behalf of Medicaid eligible residents when said residents are absent from the facility on home leave; and to provide for related matters.

HOUSE BILL NO. 1286—
BY REPRESENTATIVE FORSTER
AN ACT

To enact R.S. 40:2109(F), relative to hospital licensure; to require the secretary of the Department of Health and Hospitals to include in the minimum standards adopted relative to the operation and maintenance of hospitals, a provision which prohibits a hospital from paying or reimbursing for, or on behalf of, a patient any sum for which the patient would be responsible, except for certain charges and expenses; to require that such payment be deemed payment for referral; and to provide for related matters.

HOUSE BILL NO. 1298—
BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact R.S. 40:1563.1, relative to the office of state fire marshal; to add crimes for which the state fire marshal may arrest an individual; and to provide for related matters.

HOUSE BILL NO. 1605—
BY REPRESENTATIVE FORSTER
AN ACT

To amend and reenact R.S. 40:2144(H), relative to the Hospital Records and Retention Act; to authorize the Department of Health and Hospitals to promulgate rules to regulate the use of orders for the care and treatment of hospital patients transmitted electronically; to authorize such rules to include when and under what circumstances the ordering health care provider must sign or countersign the order; and to provide for related matters.

HOUSE BILL NO. 2257—
BY REPRESENTATIVE HUDSON
AN ACT

To amend and reenact R.S. 32:398, relative to report forms for traffic accidents; to provide that the forms shall direct the investigating officer to instruct the parties to the accident to exchange information concerning drivers, vehicles, and liability insurance; and to provide for related matters.

HOUSE BILL NO. 43—
BY REPRESENTATIVE WARNER
AN ACT

To amend and reenact R.S. 14:100(C)(2), relative to the crime of hit-and-run driving; to increase the penalty where death or serious bodily injury results from the accident; and to provide for related matters.

HOUSE BILL NO. 184—
BY REPRESENTATIVE DIMOS
AN ACT

To amend and reenact Code of Civil Procedure Article 5186, relative to payment of costs incurred by indigents; to provide for the filing and the effect of recordation of an affidavit of account; and to provide for related matters.

HOUSE BILL NO. 245—
BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact Civil Code Arts. 2315.1(D) and 2315.2(D) and to enact Civil Code Arts. 2315.1(A)(4) and (E) and 2315.2(A)(4) and (E), relative to offenses and quasi offenses; to provide for survival and wrongful death actions by a tutor and by grandparents; and to provide for related matters.

HOUSE BILL NO. 246—
BY REPRESENTATIVE STELLY
AN ACT

To amend and reenact R.S. 56:1850(A)(7), relative to the Louisiana Natural and Scenic Rivers System; to provide relative to administration of the system, and rules and regulations that may be issued by the administrator of the system; to authorize the regulation of houseboats docked for longer than thirty consecutive days on a natural and scenic river; and to provide for related matters.

HOUSE BILL NO. 397—
BY REPRESENTATIVE CURTIS
AN ACT

To enact R.S. 24:513.4, relative to boards, commissions, and like entities; to require certain boards, commissions, and like entities to provide notification of a vacancy in membership to the legislative auditor; to require the legislative auditor to notify certain members of the legislature of such vacancies; and to provide for related matters.

HOUSE BILL NO. 626—
BY REPRESENTATIVES MONTGOMERY, BRUCE, AND KENNARD
AN ACT

To enact R.S. 15:587.2, relative to the Louisiana Bureau of Criminal Identification and Information; to provide that Louisiana State University campus police have authority to conduct employee criminal background checks; to provide that Louisiana State University campus police have access to criminal history information; and to provide for related matters.

HOUSE BILL NO. 1192—
BY REPRESENTATIVE TRICHE
AN ACT

To enact R.S. 30:27 and 2022.2, relative to public hearings on permit applications; to provide for attendance by certain state officials; to provide for duties; and to provide for related matters.

HOUSE BILL NO. 2453—
BY REPRESENTATIVE WINDHORST
AN ACT

To enact R.S. 30:2050.21(D), relative to environmental permits; to provide relative to reviews and appeals of certain environmental permits; and to provide for related matters.

HOUSE BILL NO. 2380—

BY REPRESENTATIVE THERIOT
AN ACT

To enact R.S. 32:414(N), relative to drivers' licenses; to provide for the suspension of drivers' licenses under certain conditions; and to provide for related matters.

HOUSE BILL NO. 1253—

BY REPRESENTATIVES WINDHORST AND DEWITT
AN ACT

To enact R.S. 15:902.1, relative to the placement of juveniles adjudicated delinquent; to authorize and provide with respect to the transfer of such juveniles to adult facilities when the juveniles have attained the age of nineteen years; and to provide for related matters.

HOUSE BILL NO. 2390—

BY REPRESENTATIVE HOPKINS
AN ACT

To enact R.S. 48:274.3, relative to interstate highways; to provide for the placing of major shopping area guide signs on Interstate highways; to provide for definitions; to provide for requirements for food service areas; to provide for rules and regulations; to create the Major Shopping Area Guide Signs Processing Fund in the state treasury; and to provide for related matters.

HOUSE BILL NO. 756—

BY REPRESENTATIVES PERKINS, DONELON, BRUN, DANIEL, DIEZ, DIMOS, DOWNER, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FRUGE, GAUTREAU, JENKINS, JETSON, JOHNS, KENNARD, LANCASTER, MCCALLUM, MURRAY, ROMERO, ROUSSELLE, THORNHILL, VITTE, WALSWORTH, WESTON, WIGGINS, WILLARD-LEWIS, WINDHORST, AND WRIGHT AND SENATORS DEAN, GREENE, HAINKEL, AND SHORT
AN ACT

To amend and reenact Civil Code Articles 102 and 103 and R.S. 9:234 and 245(A)(1) and to enact R.S. 9:224(C) and 225(A)(3), Part VII of Chapter 1 of Code Title IV of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:272 through 275, and R.S. 9:307, 308, and 309, all relative to covenant marriages; to provide for a declaration on the application for a marriage license; to provide prerequisites to entering into a covenant marriage, including counseling; to authorize the entering into a covenant marriage by couples already married; to provide for indication thereof on the marriage certificate; to provide the exclusive means to terminate a covenant marriage; to provide with respect to jurisdiction, venue, and incidental relief; and to provide for related matters.

HOUSE BILL NO. 2327—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 30:2018, relative to public hearings by the Department of Environmental Quality; to provide for certain issues; to provide for environmental assessment statements; to provide for limitations; and to provide for related matters.

HOUSE BILL NO. 1096—

BY REPRESENTATIVE JETSON
AN ACT

To enact R.S. 17:416(G), relative to pupil discipline; to prohibit the taking of any disciplinary action against a pupil by the governing authority of a public elementary or secondary school or by any public elementary or secondary school administrator, teacher, or other school employee for the use of force upon another person under specified circumstances involving self-defense of the pupil or the pupil's property; to provide for application; to provide for effectiveness; and to provide for related matters.

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

House Bills and Joint Resolutions

Senator Smith 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. 43—

BY REPRESENTATIVE WARNER
AN ACT

To amend and reenact R.S. 14:100(C)(2), relative to the crime of hit-and-run driving; to increase the penalty where death or serious bodily injury results from the accident; and to provide for related matters.

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

HOUSE BILL NO. 184—

BY REPRESENTATIVE DIMOS
AN ACT

To amend and reenact Code of Civil Procedure Article 5186, relative to payment of costs incurred by indigents; to provide for the filing and the effect of recordation of an affidavit of account; and to provide for related matters.

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

HOUSE BILL NO. 245—

BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact Civil Code Arts. 2315.1(D) and 2315.2(D) and to enact Civil Code Arts. 2315.1(A)(4) and (E) and 2315.2(A)(4) and (E), relative to offenses and quasi offenses; to provide for survival and wrongful death actions by a tutor and by grandparents; and to provide for related matters.

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

HOUSE BILL NO. 246—

BY REPRESENTATIVE STELLY
AN ACT

To amend and reenact R.S. 56:1850(A)(7), relative to the Louisiana Natural and Scenic Rivers System; to provide relative to administration of the system, and rules and regulations that may be issued by the administrator of the system; to authorize the regulation of houseboats docked for longer than thirty consecutive days on a natural and scenic river; and to provide for related matters.

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

HOUSE BILL NO. 397—

BY REPRESENTATIVE CURTIS
AN ACT

To enact R.S. 24:513.4, relative to boards, commissions, and like entities; to require certain boards, commissions, and like entities to provide notification of a vacancy in membership to the legislative auditor; to require the legislative auditor to notify certain members of the legislature of such vacancies; and to provide for related matters.

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

May 29, 1997

HOUSE BILL NO. 522—

BY REPRESENTATIVE DUPRE

AN ACT

To amend and reenact R.S. 14:32.1(A)(introductory paragraph) and (2), to provide with respect to the method of measuring blood alcohol concentration for purposes of the crime of vehicular homicide; and to provide for related matters.

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

HOUSE BILL NO. 550—

BY REPRESENTATIVE SCHNEIDER

AN ACT

To enact R.S. 32:63.1, relative to speed limits; to establish maximum speed limits in parts of St. Tammany Parish and adjacent areas; and to provide for related matters.

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

HOUSE BILL NO. 626—

BY REPRESENTATIVES MONTGOMERY, BRUCE, AND KENNARD

AN ACT

To enact R.S. 15:587.2, relative to the Louisiana Bureau of Criminal Identification and Information; to provide that Louisiana State University campus police have authority to conduct employee criminal background checks; to provide that Louisiana State University campus police have access to criminal history information; and to provide for related matters.

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

HOUSE BILL NO. 756—

BY REPRESENTATIVES PERKINS, DONELON, BRUN, DANIEL, DIEZ, DIMOS, DOWNER, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FRUGE, GAUTREAUX, JENKINS, JETSON, JOHNS, KENNARD, LANCASTER, MCCALLUM, MURRAY, ROMERO, ROUSSELLE, THORNHILL, VITTER, WALSWORTH, WESTON, WIGGINS, WILLARD-LEWIS, WINDHORST, AND WRIGHT AND SENATORS DEAN, GREENE, HAINKEL, AND SHORT

AN ACT

To amend and reenact Civil Code Articles 102 and 103 and R.S. 9:234 and 245(A)(1) and to enact R.S. 9:224(C) and 225(A)(3), Part VII of Chapter 1 of Code Title IV of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:272 through 275, and R.S. 9:307, 308, and 309, all relative to covenant marriages; to provide for a declaration on the application for a marriage license; to provide prerequisites to entering into a covenant marriage, including counseling; to authorize the entering into a covenant marriage by couples already married; to provide for indication thereof on the marriage certificate; to provide the exclusive means to terminate a covenant marriage; to provide with respect to jurisdiction, venue, and incidental relief; and to provide for related matters.

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

HOUSE BILL NO. 955—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 40:1563(C)(2), relative to the state fire marshal; to provide for powers and duties of the fire marshal and fire prevention bureaus; and to provide for related matters.

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

HOUSE BILL NO. 1062—

BY REPRESENTATIVE GREENE

AN ACT

To enact R.S. 32:1715.1, relative to the Louisiana Towing and Storage Act; to provide for towing fees which may be charged by a private towing company or a private tow truck in parishes with a population of four hundred thousand or more; and to provide for related matters.

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

HOUSE BILL NO. 1096—

BY REPRESENTATIVE JETSON

AN ACT

To enact R.S. 17:416(G), relative to pupil discipline; to prohibit the taking of any disciplinary action against a pupil by the governing authority of a public elementary or secondary school or by any public elementary or secondary school administrator, teacher, or other school employee for the use of force upon another person under specified circumstances involving self-defense of the pupil or the pupil's property; to provide for application; to provide for effectiveness; and to provide for related matters.

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

HOUSE BILL NO. 1101—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 32:771, 772(F)(1), (2), and (5), 773.1(A)(1)(introductory paragraph), (a) and (b), (2)(a) through (d), (f) through (j), and (l)(introductory paragraph), and (B), 773.2(A) through (C), 774(A)(1), (B)(4)(a), (D)(2), (E), (G)(1), (J)(1), (3), and (4), and 775(A)(3) and (F)(2) and (3) and to repeal R.S. 32:755, relative to used motor vehicle dealers; to include buses, motor homes, recreational vehicles, travel trailers, and other motor vehicles in provisions relating to used motor vehicles; to delete the requirement for a bond; to change the expiration date of licenses; and to provide for related matters.

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

HOUSE BILL NO. 1164—

BY REPRESENTATIVES CLARKSON, BRUNEAU, AND WINDHORST

AN ACT

To amend and reenact R.S. 18:1434, relative to elections; to provide that under certain circumstances an objection to the qualifications of a voter is not waived; and to provide for related matters.

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

HOUSE BILL NO. 1190—

BY REPRESENTATIVE ROUSSELLE

AN ACT

To amend and reenact R.S. 38:2215(A) and to enact R.S. 38:2215(E), relative to the Public Bid Law; to provide for the period of review of bids for political subdivisions; and to provide for related matters.

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

HOUSE BILL NO. 1192—

BY REPRESENTATIVE TRICHE

AN ACT

To enact R.S. 30:27 and 2022.2, relative to public hearings on permit applications; to provide for attendance by certain state officials; to provide for duties; and to provide for related matters.

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

HOUSE BILL NO. 1194—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 23:531, 534(2) and (6), 535, 540, 543(A), and 544(A), relative to regulations affecting boilers; to delete exceptions made for New Orleans; to provide for special inspectors for the city of New Orleans; to provide for authority of the state fire marshal; and to provide for related matters.

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

HOUSE BILL NO. 1253—

BY REPRESENTATIVES WINDHORST AND DEWITT

AN ACT

To enact R.S. 15:902.1, relative to the placement of juveniles adjudicated delinquent; to authorize and provide with respect to the transfer of such juveniles to adult facilities when the juveniles have attained the age of nineteen years; and to provide for related matters.

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

HOUSE BILL NO. 1285—

BY REPRESENTATIVE FORSTER

AN ACT

To enact R.S. 40:2009.44, relative to residents of nursing home facilities; to require the Department of Health and Hospitals to promulgate rules and regulations which provide for a specified minimum number of leave days per spell of illness for which Medicaid payments will be made on behalf of Medicaid eligible residents when said residents are admitted as inpatients to other licensed health care facilities; to require the department to promulgate rules and regulations which provide for a specified minimum number of leave days per year for which Medicaid payments will be made on behalf of Medicaid eligible residents when said residents are absent from the facility on home leave; and to provide for related matters.

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

HOUSE BILL NO. 1286—

BY REPRESENTATIVE FORSTER

AN ACT

To enact R.S. 40:2109(F), relative to hospital licensure; to require the secretary of the Department of Health and Hospitals to include in the minimum standards adopted relative to the operation and maintenance of hospitals, a provision which prohibits a hospital from paying or reimbursing for, or on behalf of, a patient any sum for which the patient would be responsible, except for certain charges and expenses; to require that such payment be deemed payment for referral; and to provide for related matters.

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

HOUSE BILL NO. 1298—

BY REPRESENTATIVE MCCAIN

AN ACT

To amend and reenact R.S. 40:1563.1, relative to the office of state fire marshal; to add crimes for which the state fire marshal may arrest an individual; and to provide for related matters.

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

HOUSE BILL NO. 1327—

BY REPRESENTATIVE THOMPSON

AN ACT

To amend and reenact Code of Civil Procedure Art. 74.2(C) and (D) and R.S. 46:236.2, to enact Code of Civil Procedure Art. 74.2(E), Section 2 of Chapter 7 of Title II of Book V of the Code of Civil Procedure, comprised of Articles 2785 through 2794, and Children's Code Art. 314.1, all relative to child support; to provide with respect to venue and the transferring of child support cases within this state; to provide a process to register intrastate support orders; to provide for transfer of a proceeding for subsequent enforcement and modification by the district attorney; and to provide for related matters.

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

HOUSE BILL NO. 1329—

BY REPRESENTATIVE THOMPSON

AN ACT

To amend and reenact Civil Code Art. 3497.1 and to enact Civil Code Art. 3501.1, relative to liberative prescription; to change the prescriptive period in which to bring an action for arrearages in child support from five to ten years; and to provide for related matters.

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

HOUSE BILL NO. 1377—

BY REPRESENTATIVES DOWNER AND WINDHORST

AN ACT

To enact Chapter 6-A of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:601 through 620, relative to DNA testing of certain criminal defendants; to establish DNA databases and data banks of DNA samples; to provide for definitions; to provide for powers and duties of state police; to provide for compatibility with the Federal Bureau of Investigation; to provide for instances where DNA samples are taken; to provide for certain procedures; to provide for imposition of costs; to provide for confidentiality; to provide for removal of records and destruction of samples; to create a DNA detection fund and provide for uses of monies in the fund; and to provide for related matters.

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

HOUSE BILL NO. 1510—

BY REPRESENTATIVES DONELON, DUPRE, HUDSON, AND POWELL AND SENATOR SHORT

AN ACT

To amend and reenact R.S. 32:295(A), (C), (D), and (H), relative to safety restraint systems in motor vehicles; to provide for the age at which child restraint systems must be used; to provide relative to penalties for lack of use of safety restraint systems; and to provide for related matters.

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

HOUSE BILL NO. 1541—

BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 37:682(1), (3), (5), (7), and (13), 688(B), 692, 693, 694(A)(2) and (B)(1), 696(A), and 697, relative to engineers and land surveyors; to revise terms regarding engineers and land surveyors in training; to provide for the deletion of expired provisions; and to provide for related matters.

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

referred to the Committee on Commerce and Consumer Protection.

HOUSE BILL NO. 1605—
BY REPRESENTATIVE FORSTER
AN ACT

To amend and reenact R.S. 40:2144(H), relative to the Hospital Records and Retention Act; to authorize the Department of Health and Hospitals to promulgate rules to regulate the use of orders for the care and treatment of hospital patients transmitted electronically; to authorize such rules to include when and under what circumstances the ordering health care provider must sign or countersign the order; and to provide for related matters.

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

HOUSE BILL NO. 1662—
BY REPRESENTATIVE KENNEY
AN ACT

To amend and reenact Sections 1 and 5 of Act No. 1153 of the 1995 Regular Session of the Louisiana Legislature, relative to the Bayou de Chene Reservoir; to increase the pool level of the reservoir; to redefine the boundaries of the reservoir and other lands within the authority of the Bayou de Chene Reservoir Commission; and to provide for related matters.

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

HOUSE BILL NO. 1675—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 37:682(8), relative to the practice of engineering; to revise the definition of "practice of engineering"; and to provide for related matters.

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

HOUSE BILL NO. 1813—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact Chapter 20 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:3381 through 3384, to create the Intermodal Transportation Act; to provide for cooperative agreements involving all forms of commercial transportation; to authorize the creation of and to provide relative to the South Louisiana Port and Intermodal Transportation Commission by the governing authority of St. John the Baptist Parish and the South Louisiana Port Commission; and to provide for related matters.

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

HOUSE BILL NO. 1981—
BY REPRESENTATIVE THORNHILL
AN ACT

To amend and reenact R.S. 45:162(2) and to enact R.S. 45:162(19) and 164.1, relative to transporters of household goods and furnishings; to provide for licensure of household goods carriers; and to provide for related matters.

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

HOUSE BILL NO. 2257—
BY REPRESENTATIVE HUDSON
AN ACT

To amend and reenact R.S. 32:398, relative to report forms for traffic accidents; to provide that the forms shall direct the investigating officer to instruct the parties to the accident to exchange information concerning drivers, vehicles, and liability insurance; and to provide for related matters.

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

HOUSE BILL NO. 2327—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To enact R.S. 30:2018, relative to public hearings by the Department of Environmental Quality; to provide for certain issues; to provide for environmental assessment statements; to provide for limitations; and to provide for related matters.

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

HOUSE BILL NO. 2337—
BY REPRESENTATIVE THOMAS
AN ACT

To amend and reenact R.S. 40:1299.41(A)(1) and 1299.45(A)(2), relative to the Medical Malpractice Act; to include certain corporations, partnerships, limited liability partnerships, and limited liability companies within the definition of "health care provider"; to provide for malpractice coverage; and to provide for related matters.

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

HOUSE BILL NO. 2380—
BY REPRESENTATIVE THERIOT
AN ACT

To enact R.S. 32:414(N), relative to drivers' licenses; to provide for the suspension of drivers' licenses under certain conditions; and to provide for related matters.

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

HOUSE BILL NO. 2390—
BY REPRESENTATIVE HOPKINS
AN ACT

To enact R.S. 48:274.3, relative to interstate highways; to provide for the placing of major shopping area guide signs on Interstate highways; to provide for definitions; to provide for requirements for food service areas; to provide for rules and regulations; to create the Major Shopping Area Guide Signs Processing Fund in the state treasury; and to provide for related matters.

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

HOUSE BILL NO. 2453—
BY REPRESENTATIVE WINDHORST
AN ACT

To enact R.S. 30:2050.21(D), relative to environmental permits; to provide relative to reviews and appeals of certain environmental permits; and to provide for related matters.

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

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 29, 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. 16—
BY REPRESENTATIVE TRAVIS

A CONCURRENT RESOLUTION

To authorize Meeks Land and Timber Company to file suit or to prosecute any suit now pending against the state of Louisiana through the division of administration, state land office, concerning a claim of ownership or possession, or both, of present or former water bottoms under or in the vicinity of the middle fork of Thompson Creek in West Feliciana Parish, and concerning the ownership of and the rights to the minerals associated with those water bottoms, and to provide for related matters.

HOUSE CONCURRENT RESOLUTION NO. 85—
BY REPRESENTATIVE TRICHE

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations to the legislature for an easier and less costly method of reviving a money judgment.

HOUSE CONCURRENT RESOLUTION NO. 147—
BY REPRESENTATIVE THOMPSON

A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 69—
BY REPRESENTATIVES DOWNER, R. ALEXANDER, ANSARDI, DEVILLE, DIEZ, DIMOS, DUPRE, FORSTER, LEBLANC, MCCAIN, MCDONALD, MCMAINS, PIERRE, SCALISE, JOHN SMITH, STELLY, TRICHE, AND WINDHORST AND SENATOR EWING

A CONCURRENT RESOLUTION

To urge and request all state officials to participate in an inventory of property and furniture conducted by the legislative auditor in order to determine if any property under their supervision or control or of which they have knowledge has any historical connection with the State Capitol and if any such furniture is among the furniture which was designed and custom-made specifically for the State Capitol, and to transfer such property and furniture to the legislature for proper placement in the State Capitol and to direct the legislative auditor to conduct such inventory.

HOUSE CONCURRENT RESOLUTION NO. 153—
BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to submit to the House and Senate Committees on Transportation, Highways and Public Works a full report on the present conditions of the state's railroad crossings including recommendations based on certain reports on how to improve

safety at these crossings.

HOUSE CONCURRENT RESOLUTION NO. 183—
BY REPRESENTATIVE BRUN

A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to review the staffing, operation, and management of the United States Civil War Center at Louisiana State University at Baton Rouge, to make determinations relative to certain specified issues, and to report in writing to the legislature on any findings and recommendations.

HOUSE CONCURRENT RESOLUTION NO. 168—
BY REPRESENTATIVE RIDDLE

A CONCURRENT RESOLUTION

To urge and request the office of state parks to study the feasibility of making Fort DeRussy in Avoyelles Parish a state commemorative area and to report its findings to the House Committee on Municipal, Parochial and Cultural Affairs and the Senate Committee on Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 56—
BY REPRESENTATIVE WILLARD-LEWIS

A CONCURRENT RESOLUTION

To adopt Joint Rule No. 20 of the Joint Rules of the Senate and House of Representatives to establish a drug-free standard for members of the legislature and to provide for a voluntary drug testing program.

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

House Concurrent Resolutions

Senator Romero 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. 16—
BY REPRESENTATIVE TRAVIS

A CONCURRENT RESOLUTION

To authorize Meeks Land and Timber Company to file suit or to prosecute any suit now pending against the state of Louisiana through the division of administration, state land office, concerning a claim of ownership or possession, or both, of present or former water bottoms under or in the vicinity of the middle fork of Thompson Creek in West Feliciana Parish, and concerning the ownership of and the rights to the minerals associated with those water bottoms, and to provide for related matters.

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

HOUSE CONCURRENT RESOLUTION NO. 56—
BY REPRESENTATIVE WILLARD-LEWIS

A CONCURRENT RESOLUTION

To adopt Joint Rule No. 20 of the Joint Rules of the Senate and House of Representatives to establish a drug-free standard for members of the legislature and to provide for a voluntary drug testing program.

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

HOUSE CONCURRENT RESOLUTION NO. 69—
BY REPRESENTATIVES DOWNER, R. ALEXANDER, ANSARDI, DEVILLE, DIEZ, DIMOS, DUPRE, FORSTER, LEBLANC, MCCAIN, MCDONALD, MCMAINS, PIERRE, SCALISE, JOHN SMITH, STELLY, TRICHE, AND WINDHORST AND SENATOR EWING

A CONCURRENT RESOLUTION

To urge and request all state officials to participate in an inventory of

property and furniture conducted by the legislative auditor in order to determine if any property under their supervision or control or of which they have knowledge has any historical connection with the State Capitol and if any such furniture is among the furniture which was designed and custom-made specifically for the State Capitol, and to transfer such property and furniture to the legislature for proper placement in the State Capitol and to direct the legislative auditor to conduct such inventory.

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

HOUSE CONCURRENT RESOLUTION NO. 85—

BY REPRESENTATIVE TRICHE
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations to the legislature for an easier and less costly method of reviving a money judgment.

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

HOUSE CONCURRENT RESOLUTION NO. 147—

BY REPRESENTATIVE THOMPSON
A CONCURRENT RESOLUTION

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

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

HOUSE CONCURRENT RESOLUTION NO. 153—

BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to submit to the House and Senate Committees on Transportation, Highways and Public Works a full report on the present conditions of the state's railroad crossings including recommendations based on certain reports on how to improve safety at these crossings.

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

HOUSE CONCURRENT RESOLUTION NO. 168—

BY REPRESENTATIVE RIDDLE
A CONCURRENT RESOLUTION

To urge and request the office of state parks to study the feasibility of making Fort DeRussy in Avoyelles Parish a state commemorative area and to report its findings to the House Committee on Municipal, Parochial and Cultural Affairs and the Senate Committee on Natural Resources.

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

HOUSE CONCURRENT RESOLUTION NO. 183—

BY REPRESENTATIVE BRUN
A CONCURRENT RESOLUTION

To urge and request the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to review the staffing, operation, and management of the United States Civil War Center at Louisiana State University at Baton Rouge, to make determinations relative to certain specified issues, and to report in writing to the legislature on any findings and recommendations.

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

Senate and Concurrent Resolutions on Second Reading

The following Senate and Concurrent Resolutions were read and acted upon as follows:

SENATE RESOLUTION NO. 43—
BY SENATORS HOLLIS, BAGNERIS, CRAVINS, AND HEITMEIER
A RESOLUTION

To approve a new casino operating contract.

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

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.

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

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. 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 by the Committee on Health and Welfare. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. (SUBSTITUTE BILL FOR SENATE BILL NO. 98 BY SENATOR LANDRY)

BY SENATOR LANDRY

CHILDREN. Creates the Children-at-Risk Program within the Department of Health and Hospitals.

AN ACT
To enact Part XLX of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.111 through 1300.115, relative to public health and safety; to create the Children-at-Risk Program within the Department of Health and Hospitals; to provide for definitions; to provide for administration of the program; to provide for appointment of a subcommittee; to require promulgation of rules and regulations; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. Part XLX of Chapter 5 of Title 40 of Louisiana Revised Statutes of 1950, comprised of R.S. 40:1300.111 through 1300.115, is hereby enacted to read as follow:

PART XLX. CHILDREN-AT-RISK PROGRAM

Part XLX is all proposed new law.

§1300.111. Short title

R.S. 40:1300.111 is all proposed new law.

This Part shall be known and may be cited as the "Children-at-Risk Program".

§1300.112. Definitions

R.S. 40:1300.112 is all proposed new law.

For the purposes of this Part, the following terms shall have the following meanings unless the context clearly indicates otherwise:

- (1) "Coordinating agency" means the not-for-profit agency that administers the program.
- (2) "Department" means the Department of Health and Hospitals.
- (3) "Perinatal commission" means the Commission on Perinatal Care and the Prevention of Infant Mortality.
- (4) "Program" means the Children-at-Risk Program.

§ 1300.113. Children-At-Risk Program; creation; purpose

R.S. 40:1300.113 is all proposed new law.

A. The Children-at-Risk Program is hereby created within the Department of Health and Hospitals to be administered by the Commission on Perinatal Care and the Prevention of Infant Mortality through a not-for-profit agency, as defined in Section 501(c) of the Internal Revenue Code.

B. The program shall provide for the coordination and integration of the efforts and resources of not-for-profit, private, and governmental agencies in order to facilitate the provision of all support services required by children and their families to insure healthy bodies, educated minds, and self-sufficiency.

C. In addition to the requirements of Subsection B of this Section, the program shall:

- (1) Coordinate a statewide integrated service network.
- (2) Determine the best practices used in identifying and assessing successful child and family programs currently being administered in the United States for duplication in Louisiana.
- (3) Coordinate and integrate existing service providers facilitated by home visitation.

§1300.114. Administration; subcommittee; coordinating agency; appropriation

R.S. 40:1300.114 is all proposed new law.

A. The perinatal commission shall select a not-for-profit coordinating agency to administer the program in accordance with this Part and rules and regulations adopted by the department.

B.(1) The perinatal commission shall select the coordinating agency from a slate of not-for-profit agencies which have the welfare of children as a component of their respective missions.

(2) The perinatal commission shall consider the availability of staff resources of the coordinating agency, which should, as a minimum, include the following:

- (a) A statewide coordinator.
- (b) A program identification, assessment, and training manager.
- (c) A grant procurement specialist.
- (d) A community relations specialist.
- (e) An officer manager.

C. The department, on behalf of the perinatal commission, shall contract with the coordinating agency to administer the operational duties of the program.

D. The perinatal commission shall appoint a subcommittee comprised of representatives from the funding sources who shall advise the perinatal commission and the department on coordination and integration of program activities.

E. The coordinating agency shall solicit and facilitate federal and state grant applications to support applicable programs.

F. The annual appropriation from state general fund for the program shall not exceed one hundred thousand dollars. In no event shall the state general fund appropriation represent more than twenty percent of total program funding for the fiscal year.

R.S. 40:1300.115 is all proposed new law.

The department shall promulgate rules and regulations in accordance with the Administrative Procedure Act to implement the provisions of this Part.

On motion of Senator Hines, the committee substitute bill was adopted and becomes Senate Bill No. 1562 by Senator Landry, substitute for Senate Bill No. 98 by Senator Landry.

SENATE BILL NO. 1562 (Substitute Bill for SB No. 98 by Senator Landry)—

BY SENATOR LANDRY

AN ACT

To enact Part XLX of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.111 through 1300.115, relative to public health and safety; to create the Children-at-Risk Program within the Department of Health and Hospitals; to provide for definitions; to provide for administration of the program; to provide for appointment of a subcommittee; to require promulgation of rules and regulations; and to provide for related matters.

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

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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 221 by Senator Casanova

AMENDMENT NO. 1

On page 1, line 2, delete "and to enact R.S. 18:1461(A)(21)"

AMENDMENT NO. 2

On page 1, line 4, at the end of the line, delete "to" and delete lines 5 and 6 in their entirety

AMENDMENT NO. 3

On page 1, line 7, delete "for violations;"

AMENDMENT NO. 4

On page 1, line 9, delete "and R.S."

AMENDMENT NO. 5

On page 1, line 10, delete "18:1461(A)(21) is hereby enacted"

AMENDMENT NO. 6

On page 2, delete lines 12 through 18 in their entirety

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

SENATE BILL NO. 253—

BY SENATOR HINES

AN ACT

To enact R.S. 40:5.5(C) and (D), relative to food safety; to require the issuance of a food safety certificate and the display of the certificate at a food service establishment; to authorize a certificate application fee; to require the Department of Health and Hospitals to provide for the issuance and renewal of the certificate as part of the state's sanitary code; to provide a food safety training program; to define food service establishment; and to provide for related matters.

Reported with amendments by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Original Senate Bill No. 253 by Senator Hines

AMENDMENT NO. 1

On page 1, line 2, after "R.S." delete the remainder of the line and insert "40:5.5(C) and (D)"

AMENDMENT NO. 2

On page 1, delete line 3

AMENDMENT NO. 3

On page 1, line 4, delete "through 661"

AMENDMENT NO. 4

On page 1, delete lines 5 through 15, and insert the following:

"safety certificate and the display of the certificate at a food service establishment; to authorize a certificate application fee; to require the Department of Health and Hospitals to provide for the issuance and renewal of the certificate as part of the state's sanitary code; to provide a food safety training program; to define food service establishment; and to provide"

AMENDMENT NO. 5

On page 2, line 2, delete "36:259(FF) and 919.4" and insert "40:5.5(C) and (D)"

AMENDMENT NO. 6

On page 2, delete lines 4 through 27

AMENDMENT NO. 7

On page 3, delete lines 1 through 16, and insert the following

"§5.5. Sanitary inspections of certain restaurants, food safety certificates

* * *

R.S. 40:5.5(C) is all proposed new law.

C. On or after January 1, 1999, the state health officer and the office of public health of the Department of Health and Hospitals shall require the owner or a designated employee of"

AMENDMENT NO. 8

On page 3, line 17, delete "or manage" and delete "where food is prepared or"

AMENDMENT NO. 9

On page 3, delete lines 18 and 19

AMENDMENT NO. 10

On page 3, line 20, delete "the establishment holds a current, valid, unrestricted" and insert "to hold a"

AMENDMENT NO. 11

On page 3, line 21, after "certificate" delete the remainder of the line and insert "on behalf of the food service establishment. Provisions for the issuance and renewal of such certificate shall be made part of the state's sanitary code in accordance with the provisions of R.S. 40:4 and the following:"

AMENDMENT NO. 12

On page 3, delete lines 22 through 27

AMENDMENT NO. 13

Delete page 4

AMENDMENT NO. 14

On page 5, delete lines 1 through 14, and insert the following:

"(1) The office shall approve training programs"

AMENDMENT NO. 15

On page 5, delete lines 24 through 27

AMENDMENT NO. 16

On page 6, delete lines 1 through 24, and insert the following"

"(2) A food safety certificate shall be issued to any"

AMENDMENT NO. 17

On page 6, delete lines 26 and 27, and insert the following:

"as prescribed by the sanitary code, provided such individual furnishes satisfactory evidence that he has completed an approved training program or has passed a written examination provided by the department.

(3) A fee, not to exceed twenty-five dollars, may be imposed and collected from each applicant for a food safety certificate to defer expenses in the administration of this Subsection.

(4) Renewal of the food safety certificate shall be required every five years.

(5) Display of a current, duly-issued food safety certificate in the food service establishment shall be required.

R.S. 40:5.5(D) is all proposed new law.

D. For purposes of this Section, "food service establishment" shall mean an establishment which meets the following criteria:

(1) The establishment operates a place of business whose purpose and primary function is to take orders for and serve food and food items.

(2) The establishment serves food on all days of operation.

(3) The establishment operates a fully equipped kitchen used for the preparation of uncooked foods for service and consumption of such foods on the premises."

AMENDMENT NO. 18

Delete pages 7 and 8

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

SENATE BILL NO. 1010—

BY SENATORS DARDENNE, HAINKEL, JORDAN AND SHORT AND REPRESENTATIVES BARTON, BOWLER, LANCASTER, MARTINY, MCMAINS, POWELL, SHAW, VITTER AND WIGGINS
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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 1010 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 26, after "election" delete "of any party"

AMENDMENT NO. 2

On page 2, line 27 after "office" delete the remainder of the line and insert a period "."

AMENDMENT NO. 3

On page 3, delete lines 1 through 3, and on line 4 delete "election of the same party."

AMENDMENT NO. 4

On page 7, line 27, after "candidate" insert ", if the petition is for a congressional or major office"

AMENDMENT NO. 5

On page 8, line 7, after "party" insert ", if the petition is for a congressional or major office"

AMENDMENT NO. 6

On page 10, line 8, delete "The" and delete line 9 in its entirety and insert " Each of the candidates from the recognized political parties who received the"

AMENDMENT NO. 7

On page 10, line 12, change "14" to "18"

AMENDMENT NO. 8

On page 10, line 17 delete "first"

AMENDMENT NO. 9

On page 10, line 20, delete "a public" and insert "an"

AMENDMENT NO. 10

On page 14, line 20, after "designation," insert " if the office is a congressional or major office,"

AMENDMENT NO. 11

On page 14, line 21, after "letters," insert "For other offices, the names of the candidates for each office shall be arranged alphabetically by surname and printed below the title of the office in smaller capitol letters."

AMENDMENT NO. 12

On page 15, line 15, change "No Party Affiliation" to "Unrecognized Party"

AMENDMENT NO. 13

On page 16, delete lines 11, through 14 and insert "the primary election for congressional or major offices of only one party, and in the primary election of any party for other offices. However, when the voter may vote for"

AMENDMENT NO. 14

On page 17, line 5, change "qualifications" to "qualification"

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

SENATE BILL NO. 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 by the Committee on Senate and Governmental Affairs. On motion of Senator Dardenne, the bill was read by title, ordered engrossed and passed to a third reading.

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

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

HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Reengrossed House Bill No. 389 by Representative McMains

AMENDMENT NO. 1

On page 1, line 2, delete "and 250 through 273"

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AMENDMENT NO. 2

On page 1, line 3, delete "and attorneys"

AMENDMENT NO. 3

On page 1, line 4, delete "panels and attorney review"

AMENDMENT NO. 4

On page 1, line 6, delete "and attorneys"

AMENDMENT NO. 5

On page 1, line 11, delete "and 250 through 273"

AMENDMENT NO. 6

On page 4, at the end of line 12, insert "; suspension of prescription"

AMENDMENT NO. 7

On page 4, at the beginning of line 13, insert "A."

AMENDMENT NO. 8

On page 4, between lines 17 and 18, insert:

"B. Prescription for claims against a certified public accountant or firm shall be suspended upon receipt from a claimant of a request for review by the Society. Prescription for claims against a certified public accountant or firm shall resume when the claimant receives the final report of the review panel or when the review process required under this Chapter has been terminated. However, upon receipt by the claimant of the final report of the review panel or upon termination of the review process, there shall be a minimum of ninety days prescription remaining for the claim in question, regardless of any statute to the contrary."

AMENDMENT NO. 9

On page 14, line 5, delete "certified public" and on line 15, change "accountant or firm" to "claimant"

AMENDMENT NO. 10

On page 14, at the end of line 7, insert:

"However, if the claimant is unable to pay, the claimant shall swear under oath to the attorney chairman of the panel that the claimant cannot afford the costs of the panel as they accrue, then the costs shall be paid by the certified public accountant or firm, with the proviso that if the claimant subsequently receives a settlement or receives a judgment in relation to the same claim, the advance payment of the costs by the certified public accountant or firm will be offset."

AMENDMENT NO. 11

On page 14, line 8, change "claimant" to "defendant certified public accountant or firm"

AMENDMENT NO. 12

On page 14, line 9, after "claimant," delete the remainder of the line and delete lines 10 through 15

AMENDMENT NO. 13

On page 14, line 17, delete "claimant and the"

AMENDMENT NO. 14

On page 14, line 18, change "split" to "pay"

AMENDMENT NO. 15

On page 14, delete lines 19 through 25

AMENDMENT NO. 16

On page 16, delete lines 3 through 26 and delete pages 17 through 27

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

Bureau.

HOUSE BILL NO. 417—

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

AN ACT

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

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

HOUSE BILL NO. 418—

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

AN ACT

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

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

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

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

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

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

HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Reengrossed House Bill No. 554 by Representative Travis

AMENDMENT NO. 1

On page 2, line 2, after "person" insert "; or any state or local governing authority or political subdivision performing a new construction project which does not constitute regular maintenance of the public facility or facilities which it has been authorized to maintain"

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

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

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

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

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

HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Reengrossed House Bill No. 559 by Representative Travis

AMENDMENT NO. 1

On page 1, line 2, after "(A)" insert "and (I)"

AMENDMENT NO. 2

On page 1, line 3, after "expenses;" insert "to provide for assessment of penalties for violations;"

AMENDMENT NO. 3

On page 1, line 6, after "(A)" delete "is" and insert "and (I) are"

AMENDMENT NO. 4

On page 1, line 14, after "reasonable" delete the remainder of the line and line 15 and insert "litigation expenses as defined in R.S. 49:965.1(D)(1)"

AMENDMENT NO. 5

On page 1, after line 16, insert the following:

"I. In addition to any other penalties provided for in this Chapter, ~~and upon a finding that a person is acting as a contractor, as defined by R.S. 37:2150.1(4), without a valid license;~~ the board may, after notice and hearing, issue an order directing the contractor to cease and desist all actions constituting ~~such a~~ violation until such time as a contractor complies with the requirements of this Chapter, and to pay to the board a civil penalty of not more than three percent of the total contract being performed. All funds collected as a result of this penalty shall be maintained in a separate fund. Annually, at each audit of the board, any funds contained in the separate fund shall be transferred to the state treasurer. Said funds shall be for the purpose of capital outlay improvement."

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

HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Engrossed House Bill No. 560 by Representative Travis

AMENDMENT NO. 1

On page 1, line 2, after "paragraph" insert "and R.S. 37.2158 (B)(1) and (2)"

AMENDMENT NO. 2

On page 1, line 3, after "(8)" delete "and (9)," and insert ", (9), and (10)."

AMENDMENT NO. 3

On page 1, line 5, after "orders;" insert "to provide relative to debarment;"

AMENDMENT NO. 4

On page 1, line 7, after "paragraph" insert "and R.S. 37:2158(B)(1) and (2)" and change "is" to "are"

AMENDMENT NO. 5

On page 1, line 8, after "(8)" delete "and (9)" and insert ",(9), and (10)"

AMENDMENT NO. 6

On page 1, at the end of line 11, add "; **debarment**"

AMENDMENT NO. 7

On page 1, line 14 after "work" insert "**, or debar any person or licensee.**"

AMENDMENT NO. 8

On page 2, between lines 4 and 5, insert the following:

"(10) Disqualification or debarment by any public entity.

B.(1) In order to enforce the provisions of this Chapter, the board may conduct hearings in accordance with the provisions R.S. 49:951, et seq. **The board shall maintain and make available a record of all persons or licensees who have been disqualified by any public entity pursuant to R.S. 38:2212(J). If any person or licensee has been disqualified more than once in a twelve month period, the board shall hold a debarment hearing.**

(2) After the hearing, if the board rules that a person has violated any provision of this Chapter, **or that a person or licensee has been appropriately disqualified more than once in a twelve month period,** in lieu of revoking or suspending the license, the board may order said person to discontinue immediately all work of every type and nature whatsoever on the construction project which is the subject of the hearing, **and/or the board may debar a person or licensee from bidding on projects for any public entity for up to three years.** Additionally, the board may require the licensee to pay the actual costs incurred by the board in connection with the investigation and conduction of the hearing. In accordance with R.S. 49:964, the board may grant a stay of the enforcement of its order for good cause."

On motion of Senator Hollis, the committee amendment was

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

HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Reengrossed House Bill No. 561 by Representative Travis

AMENDMENT NO. 1

On page 2, line 3, after "commissions" insert a "." and delete the remainder of the line

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

HOUSE BILL NO. 567—

BY REPRESENTATIVES TRAVIS, BARTON, DURAND, FLAVIN, FRITH, GAUTREAUX, 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 by the Committee on Commerce and Consumer Protection. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

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

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

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

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

HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Engrossed House Bill No. 607 by Representative Travis

AMENDMENT NO. 1
On page 1, line 2, after "R.S. 51:1258(B)" insert "and (C)"

AMENDMENT NO. 2
On page 1, line 3, after "governor" insert "and for his confirmation"

AMENDMENT NO. 3
On page 1, line 6, after "R.S. 51:1258(B)" change "is" to "and (C) are"

AMENDMENT NO. 4
On page 1, at the end of line 13, insert: "The assistant secretary shall be confirmed by the Senate."

AMENDMENT NO. 5
On page 1, between lines 13 and 14, insert the following:

"C. When there exists a vacancy in this position, the commission shall, according to its bylaws and procedures, develop a list of at least three but not more than five eligible nominees from which the **lieutenant** governor shall appoint the assistant secretary.

If the **lieutenant** governor fails to find an acceptable nominee from the list, he shall notify the commission in writing within thirty days and shall specify his reasons for rejecting the slate. If such a rejection occurs, the commission shall develop another list of qualified nominees."

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

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

HOUSE BILL NO. 793—
BY REPRESENTATIVE MICHOT
AN ACT

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

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

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

HOUSE BILL NO. 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 by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 932 by Representative Green

AMENDMENT NO. 1

On page 2, at the beginning of line 14, delete "a requested" and insert "an"

AMENDMENT NO. 2

On page 2, at the beginning of line 15, before "from" insert "requested"

AMENDMENT NO. 3

On page 2, at the end of line 15, delete "provider." and insert "provider that is of an emergent or urgent need."

AMENDMENT NO. 4

On page 2, delete lines 18 and 19 and insert the following:

"an authorization for medical diagnostic testing or treatment requested from a health care provider that is elective."

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

HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Engrossed House Bill No. 956 by Representative Triche

AMENDMENT NO. 1

On page 2, line 2, after "rule," insert "promulgated through the Administrative Procedures Act,"

AMENDMENT NO. 2

On page 2, line 4, after "him" insert "in writing and only after deadlines imposed in the order have expired"

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

HOUSE BILL NO. 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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 1046 by Representative Rodney Alexander, et al.

AMENDMENT NO. 1

On page 2, line 9, after "Act." delete the remainder of the line, delete lines 10 and 11, and at the beginning of line 12, delete "of said fees and/or fines."

AMENDMENT NO. 2

On page 2, line 16, after the period "." insert the following:

"The revocation shall be stayed during the pendency of any agency administrative appeal filed by a health care provider who contests or disputes the delinquency of any fee or fine."

AMENDMENT NO. 3

On page 2, delete lines 23 through 26 in their entirety and insert the following:

(5)(a) When a nursing facility has failed to timely report or pay a fee or has been delinquent in payment of any fee owed to the department, including specifically provider fees imposed pursuant to R.S. 46:2625, on more than three occasions. Revocation shall be stayed during the pendency of any agency administrative appeal filed by a health care provider who contests or disputes the delinquency fee or fine.

(b) For purposes of this Paragraph, a nursing facility shall be considered to be delinquent on the tenth day following the date on which the report or fee is due."

AMENDMENT NO. 4

On page 3, delete lines 1 and 2 in their entirety

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

HOUSE BILL NO. 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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 1048 by Representative Rodney Alexander, et al.

AMENDMENT NO. 1

On page 1, line 14, between "(2)" and "secretary" delete "The" and insert the following:

"Except as otherwise limited by a specific provision of law, the"

AMENDMENT NO. 2

On page 2, at the beginning of line 6, delete "to"

AMENDMENT NO. 3

On page 2, line 9, after "may" delete the remainder of the line and on line 10, delete "procedures" and insert "adopt rules and regulations"

AMENDMENT NO. 4

On page 2, line 13, after "Such" delete "criteria, policies, and procedures" and insert "rules and regulations" and between "but" and "not" insert "shall"

AMENDMENT NO. 5

On page 2, delete lines 23 through 26 in their entirety and insert the following:

"(iii) Provide a letter of credit, surety bond, or a combination thereof, not to exceed fifty thousand dollars."

AMENDMENT NO. 6

On page 3, line 1, after "(b)" delete "The general" and insert "General"

AMENDMENT NO. 7

On page 3, line 6, change "Penalties" to "Sanctions" and after "violations" insert "of federal and state laws and rules applicable to the Medical Assistance Program"

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

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

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

HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Reengrossed House Bill No. 1104 by Representative Travis

AMENDMENT NO. 1

On page 4, line 14, after "board" delete the remainder of the line and insert ". The"

AMENDMENT NO. 2

On page 4, line 21, after "board" insert a "." and delete the remainder of the line and at the beginning of line 22, delete "twenty-five thousand dollars."

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

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

HOUSE BILL NO. 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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Engrossed House Bill No. 1237 by Representative Thomas

AMENDMENT NO. 1

On page 3, at the end of line 16, insert a period "."

AMENDMENT NO. 2

On page 3, delete line 17 in its entirety and insert the following

"Hereafter, the following tasks shall be completed as soon as possible with regard to a person detained and held pursuant to an emergency certificate:"

AMENDMENT NO. 3

On page 3, delete lines 25 and 26 and on page 4, delete lines 1 and 2

AMENDMENT NO. 4

On page 4, line 3, change "(d)" to "(c)"

AMENDMENT NO. 5

On page 4, line 7, change "(e)" to "(d)"

AMENDMENT NO. 6

On page 4, line 11, after "(2)" delete the remainder of the line, delete lines 12 through 17, and on line 18, delete "hospital."

AMENDMENT NO. 7

On page 5, line 2, change "section" to "Section"

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

HOUSE BILL NO. 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 by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Reengrossed House Bill No. 1314 by Representative Holden

AMENDMENT NO. 1

On page 1, line 3, after "care;" delete the remainder of the line.

AMENDMENT NO. 2

On page 1, line 4, delete "Kids Corporation Act;"

AMENDMENT NO. 3

On page 2, line 2, after "Senate," insert the following:

"the chairman of the Senate Committee on Insurance or his designee, the chairman of the House Committee on Insurance or his designee,"

AMENDMENT NO. 4

On page 4, line 22, after "services" delete the remainder of the line and delete line 23 in its entirety

AMENDMENT NO. 5

On page 5, line 3, after "the" delete "Louisiana"

AMENDMENT NO. 6

On page 5, line 4, delete "Healthy Kids Corporation," and insert "program,"

AMENDMENT NO. 7

On page 5, line 5, delete "corporation and the"

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

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 by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Engrossed House Bill No. 1337 by Representative Ansardi

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of line 2 and delete line 3 in its entirety and insert in lieu thereof the following:

"Chapter 18 of Title 25 of the Louisiana Revised Statutes of 1950 comprised of R.S. 25:851 through 856 and R.S. 36:4(B)(1)(n), to rename the"

AMENDMENT NO. 2

On page 1, line 5, after "Museum;" and before "and to" insert "to transfer the museum to the Military Department;"

AMENDMENT NO. 3

On page 1, line 8, after "Section 1." delete the remainder of line 8 and at the beginning of line 9 delete "Statutes of 1950 and R.S. 25:851 and 856 are" and insert in lieu thereof the following:

"Chapter 18 of Title 25 of the Louisiana Revised Statutes of 1950 comprised of R.S. 25:851 through 856 is"

AMENDMENT NO. 4

On page 1, line 14, after "location" delete the semi-colon ";" and delete the remainder of line 14 and delete line 15 in its entirety

AMENDMENT NO. 5

On page 2, line 2, after "established" and before "and" insert "**in the Military Department**"

AMENDMENT NO. 6

On page 2, at the end of line 3, after "supervision of" delete the remainder of line 3 and delete lines 4 through 11, both inclusive, in their entirety

AMENDMENT NO. 7

On page 2, delete line 13 in its entirety and insert in lieu thereof the following:

~~"§852. Compensation, powers and duties of the board of managers~~ **Staffing**

The members of the board of managers shall serve without compensation. They shall hold regular meetings, prescribe rules for its operations, elect such officers as are necessary; **adjutant general shall** appoint such employees as are needed, including a director who shall reside in New Orleans, a curator of exhibits who

shall be experienced in museum work, establish and use any identifying seal pertaining to museum business, and make an annual report which shall be included as a part of the ~~adjutant general's~~ report to the governor. ~~For the purpose of transacting business, four members of the board of managers shall constitute a quorum.~~ The museum shall be open to the public as may be prescribed by the ~~board of managers~~ **adjutant general**.

§853. Historic buildings; facilities for outdoor display; management and control

The ~~board of managers~~ **adjutant general** shall select and renovate necessary historic buildings at Jackson Barracks, New Orleans, with funds provided by the legislature and/or from federal sources to house museum facilities. The ~~board of managers~~ **adjutant general** may improve existing grounds by the construction of concrete slabs and fencing for suitable outdoor display of large items or heavy equipment such as artillery, armoured vehicles and any other suitable equipment ~~subject to approval of the board of managers.~~ ~~The board~~ **The adjutant general** shall have custody, supervision and general administration over the buildings and grounds of the museum. The title to such property shall remain with the state.

§854. Operating funds

The legislature may provide sufficient funds for the proper operation by the ~~board of managers~~ **adjutant general** of the museum facilities set forth above, according to the accepted standards of museum operations, including a competent professional, technical and administrative staff.

§855. Donations, grants, and loans

The ~~board of managers~~ **adjutant general** may accept lands, buildings, money, relics, weapons, or other property on behalf of, or as additions to the museum either in the form of loans, or grants, or donations inter vivos or mortis causa, or may acquire land by purchase, lease or otherwise. The ~~board of managers~~ **adjutant general** may enter into contracts with any person it deems necessary and proper in order to accept or receive such lands, buildings, money, relics, weapons, or other property on behalf of and as additions to the museum, whether in the form of loans, grants, donations, purchase, lease or otherwise."

AMENDMENT NO. 8

On page 2, line 23, after "by the" and before "All" delete "board of managers." and insert in lieu thereof "**adjutant general.**"

AMENDMENT NO. 9

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

"Section 2. R.S. 36:4(B)(1)(n) is hereby amended and reenacted to read as follows:

§4. Structure of executive branch of state government

* * *

B. The office of the governor shall be in the executive branch of state government.

(1) The following agencies and their powers, duties, functions, and responsibilities are hereby transferred to the office of the governor:

* * *

(n) The Military Department, State of Louisiana (Art. IV, Sec. 5(J) of 1974 Const.; R.S. 29:1-29:242; R.S. 40:1379.2), **including the Ansel M. Stroud, Jr. Military History and Weapons Museum (R.S. 25:851-25:856)**

* * *

AMENDMENT NO. 10

On page 3, at the beginning of line 3, change "Section 2." to "Section 3."

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

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

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

HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Engrossed House Bill No. 1607 by Representative Green

AMENDMENT NO. 1

On page 1, line 9, after "A." insert "Except as provided in this Section," and change "The" to "the"

AMENDMENT NO. 2

On page 1, line 13, after "organization" delete "otherwise"

AMENDMENT NO. 3

On page 1, line 13, after "falsely" insert "imply or otherwise"

AMENDMENT NO. 4

On page 1, line 18, after "facility" delete "or" and insert "and the"

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

HOUSE BILL NO. 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 by the Committee on Commerce and

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

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

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

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

HOUSE BILL NO. 1933—
BY REPRESENTATIVE TOOMY
AN ACT

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

Reported favorably by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the

bill was read by title and referred to the Legislative Bureau.

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

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

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

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

HOUSE BILL NO. 2038—
BY REPRESENTATIVES DEWITT, DURAND, GAUTREAUX, JOHNS, RIDDLE, THORNHILL, AND VITTER 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 unbuild 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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 2038 by Representative DeWitt, et al.

AMENDMENT NO. 1

On page 2, line 6, between "1997" and the period "." insert "or have been previously approved for alternate use by the department"

AMENDMENT NO. 2

On page 2, line 10, delete "December 31, 1997" and insert "July 1, 1998"

AMENDMENT NO. 3

On page 2, line 12, delete "June 30" and insert "December 31"

AMENDMENT NO. 4

On page 2, line 14, between "facilities" and the period "." insert "or existing approvals which are under judicial review"

AMENDMENT NO. 5

On page 2, line 17, delete "July 1, 1998" and insert "December 31, 1997"

AMENDMENT NO. 6

On page 2, line 19, delete "December 31" and insert "June 30"

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

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

HOUSE BILL NO. 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 by the Committee on Health and Welfare.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Health and Welfare to Reengrossed House Bill No. 2151 by Representative Rodney Alexander, et al.

AMENDMENT NO. 1

On page 1, change "R.S. 49:191(9)(b)" to "R.S. 49:191(10)(g)"

AMENDMENT NO. 2

On page 1, line 17, change "1999" to "2000"

AMENDMENT NO. 3

On page 2, line 5, change "R.S. 49:191(9)(b)" to "R.S. 49:191(10)(g)"

AMENDMENT NO. 4

On page 2, delete line 15 in its entirety and insert the following:

"(10) July 1, 1999:"

AMENDMENT NO. 5

On page 2, at the beginning of line 17, change "(b)" to "(g)"

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

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

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

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

HOUSE BILL NO. 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 by the Committee on Commerce and

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

HOUSE BILL NO. 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 by the Committee on Commerce and Consumer Protection.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Reengrossed House Bill No. 2262 by Representative Willard-Lewis

AMENDMENT NO. 1

On page 1, line 12, after "No" delete "telephone long distance service provider" and insert:

"interexchange carrier, as that term is used in 47 CPR Section 64.1100, and no local exchange carrier, as that term is used in Section 3(26) of the Communications Act of 1934, as amended,"

AMENDMENT NO. 2

On page 1, line 16, after "The" delete "long distance service provider" and insert "interexchange carrier or local exchange carrier"

AMENDMENT NO. 3

On page 2, line 3, after "The" delete "long distance service provider" and insert "interexchange carrier or local exchange carrier"

AMENDMENT NO. 4

On page 2, line 11, after "The" delete "long distance providers" and insert "interexchange carrier's or local exchange carrier's"

AMENDMENT NO. 5

On page 2, at the end of line 14, delete "a"

AMENDMENT NO. 6

On page 2, at the beginning of line 15, delete "long distance provider" and insert "an interexchange carrier or local exchange carrier"

AMENDMENT NO. 7

On page 3, line 9, after "The" delete "long distance provider" and insert "interexchange carrier or local exchange carrier"

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

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

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

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

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

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

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

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

**HOUSE CONCURRENT RESOLUTION NO. 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 by the Committee on Health and Welfare. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the resolution was read by title and referred to the Legislative Bureau.

Reconsideration

On motion of Senator Campbell, pursuant to the previous notice given, the vote by which the following bill failed to pass on Wednesday, May 28, 1997 was reconsidered.

**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.

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

Reconsideration

On motion of Senator Romero, pursuant to the previous notice given, the vote by which the following bill failed to pass on Wednesday, May 28, 1997 was reconsidered.

**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.

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

Special Order of the Day

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

**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

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

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Ellington	Lentini
Campbell	Greene	Robichaux
Casanova	Guidry	Siracusa
Cox	Hainkel	Theunissen
Cravins	Hines	Ullo
Dardenne	Hollis	
Total—17		

NAYS

Barham	Heitmeier	Romero
Branch	Irons	Short
Cain	Jordan	Smith
Dean	Lambert	
Dyess	Landry	
Total—13		

ABSENT

Mr. President	Fields	Malone
Bagneris	Johnson	Schedler
Bean	Jones	Tarver
Total—9		

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

**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. 1560 (SUBSTITUTE FOR SENATE
BILL NO. 1533 BY SENATOR
HINES)—**

**BY SENATORS HINES AND IRONS
AN ACT**

To enact R.S. 36:259(FF) and 919.4 and Chapter LII of Title 46 of the Revised Statutes of 1950, to be comprised of R.S. 46:2671 through 2675, relative to assisted living of the elderly; to provide for findings and declarations; to authorize the Department of Health and Hospitals to develop and implement a residential assisted living pilot project; to provide for cooperation among departments; to provide for guidelines for such project; to specify duration of project; to require reports; to create an advisory committee; to provide for membership and duties of such committee; and to provide for related matters.

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Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1560 by Senator Hines

AMENDMENT NO. 1

On page 1, line 2 and page 2, line 15, following "Chapter" and before "of" change "LII" to "52"

AMENDMENT NO. 2

On page 2, line 18, following "Chapter" and before the period "." change "LII" to "52"

AMENDMENT NO. 3

On page 3, line 17, before the period "." change "requires" to "require"

AMENDMENT NO. 4

On page 4, line 23, following "but" and before "not" change "is" to "are"

AMENDMENT NO. 5

On page 4, line 24, following "to" and before "the" insert a comma ", "

AMENDMENT NO. 6

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

On motion of Senator Bagneris, the amendments were adopted.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed Senate Bill No. 1560 by Senator Hines

AMENDMENT NO. 1

On page 7, line 18, between "Association" and "who" insert "by a person"

AMENDMENT NO. 2

On page 7, line 21, between "Association" and "who" insert "by a person"

On motion of Senator Hines, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators who voted 'YEAS': Mr. President, Bajois, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Dean, Dyess, Ellington, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Short, Siracusa, Smith.

Cravins Dardenne Total—33

Irons Jordan NAYS

Theunissen Ullo

Total—0

ABSENT

Bagneris Fields Total—6

Johnson Jones

Schedler Tarver

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

SENATE BILL NO. 1561 (SUBSTITUTE BILL FOR SENATE BILL 95)—

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 32:1(93), 2(C), 3, and 389(A) and R.S. 47:718(B)(1) and (C)(1), 809(A), and 812(C) and to enact R.S. 32:1(94), and 2(D), and R.S. 36:408(B)(3) and 409(C)(8) and R.S. 40:1379.8, all relative to the Weights and Standards Police; to transfer such police force to the office of state police; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1561 by Senator Landry

AMENDMENT NO. 1

On page 2, line 7, following "and" and before "stationary" change "Standards" to "standards"

AMENDMENT NO. 2

On page 3, line 4, following "The" and before "Department" delete "The"

AMENDMENT NO. 3

On page 4, line 22, following "Subtitle" and before "of" insert "II"

AMENDMENT NO. 4

On page 5, line 15, following "II" and before "Title" insert "of"

AMENDMENT NO. 5

On page 5, line 24, following "(B)" and before "and" insert "(1)"

On motion of Senator Bagneris, the amendments were adopted.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 1561 by Senator Landry

AMENDMENT NO. 1

On page 1, lines 4 and 10 change "(94)" to "(99)"

AMENDMENT NO. 2

On page 2, line 7, change "(94)" to "(99)"

On motion of Senator Landry, the amendments were adopted.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 1561 by Senator Landry

AMENDMENT NO. 1

On page 1, line 2, after "3," add "388(E) and (F),"

AMENDMENT NO. 2

On page 1, line 5, after "Standards" add "Mobile"

AMENDMENT NO. 3

On page 1, line 6, after the semicolon ";" add "to provide for a special fund for penalty fines;"

AMENDMENT NO. 4

On page 1, line 9, after "3" add ", 388(E) and (F),"

AMENDMENT NO. 5

On page 1, line 16, after "standards" add "mobile"

AMENDMENT NO. 6

On page 2, line 16, after "Department" add "Police Force"

AMENDMENT NO. 7

On page 2, line 22, after "Standards" add "Stationary"

AMENDMENT NO. 8

On page 3, line 26, after "Standards" add "Mobile"

AMENDMENT NO. 9

On page 4, between lines 4 and 5, add the following:

"§388. Penalties; payments

* * *

E. Payments for penalties shall be remitted to the Louisiana Department of Transportation and Development or to the Department of Public Safety and Corrections, as applicable. However, any payments for citations for weight limit violations on parish roads in Calcasieu Parish shall be paid to the public works department of Calcasieu Parish.

F.(1) All of such penalties collected by the secretary shall be paid into the state treasury on or before the twenty-fifth day of each month following their collection and, in accordance with Article VII, Section 9 of the Constitution of Louisiana, shall be credited to the Bond Security and Redemption Fund. However, after a sufficient amount of the penalties collected by the Department of Public Safety and Corrections is allocated from the fund to pay all obligations secured by the full faith and credit of the state within any fiscal years, the treasurer shall pay an amount equal to the fees paid into the Bond Security and Redemption Fund pursuant to this Paragraph into the Weights and Standards Mobile Police Force Fund created under the provisions of R.S. 47:718(C).

* * *

AMENDMENT NO. 10

On page 6, line 17, at the end of the line add the following: "After a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state which become due and payable within any fiscal years, the treasurer shall pay an amount equal

to the fees paid into the Bond Security and Redemption Fund pursuant to this Paragraph into a special fund which is hereby created in the state treasury and designated as the "Weights and Standards Mobile Police Force Fund hereinafter referred to as the "fund". The monies credited to the fund shall be used solely for purposes consistent with the authority and responsibilities of the Weights and Standards Mobile Police Force in the Department of Public Safety and Corrections."

AMENDMENT NO. 11

On page 8, at the beginning of line 4, add "Mobile"

AMENDMENT NO. 12

On page 9, line 6, after "Standards" add "Mobile"

AMENDMENT NO. 13

On page 9, line 7, after "Standards" change "Station" to "Stationary"

AMENDMENT NO. 14

On page 9, line 8, after "Officers" add "Force"

On motion of Senator Landry, the amendments were adopted.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Guidry to Engrossed Senate Bill No. 1561 by Senator Landry

AMENDMENT NO. 1

In Senate Floor Amendments proposed by Senator Landry and adopted by the Senate on May 29, 1997, On page 1, line 26, after "in" delete "Calcasieu Parish" and insert "a parish" and on line 27, change "Calcasieu" to "said" and change "Parish" to "parish"

Senator Landry moved adoption of the amendments.

Senator Cox objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators voting 'YEAS' in three columns: Mr. President, Bagneris, Bajoie, Barham, Bean, Branch, Casanova, Dardenne, Dyess, Total—27; Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jordan; Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Ullo.

NAYS

Table listing names of senators voting 'NAYS': Campbell, Cox, Total—5; Dean, Lambert; Theunissen.

ABSENT

Table listing names of senators who are 'ABSENT': Cain, Cravins, Ellington, Total—7; Fields, Jones, Landry; Tarver.

The Chair declared the amendments were adopted.

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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	Greene	Landry
Bagneris	Guidry	Lentini
Bajoie	Hainkel	Robichaux
Barham	Heitmeier	Romero
Bean	Hines	Schedler
Branch	Hollis	Short
Casanova	Irons	Siracusa
Cravins	Johnson	Smith
Dardenne	Jordan	Theunissen
Dyess	Lambert	Ullo
Total—30		

NAYS

Cain	Cox	Ellington
Campbell	Dean	Malone
Total—6		

ABSENT

Fields	Jones	Tarver
Total—3		

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

SENATE BILL NO. 268—
BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 15:832.1(A) and (B), 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Johnson	Tarver
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Barham	Jones
Fields	Siracusa
Total—7	

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

SENATE BILL NO. 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 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.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Engrossed Senate Bill No. 1315 by Senator Cravins

AMENDMENT NO. 1

On page 1, at the beginning of line 15, after "(16)" insert "(a)"

AMENDMENT NO. 2

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

"(b) The Louisiana Gaming Control Board shall develop and promulgate rules and regulations governing food service operations and practices of riverboat casinos to ensure that they adhere to the intent of the legislature as described in this Section."

On motion of Senator Cravins, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dean	Landry
Bajoie	Dyess	Lentini
Barham	Ellington	Malone
Bean	Greene	Robichaux
Branch	Guidry	Romero
Cain	Hainkel	Schedler
Campbell	Hollis	Short
Casanova	Irons	Siracusa
Cox	Johnson	Smith
Cravins	Jordan	Theunissen
Dardenne	Lambert	Ullo
Total—33		

NAYS

Total—0

ABSENT

Bagneris	Heitmeier	Jones
Fields	Hines	Tarver
Total—6		

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

which the bill was passed and laid the motion on the table.

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lentini
Bajoie	Ellington	Malone
Bean	Hainkel	Schedler
Branch	Heitmeier	Siracusa
Campbell	Hines	Smith
Cox	Hollis	Theunissen
Cravins	Johnson	Ullo
Dardenne	Landry	
Total—23		

NAYS

Cain	Guidry	Romero
Casanova	Irons	Short
Dean	Jordan	
Greene	Lambert	
Total—10		

ABSENT

Bagneris	Fields	Robichaux
Barham	Jones	Tarver
Total—6		

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

SENATE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lentini
Bajoie	Ellington	Malone
Barham	Greene	Romero
Bean	Guidry	Schedler
Cain	Heitmeier	Short
Campbell	Hines	Siracusa
Casanova	Irons	Smith
Cox	Johnson	Theunissen
Cravins	Jordan	Ullo
Dardenne	Lambert	

Dean
Total—31

Landry

NAYS

Branch
Total—1

ABSENT

Bagneris
Fields
Hainkel
Total—7

Hollis
Jones
Robichaux

Tarver

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

Senate 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 Ewing asked that Senate Bill No. 1205 be called from the Calendar at this time.

SENATE BILL NO. 1205—
BY SENATOR EWING

AN ACT

To enact R.S. 39:370.1, relative to state planning; to require the division of administration and the Department of State Civil Service to develop and implement a strategic plan for achieving long-term staffing reductions and improving the effectiveness and efficiency in the operation of state government agencies; to provide for implementation dates; and to provide for related matters.

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

Called from the Calendar

Senator Ewing asked that Senate Bill No. 1212 be called from the Calendar at this time.

SENATE BILL NO. 1212—
BY SENATOR EWING

AN ACT

To amend and reenact R.S. 42:1261(B)(1), relative to in-service training for public employees; to require management development training for all managers and supervisors in state agencies; to provide for a management plan based on agency needs and funding; and to provide for related matters.

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

Called from the Calendar

Senator Ewing asked that Senate Bill No. 1229 be called from the Calendar at this time.

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SENATE BILL NO. 1229—
BY SENATOR EWING

AN ACT

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

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

Called from the Calendar

Senator Jordan asked that Senate Bill No. 908 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 908—
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 13:621.15, relative to district courts; to provide for an additional judgeship in the fifteenth judicial district; to provide for the election and term of office; to provide for qualifications; to provide relative to compensation; and to provide for related matters.

Floor Amendments Sent Up

Senator Jordan sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jordan to Engrossed Senate Bill No. 908 by Senator Jordan

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 13:" insert "477(15) and"

AMENDMENT NO. 2

On page 1, line 7, after "R.S. 13:" delete "621.15 is" and insert "477(15) and 621.15 are"

AMENDMENT NO. 3

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

"§477. Judicial districts

There shall be forty judicial districts in the state, the parish of Orleans excepted, and each district shall be composed as follows:

* * *

(15) The parishes of Acadia, Lafayette, and Vermilion shall compose the Fifteenth District. The district shall consist of five election sections.

Election section one shall consist of Precincts 6-16, 1-8, 1-3A, 1-11, 1-6, 1-7, 6-1, 6-11, 6-13, 6-3B, 6-3A, 6-5, and 6-6 of Acadia Parish; and Precincts 14B, 14A, 18, 15A, 15B, 7, 8, 9, 10, 16, 17, 19, 22, 23, 24, 50, 51, 52, 54, 56, 57, 58, 59, 61, 62, 64, 65, and 68 of Lafayette Parish. Election section two shall consist of Precincts 1, 2, 3A, 3B, 4, 5, 6, 11, 12, 13, 20, 21, 53, and 55 of Lafayette Parish. Election section three shall consist of Precincts 85A, 85B, 32, 33, 34A, 34B, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 60, 66, 69, 70, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, and 106 of Lafayette Parish. Election section four shall consist of Precincts 7-2, 4-1, 7-3, 4-6, 7-4, 7-1, 2-4, 3-6, 3-5, 3-2, 3-7, 3-1, 3-3A, 3-4, 3-3B, 3-6A*, 3-6B*, 4-5, 4-4, 4-2, 4-3, 2-5, 2-3, 2-2, 1-1, 2-1, 5-1B, 5-1A, 5-5, 5-3, 5-4, 6-12, 6-4, 6-7, 6-15, 5-2B, 5-2A, 5-6, 6-10, 1-3B, 1-2A, 1-2B, 1-5B, 1-5A, 6-14, 1-4A, 1-4B, 1-9, 6-2, 6-8, 6-9, and 1-10 of Acadia Parish, and Precincts 25, 26, 27, 28, 29, 30, 31, 35, 36, and 37 of Lafayette Parish. Election section five shall consist of Vermilion Parish."

* * *

AMENDMENT NO. 4

On page 1, line 11, after "judges." insert "Two judges shall be elected from election section one, one judge shall be elected from election section two, four judges shall be elected from election section three, three judges shall be elected from election section four, and two judges shall be elected from election section five."

Senator Jordan moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Cravins	Jordan
Bean	Greene	Landry
Cain	Guidry	Romero
Campbell	Irons	Short
Cox	Johnson	

Total—14

NAYS

Barham	Hainkel	Robichaux
Branch	Hines	Schedler
Dardenne	Hollis	Smith
Dean	Lentini	Theunissen
Ellington	Malone	Ullo

Total—15

ABSENT

Mr. President	Fields	Siracusa
Bagneris	Heitmeier	Tarver
Casanova	Jones	
Dyess	Lambert	

Total—10

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—33

NAYS

Malone
Total—1

ABSENT

Dyess	Jones	Tarver
Fields	Siracusa	
Total—5		

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

Called from the Calendar

Senator Bean asked that Senate Bill No. 1132 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 1132—
BY SENATOR BEAN AND REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 30:2014.2, relative to proposed actions of the Department of Environmental Quality; to require certain parties objecting to proposed department action on public trustee grounds to make the objection known during the public comment period; and to provide for related matters.

Floor Amendments Sent Up

Senator Bean sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bean to Engrossed Senate Bill No. 1132 by Senator Bean

AMENDMENT NO. 1

On page 1, line 5, change "during the public comment period" to "prior to a final decision by the department"

AMENDMENT NO. 2

On page 2, line 3, after "position" delete the remainder of the line and insert in lieu thereof:

"prior to the issuance of a final decision"

AMENDMENT NO. 3

On page 2, at the beginning of the line 4, delete "of the public comment period established"

AMENDMENT NO. 4

On page 2, line 7, change "submitted" to "admissible"

AMENDMENT NO. 5

On page 2, lines 9 and 12 after "submitted to" change "and" to:

"the department prior to issuance of a final decision or"

On motion of Senator Bean, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Bajoie	Ellington	Landry
Bean	Heitmeier	Lentini
Branch	Hines	Romero
Casanova	Hollis	Siracusa
Dean	Irons	Smith
Dyess	Johnson	Theunissen

Total—18

NAYS

Mr. President	Cravins	Lambert
Bagneris	Dardenne	Malone
Barham	Greene	Robichaux
Cain	Guidry	Schedler
Campbell	Hainkel	Short
Cox	Jordan	Ullo
Total—18		

ABSENT

Fields	Jones	Tarver
Total—3		

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Bean, 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 Bajoie asked for and obtained the floor of the Senate on a point of personal privilege, and stated she had voted in error on Senate Bill No. 1132. She voted yea on the bill and had intended to vote nay. She asked that the Official Journal so state.

Called from the Calendar

Senator Ellington asked that Senate Bill No. 1477 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 1477—
BY SENATOR ELLINGTON
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

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

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Total—0

ABSENT

Cravins	Hines	Tarver
Fields	Jones	
Total—5		

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

Called from the Calendar

Senator Heitmeier asked that Senate Bill No. 425 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 425—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:181(A) and to repeal R.S. 11:182, relative to state and statewide retirement systems; to provide for the composition of the governing boards of state systems; to provide that the chairman of the Senate Committee on Retirement serve as ex officio member of such boards; to provide for per diem paid for board members to attend meetings; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dean	Landry
Bagneris	Dyess	Lentini
Bajoie	Ellington	Malone
Barham	Greene	Robichaux
Bean	Guidry	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hollis	Siracusa
Casanova	Johnson	Smith
Cox	Jordan	Theunissen
Dardenne	Lambert	Ulló
Total—33		

NAYS

Total—0

ABSENT

Cravins	Hines	Jones
Fields	Irons	Tarver
Total—6		

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

Called from the Calendar

Senator Heitmeier asked that Senate Bill No. 204 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 204—

BY SENATOR HEITMEIER AND REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 40:1299.39.1(A)(2)(a) and 1299.47(A)(2)(a); relative to prescription in medical malpractice claims; to specify the proper party to be served; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 204 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 12, following "this" and before ", until" change "part" to "Part"

AMENDMENT NO. 2

On page 2, line 8, following "solidary" and before ", including" change "obligers" to "obligors"

AMENDMENT NO. 3

On page 2, line 13, before "other" change "agency" to "entity"

On motion of Senator Bagneris, the amendments were adopted.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator s Bagneris and Landry to Engrossed Senate Bill No. 204 by Senator Heitmeier and Representative Dewitt

AMENDMENT NO. 1

On page 2, line 8, between "all" and "solidary" insert "joint or"

AMENDMENT NO. 2

On page 3, line 2, between "all" and "providers" insert "joint and solidary obligors, including but not limited to health care"

AMENDMENT NO. 3

On page 3, line 6, after "~~the~~" delete "~~Patient's~~" and insert "division of administration"

AMENDMENT NO. 4

On page 3, line 7, delete "Compensation Fund"

On motion of Senator Bagneris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Landry
Bagneris	Ellington	Lentini
Bajoie	Greene	Malone
Barham	Guidry	Robichaux
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler

Cain
Campbell
Casanova
Cox
Dardenne
Dean
Total—35

Hines
Hollis
Irons
Johnson
Jordan
Lambert

Short
Siracusa
Smith
Theunissen
Ullo

NAYS

Total—0

ABSENT

Cravins
Fields
Total—4

Jones
Tarver

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

Called from the Calendar

Senator Cravins asked that Senate Bill No. 1202 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 1202—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 22:2029(1), relative to dental referral plans; to delete dental care providers from the definition of "dental referral plan"; and to provide for related matters.

Floor Amendments Sent Up

Senator Cravins sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Engrossed Senate Bill No. 1202 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 16, between "enrollees" and the period "." insert:

", employers, insurers, or health maintenance organizations"

On motion of Senator Cravins, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Bagneris
Bajoie
Barham
Bean
Branch
Cain
Campbell
Casanova
Cox
Cravins
Dardenne
Total—34

Dean
Dyess
Ellington
Greene
Guidry
Heitmeier
Hines
Irons
Johnson
Jordan
Lambert
Landry

Lentini
Malone
Robichaux
Romero
Schedler
Short
Siracusa
Smith
Theunissen
Ullo

NAYS

Hainkel
Total—2

Hollis

ABSENT

Fields
Total—3

Jones

Tarver

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

Called from the Calendar

Senator Johnson asked that Senate Bill No. 1082 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 1082—
BY SENATOR JOHNSON

AN ACT

To enact R.S. 33:4753.1, relative to the authority of the city of New Orleans to adopt certain ordinances relative to property which endangers the public health, welfare or safety or is unsanitary; to provide relative to the rights of property owners; and to provide for related matters.

Floor Amendments Sent Up

Senator Johnson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Johnson to Engrossed Senate Bill No. 1082 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 4, delete "provide relative to" and delete line 5 in its entirety and insert "authorize the city of New Orleans to require that community service be performed by persons who allow weeds, grass or other noxious growths to accumulate on their property in disregard of the health and safety of others; to provide for penalties; and to provide for related matters."

AMENDMENT NO. 2

On page 1, delete lines 8 through 16 in their entirety and delete pages 2 and 3 in their entirety and insert the following:

"Section 1. R.S. 33:4753.1 is hereby enacted to read as follows:

§4753.1. Noxious growths; community service; city of New Orleans

A. The governing authority of the city of New Orleans may enact ordinances which require that community services be performed by persons who allow weeds, grass, or other noxious growths to accumulate on their property thereby allowing the property to degrade to a deplorable condition which endangers the health and safety of humans and pets.

B. City law enforcement authorities shall have the authority to enforce such ordinances, including the authority to issue summons for violations of such ordinances. The municipal court for the city of New Orleans, shall have jurisdiction to hear cases relative to such violations and to impose penalties for such violations in accordance with applicable ordinances.

C. The offender shall be cited for the offense by means of summons as provided by ordinance.

D. Whoever violates the provisions of this Section shall:

(1) Upon first conviction be sentenced to serve ten hours of community service on their property.

(2) Upon second conviction be sentenced to serve twenty

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hours of community service on their property.

(3) Upon third or subsequent conviction be sentenced to serve fifty hours of community service on their property, or in a work detail as approved by the court, or any combination of the aforementioned penalties.

(4) The court may require an individual convicted of a violation of this Section to remove the weeds, grass, or other noxious growths which have accumulated on their property in disregard of the health and safety of others in lieu of or in addition to the penalties prescribed in this Section."

On motion of Senator Johnson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris Hainkel Tarver
Fields Jones
Total—5

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

Called from the Calendar

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

SENATE BILL NO. 899—
BY SENATOR JORDAN

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bagneris Dean Jordan
Bajoie Dyess Lentini
Barham Ellington Malone
Bean Greene Robichaux
Branch Guidry Romero
Cain Hainkel Schedler
Campbell Heitmeier Short
Casanova Hines Siracusa
Cox Hollis Smith
Cravins Irons Theunissen
Dardenne Johnson Ullo
Total—33

NAYS

Landry
Total—1

ABSENT

Mr. President Jones Tarver
Fields Lambert
Total—5

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

Called from the Calendar

Senator Hainkel asked that Senate Bill No. 442 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 442—
BY SENATOR HAINKEL

AN ACT

To amend and reenact Code of Civil Procedure Art. 561(A), relative to abandonment; to reduce the period in which an action can be dismissed for lack of prosecution or defense; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. SB 442 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 2, following "reenact" and before "Code" insert "the introductory paragraph of"

AMENDMENT NO. 2

On page 1, line 2, following "561(A)", and before ", relative" insert "and to enact Code of Civil Procedure Art. 561(C)"

AMENDMENT NO. 3

On page 1, line 6, following "Section 1." and before "Code" insert "The introductory paragraph of"

AMENDMENT NO. 4

On page 1, line 7, following "reenacted" and before "to" insert "and Code of Civil Procedure Art. 561(C) is hereby enacted"

AMENDMENT NO. 5

On page 1, line 13, before "Any" insert "C."

AMENDMENT NO. 6

On page 1, line 14, following "record" insert ", including the taking of a deposition with or without formal notice,"

AMENDMENT NO. 7

On page 2, line 1, following "action" delete the remainder of the line and delete lines 2 and 3 and insert a period "."

On motion of Senator Bagneris, the amendments were adopted.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed Senate Bill No. 442 by Senator Hainkel

AMENDMENT NO. 1

On page 1, between lines 12 and 13, insert the following:

"This provision shall be operative without formal order, but, on ex parte motion of any party or other interested person **by affidavit which provides that no step has been taken for a period of three years in the prosecution or defense of the action**, the trial court shall enter a formal order of dismissal as of the date of its abandonment. **The order shall be served on the plaintiff pursuant to Article 1313 or 1314, and the plaintiff shall have thirty days from date of service to move to set aside the dismissal.** However, the trial court may direct that a contradictory hearing be held prior to dismissal.

AMENDMENT NO. 2

On page 1, at the beginning of line 13, insert "B."

AMENDMENT NO. 3

On page 2, delete line 3 and insert the following:

B. C. An appeal is abandoned when the parties fail to take any step in its prosecution or disposition for the period provided in the rules of the appellate court."

On motion of Senator Hainkel, the amendments were adopted.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 442 by Senator Hainkel

AMENDMENT NO. 1

On page 2, line 4, after "apply" insert "only"

AMENDMENT NO. 2

On page 2, line 5, delete "all pending" and after "actions" insert the following:

"filed after the effective date"

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

Bagneris Dyess Lambert

Bajoie	Ellington	Landry
Barham	Greene	Lentini
Bean	Guidry	Malone
Branch	Hainkel	Robichaux
Cain	Heitmeier	Romero
Campbell	Hines	Schedler
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Dardenne	Johnson	Theunissen
Dean	Jordan	Uilo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Fields	Short
Cravins	Jones	Tarver
Total—6		

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.

Called from the Calendar

Senator Ewing asked that Senate Bill No. 1223 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 1223—
BY SENATOR EWING

AN ACT

To amend and reenact R.S. 33:9102(B) and to enact R.S. 33:9131.2, relative to communications districts; to provide for the Ouachita Parish Communications District to engage in other communication enhancements which will improve the effectiveness of safety services; to allow the Ouachita Parish Communications District to levy emergency telephone service charges on cellular or other nonfixed locations of wireless telephone service users; to provide for the billing of emergency telephone service charges; to provide that good faith compliance by the service supplier shall be a complete defense to legal action resulting from the supplier's list of uncollected payments; to provide for payment, remittance, record keeping, and the administrative fee for such charges between the service supplier and the district governing authority; and to provide for related matters.

Floor Amendments Sent Up

Senator Ewing sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ewing to Engrossed Senate Bill No. 1223 by Senator Ewing

AMENDMENT NO. 1

On page 2, line 19, after "one dollar per month." insert the following:

"However, no such monthly service charge for cellular or nonfixed location wireless telecommunications service, including specialized mobile radio service, shall be imposed until it has been approved by a majority of the persons voting on such specific question at an election held for such purpose within the district. Any such rate increase shall expire in fifteen years unless reauthorized by a vote of a majority of the persons voting within the district."

AMENDMENT NO. 2

On page 4, between lines 17 and 18 insert the following:

"(9) From the gross receipts to be remitted to the district, the

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service supplier shall be reimbursed by the district for the purposes undertaken in connection with compliance with the requirements of Federal Communications Commission Docket No. 94-102, including upgrading, purchasing, programming, and installing necessary data, hardware, and software, including without limitation, the service supplier's costs for implementing the billing and collecting of the service charge levied upon service suppliers, and all monthly trunking costs and expenses.

(10) Notwithstanding any other provision of the law, in no event shall any CMRS supplier, its officers, employees, assigns, or agents be liable for civil damages or criminal liability in connection with the development, design, installation, operation, maintenance, performance, or provision of 911 service. Nor shall any CMRS supplier, its officers, employees, assigns, or agents be liable for civil damages or criminal liability in connection with the release of subscriber information to any governmental entity as required under the provision of this subchapter.

(11) Due to the confidential and proprietary nature of the information submitted to the PSAP, the information shall be retained in confidence, and shall not be subject to the Louisiana Public Records Law nor released to any third party."

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

NAYS

Total—0

ABSENT

Cravins	Jones	Tarver
Fields	Short	
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.

Called from the Calendar

Senator Landry asked that Senate Bill No. 1133 be called from the Calendar at this time for its final passage.

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 Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 1133 by Senator Landry

AMENDMENT NO. 1

On page 10, delete lines 14 through 17 and insert the following:

"invitation for quotations shall, upon request to the contracting officer or project engineer named in the notice posted as required in this Subsection, be sent bidding documents."

AMENDMENT NO. 2

On page 36, line 17, change "R.S. 48:251" to "R.S. 48:250"

On motion of Senator Landry, the amendments were adopted.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 1133 by Senator Landry

AMENDMENT NO. 1

On page 3, at the end of line 6, add the following:

"Such projects which do not exceed the contract limit shall be performed with department employees."

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

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

Total—33

NAYS

Total—0

ABSENT

Mr. President	Fields	Short
Cravins	Jones	Tarver

Total—6

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.

Called from the Calendar

Senator Jordan asked that Senate Bill No. 898 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 898—
BY SENATOR JORDAN

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bean	Hines	Lambert
Cravins	Johnson	Short
Guidry	Jordan	

Total—8

NAYS

Mr. President	Dean	Lentini
Bajoie	Dyess	Malone
Barham	Ellington	Robichaux
Branch	Greene	Romero
Cain	Hainkel	Schedler
Campbell	Heitmeier	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Theunissen
Dardenne	Landry	Ullo

Total—27

ABSENT

Bagneris	Jones
Fields	Tarver

Total—4

The Chair declared the bill failed to pass.

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

Called from the Calendar

Senator Short asked that Senate Bill No. 760 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 760—
BY SENATOR SHORT

AN ACT

To amend and reenact R.S. 46:239 and to enact R.S. 46:231(E), relative to public assistance; to define Temporary Assistance to Needy Families; to change references from Aid to Families with Dependent Children (AFDC) to TANF; to decrease the age limit for TANF recipients subject to school attendance requirements; to require the parent or guardian of certain TANF recipients to attend certain parent/teacher meetings; to provide for loss of TANF benefits for failure to attend parent/teacher meetings; to define terms; to provide for promulgation of rules and regulations; and to provide for related matters.

Floor Amendments Sent Up

Senator Guidry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Guidry to Engrossed Senate Bill No. 760 by Senator Short

AMENDMENT NO. 1

On page 6, after line 7, insert the following:

"E. Any non-TANF recipient who fails to attend a parent/teacher meeting as defined in this Act, shall lose any tax exemptions or exclusions to which he may be entitled."

Senator Guidry moved adoption of the amendments.

Senator Short objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Guidry	Johnson
Bean	Irons	

Total—5

NAYS

Barham	Heitmeier	Schedler
Branch	Hines	Short
Cain	Hollis	Siracusa
Casanova	Jordan	Smith
Dardenne	Landry	Theunissen
Dyess	Lentini	Ullo
Ellington	Malone	
Greene	Robichaux	

Total—22

ABSENT

Mr. President	Cravins	Jones
Bagneris	Dean	Lambert
Campbell	Fields	Romero
Cox	Hainkel	Tarver

Total—12

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The Chair declared the amendments were rejected.

Motion

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

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bagneris Cox Irons
Bajoie Cravins Johnson
Barham Ellington Jordan
Cain Guidry
Campbell Heitmeier
Total—13

NAYS

Bean Lambert Short
Branch Landry Siracusa
Casanova Lentini Smith
Dardenne Malone Theunissen
Dyess Robichaux Ullo
Hines Romero
Hollis Schedler
Total—19

ABSENT

Mr. President Greene Tarver
Dean Hainkel
Fields Jones
Total—7

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Branch Landry Siracusa
Cain Lentini Smith
Dardenne Malone Theunissen
Hines Romero Ullo
Hollis Schedler
Total—14

NAYS

Mr. President Campbell Guidry
Bagneris Cox Heitmeier
Bajoie Cravins Irons
Barham Dyess Johnson
Bean Ellington Robichaux
Total—15

ABSENT

Casanova Hainkel Short
Dean Jones Tarver
Fields Jordan

Greene Lambert
Total—10

The Chair declared the bill failed to pass.

Notice of Reconsideration

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

Called from the Calendar

Senator Jordan asked that Senate Bill No. 446 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 446—

BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 42:1102(22)(a), relative to the governmental code of ethics; to provide for definitions; and to provide for related matters.

Floor Amendments Sent Up

Senator Jordan sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jordan to Engrossed Senate Bill No. 446 by Senator Jordan

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 42:1102(22)(a)" to "R.S. 42:1114(D), and to enact R. S. 42:1114(E)"

AMENDMENT NO. 2

On page 1, line 3, after "ethics;" delete "to provide for definitions;" and insert "to require legislators and the governor to disclose public and private contracts in excess of one hundred thousand dollars; to provide for disclosure by spouse and children of such legislator and the governor; to provide for a definition of public official; to provide for disclosure requirements;"

AMENDMENT NO. 3

On page 1, line 5, change "R.S. 42:1102(22)(a)" to "R.S. 42:1114(D)" and after "reenacted" insert "and R.S. 42:1114(E) is hereby enacted"

AMENDMENT NO. 4

On page 1, delete lines 7 through 16 and on page 2, delete lines 1 through 16 and insert the following:

"§1114. Financial disclosure
* * *

D.(1) Each elected official shall disclose any contract or subcontract that such elected official or any of the following have entered into with any private or public entity when such contract or subcontract produces income which exceeds one hundred thousand dollars:

- (a) The spouse of such elected official.
(b) The minor children of such elected official.
(c) Any corporation, partnership, or other legal entity in which the elected official or the spouse or minor child of such elected official owns at least a fifteen percent interest in, except publicly traded corporations.
(2) Such disclosure shall include the following:
(a) The amount of the contract or subcontract.
(b) The amount of income or anything of economic value derived.
(c) The nature of the business activity required by the

contract or subcontract.

(d) The name and business address of the private or public entity.

(3) For the purposes of this Subsection, elected official means a legislator or person who has been certified by the secretary of state as elected to the legislature or the governor or governor-elect.

E. The disclosure statements required in this Section shall be filed each year with the board by May first and shall include such information for the previous calendar year. Such statement shall be a matter of public record."

Motion

Senator Ellington moved to return the bill to the Calendar, subject to call.

Senator Guidry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bagneris, Dyess, Malone; Bajoie, Ellington, Robichaux; Barham, Hines, Romero; Bean, Hollis, Schedler; Cain, Johnson, Short; Campbell, Jordan, Siracusa; Cox, Lambert, Smith; Cravins, Landry, Theunissen; Dardenne, Lentini, Ullo; Total—27

NAYS

Table with 2 columns of names: Branch, Heitmeier; Guidry, Irons; Total—4

ABSENT

Table with 3 columns of names: Mr. President, Fields, Jones; Casanova, Greene, Tarver; Dean, Hainkel; Total—8

The Chair declared the bill was returned to the Calendar, subject to call.

Called from the Calendar

Senator Campbell asked that Senate Bill No. 790 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 790— BY SENATOR CAMPBELL

AN ACT

To enact Part XVI of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:369, and Chapter 9-C of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:1357, relative to public property; to provide for the ownership of certain property purchased with certain funds; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 790 by Senator Campbell

AMENDMENT NO. 1

On page 2, line 6, following "B." and before "For" insert "(1) and on line 7, before "Money" change "(1)" to "(a)" and on line 10 before "Money" change "(2)" to "(b)" and on line 12, before "Such" change "(3)" to "(2)"

AMENDMENT NO. 2

On page 2, line 26, following "B." and before "For" insert "(1)" and on line 27, before "Money" change "(1)" to "(a)" and on page 3, line 3, before "Money" change "(2)" to "(b)" and on line 5, before "Money" change "(3)" to "(c)" and on line 7 before "Such" change "(4)" to "(2)"

On motion of Senator Bagneris, the amendments were adopted.

Floor Amendments Sent Up

Senator Johnson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Johnson to Engrossed Senate Bill No. 790 by Senator Campbell

AMENDMENT NO. 1

On page 2, after "private entity", insert the following:

"except a non-profit corporation"

AMENDMENT NO. 2

On page 2, line 25, after "entity" insert "except a non-profit corporation"

Senator Johnson moved adoption of the amendments.

Senator Campbell objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Cain, Lambert; Bagneris, Dardenne, Landry; Bajoie, Hainkel, Malone; Bean, Irons, Romero; Branch, Johnson; Total—14

NAYS

Table with 3 columns of names: Barham, Ellington, Schedler; Campbell, Heitmeier, Siracusa; Cox, Hines, Smith; Cravins, Jordan, Theunissen; Dean, Lentini, Ullo; Dyess, Robichaux; Total—17

ABSENT

Table with 3 columns of names: Casanova, Guidry, Short; Fields, Hollis, Tarver; Greene, Jones; Total—8

The Chair declared the amendments were rejected.

Motion

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

Senator Campbell objected.

ROLL CALL

The roll was called with the following result:

YEAS		
Bagneris	Johnson	
Bajoie	Landry	
Total—4		
NAYS		
Barham	Dyess	Lentini
Bean	Ellington	Malone
Branch	Guidry	Romero
Cain	Hainkel	Schedler
Campbell	Heitmeier	Siracusa
Cox	Hines	Smith
Cravins	Irons	Theunissen
Dardenne	Jordan	Ullo
Dean	Lambert	
Total—26		
ABSENT		
Mr. President	Greene	Robichaux
Casanova	Hollis	Short
Fields	Jones	Tarver
Total—9		

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

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

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

which the bill was passed and laid the motion on the table.

Motion

Senator Bean moved for a suspension of the rules for the purpose of reconsidering Senate Bill No. 1132 which failed to pass earlier today.

Senator Ullo objected.

ROLL CALL

The roll was called with the following result:

YEAS		
Bagneris	Ellington	Romero
Barham	Heitmeier	Schedler
Bean	Hines	Siracusa
Branch	Johnson	Smith
Cain	Lambert	Theunissen
Campbell	Landry	
Dyess	Malone	
Total—19		
NAYS		
Cox	Hainkel	Robichaux
Cravins	Irons	Ullo
Dardenne	Jordan	
Dean	Lentini	
Total—10		
ABSENT		
Mr. President	Greene	Short
Bajoie	Guidry	Tarver
Casanova	Hollis	
Fields	Jones	
Total—10		

The Chair declared the Senate refused to suspend the rules.

Called from the Calendar

Senator Schedler asked that Senate Bill No. 846 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 846—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 47:463.8(A)(1) and (B), relative to motor vehicles; to provide relative to antique license plates; to provide relative to plates for antique vehicles; to authorize the issuance of such plates to trucks; and to provide for related matters.

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. 846 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 15, after "older" delete the remainder of the line and on page 2, line 1, delete "Regulations"

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

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

NAYS

Total—0

ABSENT

Casanova	Hollis	Lambert
Fields	Jones	Tarver

Total—6

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.

Called from the Calendar

Senator Hainkel asked that Senate Bill No. 547 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 547—
BY SENATORS HAINKEL, DARDENNE, EWING AND ROMERO
AN ACT

To amend and reenact R.S. 56:328(B), relative to the transportation of certain noxious aquatic plants; to prohibit the intrastate transportation of certain noxious aquatic plants; 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. 547 by Senator Hainkel

AMENDMENT NO. 1
On page 1, line 3, delete "intrastate"

AMENDMENT NO. 2
On page 1, line 4, after "plants" insert "from one earthen body of water to another"

AMENDMENT NO. 3
On page 1, line 13, after "knowingly" delete the remainder of the line and delete lines 14, 15, and 16 and insert "transport from one earthen body of water to another earthen body of water, without first"

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	Dardenne	Lentini
Bagneris	Dean	Malone
Bajoie	Dyess	Robichaux
Barham	Ellington	Romero
Bean	Greene	Schedler
Branch	Hainkel	Short
Cain	Heitmeier	Smith
Campbell	Irons	Theunissen
Casanova	Johnson	Ullo
Cox	Jordan	
Cravins	Landry	

Total—31

NAYS

Total—0

ABSENT

Fields	Hollis	Siracusa
Guidry	Jones	Tarver
Hines	Lambert	

Total—8

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. 549—
BY SENATORS HAINKEL, DARDENNE, EWING AND ROMERO
AN ACT

To enact R.S. 56:303.8, relative to the granting of licenses; to presume the possession of fish for commercial purposes only; 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. 549 by Senator Hainkel

AMENDMENT NO. 1
On page 1, line 10, after "possession" delete the remainder of the line and delete line 11 and insert "on the premises of the licensed facility or licensed vehicle shall be deemed to"

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	Dean	Malone
Bagneris	Dyess	Robichaux
Bajoie	Ellington	Romero
Barham	Greene	Schedler
Bean	Hainkel	Short

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Branch	Heitmeier	Siracusa
Cain	Hollis	Smith
Campbell	Irons	Theunissen
Casanova	Johnson	Ullo
Cox	Jordan	
Dardenne	Lentini	
Total—31		

NAYS

Landry
Total—1

ABSENT

Cravins	Hines	Tarver
Fields	Jones	
Guidry	Lambert	
Total—7		

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.

Rules Suspended

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

Rules Suspended

Senator Landry asked for and obtained a suspension of the rules for the purpose of recalling House Bill No. 1056 from the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 1056 —
BY REPRESENTATIVES DIEZ, BRUCE, ILES, MARIONNEAUX, MCCAIN, QUEZAIRE, SHAW, AND WINSTON

AN ACT

To amend and reenact R.S. 32:3 and R.S. 36:851(A) and to enact R.S. 32:2(D), Part VI-A of Chapter 1 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:390.1 through 390.4, and R.S. 36:409(O), R.S. 45:163(E), and R.S. 47:802.4, relative to motor carriers; to provide relative to issuance of permits and licenses; to create the Louisiana Truck Center; to place such center within the Department of Public Safety and Corrections; to provide for the required services of such center; to authorize participation of certain state agencies; to establish a coordinating authority; to provide for the responsibilities of such authority; and to provide for related matters.

On motion of Senator Landry, the bill which is a duplicate of Senate Bill No. 234 was read by title and lies over under the rules.

Rules Suspended

Senator Schedler asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 666 from the Committee on Finance.

SENATE BILL NO. 666—
BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 47:9025(D), relative to unclaimed prize money; to provide that all unclaimed lottery prize money shall be distributed to the state's various school districts; and to provide for related matters.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

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

May 29, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 1450—
BY SENATOR GUIDRY

AN ACT

To enact R.S. 33:4717(C) and Chapter 13-B of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.25 through 4720.33, all relative to the sale and donation of abandoned or blighted housing in municipalities and parishes; to provide for a redemptive period; to provide for post-adjudication notices; to provide for liability; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1504—
BY SENATOR CRAVINS

AN ACT

To enact Subpart B-11 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.301 through 130.307 and to repeal R.S. 33:130.361 through 130.369, R.S. 33:130.491 through 130.497, Act 693 of the 1986 Regular Session of the Legislature, Act 616 of the 1991 Regular Session of the Legislature, Act 1008 of the 1993 Regular Session of the Legislature, and Act 897 of the 1995 Regular Session of the Legislature, relative to St. Landry Parish; to consolidate the St. Landry Parish Economic Inducement District, the St. Landry Parish Economic and Industrial Development District and the St. Landry Parish Industrial District into one district; to provide relative to the board of commissioners and their powers, duties and functions; to provide relative to economic plans and projects; to provide relative to the issuance of bonds; to provide relative to powers of the district, including the power of taxation, with voter approval; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1519—
BY SENATOR SHORT

AN ACT

To enact R.S. 33:4575.11 through 4575.16, relative to special districts; to create event center districts in certain parishes; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 25—
BY REPRESENTATIVES HEATON, CLARKSON, AND WILLARD-LEWIS

AN ACT

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

Reported favorably.

HOUSE BILL NO. 65—
BY REPRESENTATIVE HILL
AN ACT

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

Reported favorably.

HOUSE BILL NO. 211—
BY REPRESENTATIVES SCALISE AND ANSARDI
AN ACT

To authorize the Jefferson Parish Council to rename the "ShrewCoCenter", located in Jefferson Parish, Louisiana, as the "Hazel Rhea Hurst Center".

Reported favorably.

HOUSE BILL NO. 238—
BY REPRESENTATIVE HILL
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 300—
BY REPRESENTATIVE BARTON
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 356—
BY REPRESENTATIVE JOHNS
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 541—
BY REPRESENTATIVE MARIONNEAUX
AN ACT

To enact R.S. 33:321.1, relative to municipalities governed by the Lawrason Act; to authorize the board of aldermen in any such municipality to refer to itself as a village, town, or city council, as appropriate, and to the members thereof as council members; to provide for related name changes; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 666—
BY REPRESENTATIVE WRIGHT AND SENATOR SMITH
AN ACT

To amend and reenact R.S. 33:174(A) and R.S. 33:180, relative to municipal annexation; to prohibit certain annexations of portions of roads; to provide relative to legal challenges to annexations; to authorize certain persons to challenge the reasonableness of annexations of territory; to provide procedures for certain annexations; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1361—
BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact the Title of Act No. 113 of the 1950 Regular Session of the Legislature, as last amended by Act No. 196 of the 1992 Regular Session of the Legislature, relative to the Bayou Lafourche Fresh Water District; to provide for the purposes of the district and the powers and duties of the board of commissioners; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1658—
BY REPRESENTATIVE ROUSSELLE
AN ACT

To provide relative to Lafourche Parish Ambulance Service District No. 1, to ratify and confirm the authority of the board of commissioners of the district to levy and collect an ad valorem tax, subject to voter approval; to provide that the tax not be levied or collected prior to the dissolution of an agreement between the district and Lafourche Parish Hospital Service District No. 1 which authorizes the hospital district to levy an ad valorem tax on behalf of the ambulance service district and the removal of the tax levied pursuant to the agreement from the tax rolls of the hospital service district; to provide that such agreement is dissolved and to require removal of such tax from the tax rolls; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1958—
BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 33:381(A) and (B), 386(D), 404(A)(1), and 426 and to enact R.S. 33:406(A)(3), relative to Lawrason Act municipalities; to provide relative to the authority of the mayor and the board of aldermen on matters including revenues and debt, the adoption of resolutions, and oversight of the street commissioner; to provide relative to terms of certain municipal officials; to provide relative to other positions which mayors and aldermen may hold; to provide relative to limits on the authority of the mayor; and to provide for related matters.

Reported favorably.

May 29, 1997

HOUSE BILL NO. 2198—

BY REPRESENTATIVE TOOMY
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 2245—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 33:404.1 and 405(G) and to repeal R.S. 33:405(H), relative to the compensation of municipal officials; to provide relative to the compensation of aldermen; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DIANA E. BAJOIE
Chairwoman

REPORT OF COMMITTEE ON

**TRANSPORTATION, HIGHWAYS, AND
PUBLIC WORKS**

Senator Landry, Chairman on behalf of the Committee on Transportation, Highways, and Public Works, submitted the following report:

May 29, 1997

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 109—

BY SENATOR LANDRY
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to take whatever steps necessary to establish a rest area on the east bank of St. Charles Parish.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 118—

BY SENATOR LAMBERT
A CONCURRENT RESOLUTION

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

Reported favorably.

SENATE BILL NO. 77—

BY SENATOR LANDRY
AN ACT

To amend and reenact Title 30 of the Louisiana Revised Statutes of 1950, relative to minerals, oil and gas, and environment; and to provide for related matters.

Reported by substitute.

HOUSE CONCURRENT RESOLUTION NO. 38—

BY REPRESENTATIVES PERKINS AND KENNARD

A CONCURRENT RESOLUTION

To authorize and direct the Department of Transportation and Development to erect signs on Blackwater Road in East Baton Rouge Parish to indicate the location of the Blackwater Methodist Church.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 75—

BY REPRESENTATIVE MICHOT
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such action as is necessary to amend the federal regulations regarding commercial driver's license standards.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 141—

BY REPRESENTATIVE DOERGE
A CONCURRENT RESOLUTION

To urge and request that the Department of Transportation and Development open the flood gates on Lake Bistineau when the lake reaches two feet above flood stage.

Reported favorably.

HOUSE BILL NO. 13—

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

AN ACT

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

Reported favorably.

HOUSE BILL NO. 206—

BY REPRESENTATIVES BRUCE, CURTIS, AND HUDSON
AN ACT

To amend and reenact R.S. 32:284(C), relative to riding in the bed of a pickup truck or utility trailer; to increase the age under which persons are prohibited from riding in the open bed of a pickup truck or a utility trailer; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 218—

BY REPRESENTATIVES CURTIS AND WIGGINS
AN ACT

To designate the bridge on U.S. Highway 167 over the Red River between Alexandria and Pineville as the Purple Heart Memorial Bridge.

Reported favorably.

HOUSE BILL NO. 378—

BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 38:291(R)(2) and 304(B) and to enact R.S. 38:304.2, relative to the West Jefferson Levee District; to provide for the membership of the board of commissioners of the district; to provide for the appointment of an additional member; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 542—

BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 38:291(D)(2) and 304(B) and to enact R.S. 38:304.2, relative to the East Jefferson Levee District; to provide for the membership of the board of commissioners of the district; to provide for the appointment of an additional member; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 601—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 34:2471, relative to port commissions; to provide with respect to the appointment and confirmation of the members of the South Louisiana Port Commission; and to provide for related matters.

Reported with amendments.

Reported as duplicate of SENATE BILL 272.

HOUSE BILL NO. 627—

BY REPRESENTATIVE QUEZAIRE
AN ACT

To enact R.S. 17:157(C), relative to the Sunshine Bridge; to provide for student toll exemption hours; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 633—

BY REPRESENTATIVE ALARIO
AN ACT

To designate the Highway 90 split park which is located at the intersection of U.S. Highway 90 and the Westbank Expressway in Jefferson Parish as the "Pops Stroman Memorial Park".

Reported favorably.

HOUSE BILL NO. 653—

BY REPRESENTATIVE LONG
AN ACT

To amend and reenact the title of Chapter 19 of Title 48 of the Louisiana Revised Statutes of 1950 and R.S. 48:1751(1) and 1752, relative to highways; to change the name of the MISS-LA-TEX East-West Corridor Commission; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 689—

BY REPRESENTATIVE THERIOT
AN ACT

To enact R.S. 38:291(P)(3) and (T)(3), to provide for the transfer of certain property which is owned by the Atchafalaya Basin Levee District and which is located in Lafourche Parish, to the North Lafourche Conservation, Levee and Drainage District and to the South Lafourche Levee District; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 713—

BY REPRESENTATIVE BRUN
AN ACT

To amend and reenact R.S. 32:409.1(A)(2)(d)(viii) and 410(A)(3)(a)(i) and (viii) and to repeal R.S. 32:409.1(A)(2)(d)(vi) relative to drivers' licenses; to delete the requirements that an applicant for a license shall furnish his social security number and that the number shall appear on the face of the license; and to provide for related matters.

Reported with amendments.

Reported as duplicate of Senate Bill 50.

HOUSE BILL NO. 877—

BY REPRESENTATIVES KENNARD, DIMOS, AND BRUCE
AN ACT

To amend and reenact R.S. 32:412(D)(1), (3)(a), (4)(a) and (c), and (5) and to enact R.S. 32:412(D)(3)(e), relative to drivers' licenses; to provide for renewal by mail of certain classes of licenses; to provide that licenses may be renewed at any time within a certain period prior to expiration; to provide exceptions for renewal by mail; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 878—

BY REPRESENTATIVES KENNARD, DIMOS, AND BRUCE
AN ACT

To amend and reenact R.S. 47:519(G) and (H), relative to motor vehicle license plates; to change the time period for which temporary registration plates may be issued; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 880—

BY REPRESENTATIVES KENNARD, DIMOS, AND BRUCE
AN ACT

To amend and reenact R.S. 32:414.2(A)(1)(b)(ii), relative to drivers' licenses; to provide for the driving record of Group "E" licenses to reflect the class of license previously held; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 881—

BY REPRESENTATIVES KENNARD, DIMOS, AND BRUCE
AN ACT

To enact R.S. 32:404(F), relative to drivers' licenses; to provide for rules and regulations to enter into reciprocity agreements with foreign countries; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 969—

BY REPRESENTATIVES WINSTON AND SCHNEIDER AND SENATOR HAINKEL
AN ACT

To designate Louisiana Highway 3228 which connects Louisiana Highway 22 and North Causeway Boulevard Service Road located in St. Tammany Parish as "Asbury Drive", and to designate the service road which runs south of and parallel to the Interstate 10 Bridge located in Calcasieu Parish from Interstate 10 to Perkins Street on the west side of the Calcasieu River as "Isle of Capri Boulevard".

Reported with amendments.

HOUSE BILL NO. 1065—

BY REPRESENTATIVES KENNARD AND DEWITT
AN ACT

To repeal R.S. 32:409.1(A)(2)(d)(ix), relative to drivers' licenses; to delete the thirty-day residency requirement for obtaining a driver's license.

Reported favorably.

HOUSE BILL NO. 1066—

BY REPRESENTATIVES KENNARD AND DEWITT
AN ACT

To amend and reenact R.S. 47:508(D), relative to commercial vehicles; to provide for the registration of commercial vehicles; to provide for a pro rata reduction of the license fee; and to provide for related matters.

Reported with amendments.

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HOUSE BILL NO. 1267—
BY REPRESENTATIVES SALTER AND THORNHILL
AN ACT

To repeal R.S. 32:411(B)(1)(b), relative to taking of a driver's license upon issuance of a traffic citation; to repeal certain exceptions to the prohibition on such taking; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1270—
BY REPRESENTATIVES TRICHE, FRITH, DOWNER, BARTON, BAUDOIN, BRUCE, BRUN, BRUNEAU, CHAISSON, CLARKSON, CRANE, DEVILLE, DOERGE, DONELON, DUPRE, DURAND, FAUCHEUX, FORSTER, FRUGE, GAUTREAU, HEBERT, HILL, ILES, KENNARD, KENNEY, LANCASTER, LANDRIEU, MARIONNEAUX, MCCAIN, MCDONALD, MICHOT, MONTGOMERY, PERKINS, PINAC, POWELL, ROUSSELLE, SCALISE, SHAW, JACK SMITH, THOMAS, THORNHILL, TRAVIS, VITTER, WARNER, WINDHORST, AND WRIGHT
AN ACT

To amend and reenact R.S. 32:863.1(C)(1)(b) and 1728(A) and (B), relative to motor vehicles; to provide for the seizure and sequestration of vehicles which are operated without proof of insurance; to provide for the redemption of those vehicles; to provide for the disposition of vehicles which are not redeemed; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1385—
BY REPRESENTATIVE MARTINY
AN ACT

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

Reported favorably.

HOUSE BILL NO. 1496—
BY REPRESENTATIVES THERIOT AND DEWITT
AN ACT

To amend and reenact R.S. 48:381(E)(2), relative to the use and occupancy of rights-of-way of state highways; to delete mandatory reimbursement by the Department of Transportation and Development for expenses incurred by rural water districts during inspections; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1529—
BY REPRESENTATIVE WARNER
AN ACT

To designate that portion of Louisiana Highway 46 in St. Bernard Parish as the "St. Bernard Veterans Memorial Highway"; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1531—
BY REPRESENTATIVES WINSTON, POWELL, KENNARD, AND TRAVIS
AN ACT

To rename a portion of Wardline Road and a portion of Columbus Drive as University Avenue in the city of Hammond; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1608—
BY REPRESENTATIVE KENNARD
AN ACT

To amend and reenact R.S. 32:1301 and to enact R.S. 32:1305(G), relative to motor carriers; to provide for certain motor carriers to establish official inspection stations; to authorize that such stations

be located either in state or out of state; to require such motor carriers to have Louisiana registration; and to provide for related matters.

Reported favorably.
Reported as duplicate of Senate Bill 254.

HOUSE BILL NO. 1685—
BY REPRESENTATIVE ALARIO
AN ACT

To enact R.S. 34:1(B)(2)(g), relative to appointments to the Board of Commissioners of the Port of New Orleans; to provide for the nominating agencies for the appointment of the member from Jefferson Parish; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1746—
BY REPRESENTATIVE HUDSON
AN ACT

To enact R.S. 32:386.1, relative to special permits for motor vehicles; to provide for a blanket oversize yearly permit; to provide for fees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1855—
BY REPRESENTATIVE KENNEY
AN ACT

To authorize and empower the Department of Transportation and Development to transfer title to certain described property, together with all buildings and improvements thereon, located within the parish of Franklin, to the village of Baskin; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1949—
BY REPRESENTATIVE FORSTER
AN ACT

To amend and reenact R.S. 33:4532(A), relative to the Public Belt Railroad; to authorize the city of New Orleans, through the Public Belt Railroad Commission to transport and convey trains over the Huey P. Long Bridge, its approaches and appurtenances, and the tracks of the Public Belt Railroad system and to contract with any railroad for their use; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1956 (Duplicate of Senate Bill No. 795)—
BY REPRESENTATIVE MARTINY AND SENATOR BAGNERIS
AN ACT

To amend and reenact R.S. 32:863.1(C)(1)(a) and to enact R.S. 32:863.1(F), relative to motor vehicle security; to allow a law enforcement officer to issue a traffic citation to an owner of a motor vehicle registered in another state for lack of liability security; to provide for penalties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1961—
BY REPRESENTATIVES CLARKSON AND WINDHORST
AN ACT

To enact R.S. 48:1101.2, relative to bridges; to provide for the type of vehicles allowed to travel on the transit lanes of the Greater New Orleans Mississippi River bridges; to provide for one-way traffic on the transit lanes; and to provide for related matters.

Reported with amendments.

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

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

Reported with amendments.

Respectfully submitted,
 RON LANDRY
 Chairman

REPORT OF COMMITTEE ON

EDUCATION

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

May 29, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 56—
 BY SENATOR GUIDRY

A JOINT RESOLUTION

Proposing to amend Article VIII, Section 5(D)(3) of the Constitution of Louisiana, relative to public colleges and universities; to provide relative to the closure of or conversion from four-year to two-year a public institution of higher education; to require a feasibility study by the Board of Regents; to require the Board of Regents to submit its written findings and recommendations to the legislature; to require a two-thirds vote of the members of each house of the legislature to take affirmative action on any proposal to close or convert from four-year to two-year any public institution of higher education; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported favorably.

SENATE BILL NO. 340—
 BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 17:442, 461, and 492 and to enact R.S. 17:45(C), 45.1, 442.1, 461.1, 471(E), 471.1, 492.1, 522(D), 522.1, 532(C), 532.1, 541(C), 541.1, and Part III of Chapter 2 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:571, 581 through 583, and 591 through 595, relative to the employment of school employees; to provide for the applicability of tenure; to provide for the employment contracts of school employees; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 1522—
 BY SENATOR DARDENNE

AN ACT

To amend and reenact Subpart G of Part II of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1791 and R.S. 17:1792, relative to collegiate athletic scholarships; to provide relative to the nature of an athletic scholarship as an agreement among certain parties; to provide for certain obligations of the parties to such an agreement; to provide for the reimbursement of the cost of an athletic scholarship under certain circumstances; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 65—
 BY REPRESENTATIVE SHAW
 A CONCURRENT RESOLUTION

To recognize the importance of and express legislative intent to provide funds for conducting a state competition of the United States Academic Decathlon, including the purchase of testing materials, study guides, individual medallions, and team trophies, and awards ceremony costs, sending the winner of the Louisiana state competition to the national United States Academic Decathlon, and providing scholarships to reward the members of the winning state team and individual award winners from Louisiana at the national competition.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 72—

BY REPRESENTATIVE FARVE

A CONCURRENT RESOLUTION

To urge and request the Board of Regents, in collaboration with the three higher education management boards, to provide for the conduct of research to find an antidote for "crack cocaine" addiction.

Reported favorably.

HOUSE BILL NO. 615—

BY REPRESENTATIVE ALARIO

AN ACT

To authorize the Jefferson Parish School Board to name the baseball field located at West Jefferson High School in Jefferson Parish, Louisiana, the "Louis Blanda, Sr. Baseball Field"; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1012—

BY REPRESENTATIVE WILKERSON

AN ACT

To enact Chapter 20-B-4 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3042.41 through 3042.47, relative to the Bienville Parish School Board loan program; to authorize the school board to make loans to certain students enrolled in collegiate teacher preparation programs; to provide for legislative findings and purpose, eligibility requirements, board rules and regulations, loan amounts, contract requirements, funding, and board resolution and public hearing requirements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1427—

BY REPRESENTATIVE SHAW

AN ACT

To enact R.S. 17:3141.2(1)(l) and (m) and 3141.4(B)(3), relative to proprietary schools; to exclude certain training programs and centers from the definition of a proprietary school; to exclude certain income earned by proprietary schools from license renewal fee calculations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1428—

BY REPRESENTATIVE SHAW, CURTIS, DOERGE, KENNEY, AND McDONALD

AN ACT

To enact Chapter 20-A-1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3041.10 through 3041.15, relative to a tuition payment program for certain medical school students; to provide program guidelines and for program administration, eligibility, applications, and definitions; to provide relative to contracts and cancellation of contracts; to provide for implementation; to provide for the adoption of program rules and regulations; and to provide for related matters.

Reported favorably.

May 29, 1997

HOUSE BILL NO. 1584—
BY REPRESENTATIVES MCDONALD AND DOWNER
AN ACT

To amend and reenact R.S. 17:3092(1) and (2), 3093(D)(1)(f) and (h), 3095(A)(2), (B), (C)(6) and (7), (D), (F), and (G), 3096(B)(2)(a), (D), and (E)(2), 3098(C) and (D), and 3099(A) and (C) and to enact R.S. 17:3091(C) and 3092(10) and R.S. 47:1508(B)(17), relative to the Louisiana Student Tuition Assistance and Revenue Trust Program; to provide legislative intent; to provide program definitions; to provide relative to program administration by the Louisiana Tuition Trust Authority and for powers and duties of the authority; to provide for adoption by the authority of certain rules pursuant to the Administrative Procedure Act; to provide relative to education savings accounts and education assistance accounts; to provide relative to the termination of depositor's agreements; to provide relative to the Louisiana Education and Tuition Savings Fund; to provide for release to the office of student financial assistance of a taxpayer's reported federal adjusted gross income under specified circumstances; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1586—
BY REPRESENTATIVES MCDONALD AND DOWNER
AN ACT

To amend and reenact R.S. 17:3026(A)(3)(c)(iii), relative to the Tuition Assistance Plan; to provide relative to ineligibility under certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1865—
BY REPRESENTATIVE BRUN
AN ACT

To amend and reenact R.S. 17:24.4 and to repeal R.S. 17:100.7, relative to the assessment of public elementary and secondary school students; to provide for the Achievement and Performance Program for Students, including provisions relative to the Louisiana Education Assessment Program; to provide for certain testing of students; to provide relative to testing requirements and the schedule for testing; to provide for student progression plans; to provide for content standards and for performance standards; to provide relative to the duties and responsibilities of the State Board of Elementary and Secondary Education, the state Department of Education, and city and parish school boards; to provide relative to the Louisiana Educational Assessment Testing Commission; to provide for implementation; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1905—
BY REPRESENTATIVE WESTON
AN ACT

To amend and reenact R.S. 17:202(D) and 204, relative to the In-School Intervention Pilot Program; to extend the termination date of the program; to provide for participation of additional schools; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1932—
BY REPRESENTATIVES MCDONALD, DOWNER, BARTON, BAUDOIN, CRANE, DOERGE, HILL, KENNEY, LONG, POWELL, PRATT, AND SHAW
AND SENATOR EWING
AN ACT

To amend and reenact R.S. 17:3042.1(A)(3) and (4), (B), (C), and (D) and 3042.2(A) and (B) and to enact R.S. 17:3042.1(A)(5), relative to loans for students enrolled in collegiate teacher preparation programs; to provide relative to eligibility requirements including certain test scores and grade point averages; to provide relative to the authority of the commission to make such loans; to remove a provision relative to grade point average requirement exceptions; to provide relative to loan amounts for certain applicants; to

remove provisions relative to loans for graduate school students; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2149—
BY REPRESENTATIVES MCDONALD AND DOWNER
AN ACT

To enact R.S. 17:3042.32(D), relative to the Louisiana Honors Scholarship Program; to provide for the application of scholarships awarded pursuant to such program and to the combination of such scholarships with disbursements from the Louisiana Student Tuition Assistance and Revenue Trust Program account; to provide for the expenditure of any remaining balance of a scholarship award; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2154—
BY REPRESENTATIVES MCDONALD AND DOWNER
AN ACT

To enact R.S. 17:3026(J), relative to the Tuition Assistance Plan; to provide relative to the application of grants awarded pursuant to such plan and the combination of such grants with disbursements from the Louisiana Student Tuition Assistance and Revenue Trust Program account; to provide for the expenditure of any remaining balance of a grant award; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2318—
BY REPRESENTATIVE HILL
AN ACT

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

Reported favorably.

Respectfully submitted,
THOMAS A. GREENE
Chairman

**REPORT OF COMMITTEE ON
NATURAL RESOURCES**

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

May 29, 1997

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 107—
BY SENATOR DEAN
A CONCURRENT RESOLUTION

To direct the secretary of the Department of Wildlife and Fisheries to use the mean or average in determining the spawning potential ratio for southern flounder.

Reported with amendments.

SENATE BILL NO. 93—
BY SENATOR LANDRY

AN ACT

To amend and reenact Title 56 of the Louisiana Revised Statutes of 1950, relative to wildlife and fisheries; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 454—
BY SENATOR ROMERO

AN ACT

To transfer certain properties within Fausse Pointe State Park located in Iberia and St. Martin parishes from the Department of Culture, Recreation and Tourism to the State Land Office; to provide for preparation of documents; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 58—
BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 56:104.1(A), relative to permits and licenses authorized by the Wildlife and Fisheries Commission; to provide relative to physically challenged hunter permits; to provide procedures and conditions for issuance; to provide relative to issuance of permits for individuals who are temporarily or permanently disabled; to provide relative to certification by licensed physicians; to remove requirements that a physician be commission-approved; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 404—
BY REPRESENTATIVE HAMMETT

AN ACT

To enact R.S. 56:767, relative to private property surrounded by wildlife management areas; to provide for regulation of hunting and fishing on such private property; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 619—
BY REPRESENTATIVE DIEZ

AN ACT

To amend and reenact R.S. 56:649.1, relative to lifetime hunting licenses; to include the wild turkey stamp in the lifetime hunting license; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 721—
BY REPRESENTATIVES DUPRE, FLAVIN, FAUCHEUX, FRITH, AND HUDSON

AN ACT

To enact R.S. 56:495.1(F), relative to shrimping; to require certain net sizes in offshore territorial waters; to provide terms and conditions; to provide penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 768—
BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 56:62 and 64, relative to wildlife and fisheries enforcement procedures; to provide relative to the time limit for retention and disposition of things seized; to provide relative to liability for such disposition; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 976—
BY REPRESENTATIVE DURAND

AN ACT

To amend and reenact R.S. 56:322(I), relative to fishing; to provide relative to the commercial harvesting of wild crawfish; to provide certain mesh size and shape for nets used in such harvesting; to provide relative to rules and regulations to be promulgated by the department and oversight of such rules and regulations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1100—
BY REPRESENTATIVE TRAVIS

AN ACT

To authorize and provide for the transfer or lease of certain state property to the town of St. Francisville from the Department of Health and Hospitals; to provide terms and conditions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1276—
BY REPRESENTATIVES DUPRE, FAUCHEUX, FRITH, AND HUDSON

AN ACT

To amend and reenact R.S. 56:495.1(B) and 497(B)(2), relative to fishing; to provide relative to trawling in inside waters; to provide relative to bait shrimp; to prohibit the use of skimmer nets under certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1316—
BY REPRESENTATIVE KENNEY

AN ACT

To enact R.S. 56:108, relative to hunting; to provide relative to the taking of deer; to prohibit the taking of doe for three years under certain circumstances; to provide penalties; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1360—
BY REPRESENTATIVE TRAVIS

AN ACT

To authorize and empower the Department of Public Safety and Corrections to transfer title to certain property located in East Feliciana Parish to the East Feliciana Parish Fire Protection District; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1521—
BY REPRESENTATIVE ODINET

AN ACT

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

Reported with amendments.

May 29, 1997

HOUSE BILL NO. 1617—

BY REPRESENTATIVE WIGGINS
AN ACT

To authorize and provide for the lease of certain state property to the Volunteers of America from the Department of Health and Hospitals; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1988—

BY REPRESENTATIVES TRICHE AND DEWITT
AN ACT

To enact R.S. 56:331, relative to crabs; to set limits on the amount of crabs taken or possessed by recreational crab fishermen; to provide penalties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1991—

BY REPRESENTATIVES ROUSSELLE, DEWITT, AND TRICHE
AN ACT

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

Reported favorably.

HOUSE BILL NO. 2002—

BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact R.S. 56:8(12)(b) and to enact R.S. 56:8(12)(c), relative to hunting and fishing licenses; to provide for the definition of "bona fide resident"; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2003—

BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact R.S. 56:259(C), relative to taking animals; to require proper trapping licenses for taking of certain nongame quadrupeds; to limit weapons for taking nutria; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2011—

BY REPRESENTATIVE GAUTREAU
AN ACT

To amend and reenact R.S. 56:428(A) and to enact R.S. 56:428.1, relative to oyster leases; to provide relative to renewal of leases located in the impact areas of coastal restoration projects; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2338—

BY REPRESENTATIVES GAUTREAU AND DUPRE
AN ACT

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

Reported with amendments.

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

BY REPRESENTATIVE MICHOT
AN ACT

To amend and reenact R.S. 56:8(30) and to enact R.S. 56:302.3(B)(6) and 325(A)(7), relative to fishing; to provide relative to crawfish; to provide that the taking of crawfish for recreational purposes

shall require a recreational gear license; to provide relative to license requirements and fees; to provide amount limits; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CRAIG F. ROMERO
Chairman

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

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

SENATE BILL NO. 56—
BY SENATOR GUIDRY

A JOINT RESOLUTION

Proposing to amend Article VIII, Section 5(D)(3) of the Constitution of Louisiana, relative to public colleges and universities; to provide relative to the closure of or conversion from four-year to two-year a public institution of higher education; to require a feasibility study by the Board of Regents; to require the Board of Regents to submit its written findings and recommendations to the legislature; to require a two-thirds vote of the members of each house of the legislature to take affirmative action on any proposal to close or convert from four-year to two-year any public institution of higher education; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE BILL NO. 77—
BY SENATOR LANDRY

AN ACT

To amend and reenact Title 30 of the Louisiana Revised Statutes of 1950, relative to minerals, oil and gas, and environment; and to provide for related matters.

Reported by substitute by the Committee on Transportation, Highways, and Public Works. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. (SUBSTITUTE FOR SENATE BILL NO. 77 BY SENATOR LANDRY)

BY SENATOR LANDRY

TRANSPORTATION/DEV SECTY. Creates the Advisory Committee on Waste Transportation Warnings. (Governor's signature)
AN ACT

To enact R.S. 30:2006, relative to the transportation of wastes, including those from minerals, oil and gas, and the environment; to create the Advisory Committee on Waste Transportation Warnings and provide for its powers and duties; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 30:2006 is hereby enacted to read as follows:
§2006. Advisory Committee on Waste Transportation Warnings
A. There is hereby created within the Department of Environmental Quality, the Advisory Committee on Waste Transportation Warnings. The committee shall provide recommendations to the secretary of the Department of Environmental Quality concerning whether warnings should be required to be attached to vehicles, vessels, aircraft, railroads, and other instrumentalities of transportation when transporting

hazardous and non-hazardous waste, including those from minerals, oil and gas, and the environment, and the type, sufficiency, placement, and cost-effectiveness of such warnings.

B. The committee shall consist of the following nine members:

(1) The secretary of the Department of Transportation and Development, or his designee, who shall be the chairman of the committee.

(2) The secretary of the Department of Environmental Quality, or his designee.

(3) The secretary of the Department of Natural Resources, or his designee.

(4) The commissioner of conservation, or his designee.

(5) The chairs of the Senate and House committees on transportation, highways, and public works, or their designees.

(6) The following members, who shall be appointed by the governor and confirmed by the Senate:

(a) One member with substantial knowledge and experience in the business of transporting hazardous or non-hazardous waste by motor vehicle to be appointed from a list of three such persons nominated by the Louisiana Motor Transport Association and the Louisiana Chemical Association.

(b) A member with substantial knowledge and experience in the business of transporting hazardous or non-hazardous waste by water from a list of three such persons nominated by the Louisiana Barge and Fleeting Association and the Louisiana Chemical Association.

(c) A member with substantial knowledge and experience in the business of transporting hazardous or non-hazardous waste by rail, air, or other instrumentality of transportation from a list of three such persons nominated by the Louisiana Airport Managers Association, the Louisiana Railroad Association, and the Louisiana Chemical Association.

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

On motion of Senator Landry, the committee substitute bill was adopted and becomes Senate Bill No. 1564 by Senator Landry, substitute for Senate Bill No. 77 by Senator Landry.

SENATE BILL NO. 1564 (SUBSTITUTE FOR SENATE BILL NO. 77 BY SENATOR LANDRY)—

BY SENATOR LANDRY

AN ACT

To enact R.S. 30:2006, relative to the transportation of wastes, including those from minerals, oil and gas, and the environment; to create the Advisory Committee on Waste Transportation Warnings and provide for its powers and duties; and to provide for related matters.

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

SENATE BILL NO. 93—

BY SENATOR LANDRY

AN ACT

To amend and reenact Title 56 of the Louisiana Revised Statutes of 1950, relative to wildlife and fisheries; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 93 by Senator Landry

AMENDMENT NO. 1

On page 1, change lead author from "Senator Landry" to "Senator Hines"

AMENDMENT NO. 2

On page 1, line 2, after "reenact" delete the remainder of the line, delete line 2 in its entirety, and insert in lieu thereof the following:

"R.S. 56:105(B), 116(B)(1), 116.1(A)(6), (B)(10), and (E), 116.3(A)(1)(a), and 116.4(A)(1), to enact R.S. 56:115(E) and (F), and to repeal R.S. 56:104.1 and 116.3(B), relative to licensing and other requirements for lawful hunting in this state; to authorize the use of a crossbow and provide for licensing and regulation in the same manner as the hunting by bow and arrow; to provide relative to hunting by disabled hunters, including the establishment of special seasons and the repeal of certain disability classifications; to provide terms, conditions, and penalties for the unauthorized or illegal use of crossbows; to provide relative to deer and wild turkey hunting by crossbow; and to provide for related matters."

AMENDMENT NO. 3

On page 1, line 5, after "Section 1," delete the remainder of the line, delete lines 6 through 16 in their entirety, and insert in lieu thereof the following:

"R.S. 56:105(B), 116(B)(1), 116.1(A)(6), (B)(10) and (E), 116.3(A)(1)(a), and 116.4(A)(1) are hereby amended and reenacted and R.S. 56:115(E) and (F) are hereby enacted to read as follows:

§105. Special permits and licenses; scientific or experimental purposes; bow licenses

* * *

B. In addition to all other licenses required by law, a special bow license is authorized allowing the holder of such a license to hunt with bows and crossbows during bow hunting season. A fee of ten dollars and fifty cents may be charged a resident and twenty-five dollars and fifty cents may be charged a nonresident for the issuance of such a license and the proceeds therefrom shall be dedicated to the Conservation Fund, after costs for the administration of this Subsection have been deducted.

* * *

§115. Wild birds and wild quadrupeds; adoption of seasons, bag and possession limits; rules and regulations; penalties

* * *

E. The use of crossbows is specifically authorized and shall be regulated in the same manner as the hunting by bow and arrow.

F. The commission may establish special handicap hunts, special deer season, and access to wildlife management areas for permanently disabled hunters.

§116. Wild birds and wild quadrupeds; special hunting seasons

* * *

B.(1) The commission may establish a special deer hunting season in one or more periods, separate from the regular open season established by the commission pursuant to R.S. 56:115, wherein deer may be hunted and taken with bow and arrow and crossbow only. The length of such special season and the area for hunting shall be determined by the commission, and it shall allow the taking of buck and doe with bow and arrow, or crossbow as provided in R.S. 56:104.1, and crossbow.

* * *

§116.1. Wildbirds and wild quadrupeds; times and methods of taking; penalties

A. Resident game birds, outlaw birds, game quadrupeds, and outlaw quadrupeds may be taken only in accordance with all of the following:

* * *

(6) With a bow and arrow or crossbow, or rifle, or a handgun, or falconry or a shotgun not larger than a No. 10 gauge fired from the shoulder without a rest, except as otherwise provided in this Chapter.

* * *
B. No person shall do any of the following:

(10) Hunt with firearms of any type or with bows and arrows, or with crossbows, after one-half hour after official sunset and before one-half hour before official sunrise; nor shall any person hunt with the aid of any artificial light at any time.

E. Bowhunters and crossbow hunters may carry on their person, while hunting with a bow or crossbow, a pistol no larger than a .22 caliber with snake shot or rat shot ammunition for the purposes of killing snakes and rats.

§116.3. Special provisions applicable to deer and bear; times and methods of taking; penalties

A.(1) No person shall do any of the following:

(a) Hunt or shoot a deer or bear at any time with a firearm smaller than a .22 caliber centerfire, or a shotgun using a shell loaded with shot less than buckshot or rifled slug, or a bow or crossbow with less than thirty pounds of pull, or other than arrows with metal broadhead points.

§116.4. Special provisions applicable to turkey; times and methods of taking; penalties

A.(1) Wild turkey may be taken only with a bow and arrow, crossbow, or a shotgun not larger than a No. 10 gauge fired from the shoulder without a rest, and by no other means whatsoever.

Section 2. R.S. 56:104.1 and 116.3(B) are hereby repealed in their entirety.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana.

AMENDMENT NO. 4

On page 2, delete lines 1 and 2 in their entirety

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

SENATE BILL NO. 340

BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 17:442, 461, and 492 and to enact R.S. 17:45(C), 45.1, 442.1, 461.1, 471(E), 471.1, 492.1, 522(D), 522.1, 532(C), 532.1, 541(C), 541.1, and Part III of Chapter 2 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:571, 581 through 583, and 591 through 595, relative to the employment of school employees; to provide for the applicability of tenure; to provide for the employment contracts of school employees; and to provide for related matters.

Reported by substitute by the Committee on Education. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. (SUBSTITUTE FOR SENATE BILL NO. 340 BY SENATOR GREENE)

BY SENATOR GREENE

TENURE. Adds failure to achieve the standard required for satisfactory performance on an evaluation established by the employer as a cause to

terminate a permanent school employee. (Governor's signature)

AN ACT

To amend and reenact R.S. 17:45(A), 443, 462, 471(D), 493(A) and (C), 523, 533, and 542(A) and (C), relative to tenure; to provide relative to the causes for terminating certain permanent school employees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 17:45(A), 443, 462, 471(D), 493(A) and (C), 523, 533, and 542(A) and (C) are hereby amended and reenacted to read as follows:

§45. Probation and tenure of teachers in special schools

A.(1) As used in the this Subpart, the word "teacher" means any certified employee in a special school who holds a teacher's certificate and whose legal employment requires certification under the regulations of the board or of any certification authority established by law.

(2) A teacher shall be entitled to tenure benefits as follows:

(a) Each teacher shall serve a probationary term of three contract years to be computed from the date of his first appointment in the special school in which the teacher is serving his probation. During the probationary term, the board may dismiss or discharge any probationary teacher upon the written recommendation of the superintendent or other head or director of the special school accompanied by valid reasons therefor.

(b) Any teacher found unsatisfactory by the board, at the expiration of the probationary term, shall be notified in writing by the board that he has been discharged or dismissed; in the absence of such notification, such probationary teacher shall automatically become a regular and permanent teacher in the employ of the special school where he has successfully served his three year probationary term; all teachers in the employ of a special school as of September 1, 1979, who hold proper certificates and who have served satisfactorily as teachers in the special school where employed for more than three consecutive years, are declared to be regular and permanent teachers in the employ of the special school.

(3)(a) A permanent teacher in a special school shall not be removed from office except upon written and signed charges of wilful neglect of duty, or incompetency, or dishonesty, or of failure to achieve the standard required for satisfactory performance on an evaluation established by the school board and administered on a uniform basis to all teachers similarly situated, and then only if found guilty after a hearing by the board or by a committee of the board, which hearing may be public or private at the option of the teacher. At least fifteen days in advance of the date of the hearing, the board shall furnish the teacher with a copy of the written charges, the teacher shall have the right to appear before the board, or committee of the board, with witnesses in his behalf and with counsel of his selection, all of whom shall be heard by the board or committee of the board at the hearing. Any finding of a committee of the board shall be reviewed and acted upon by the full board. The board may set aside or modify the findings of a committee of the board. Nothing herein contained in this Section shall impair the right of appeal to a court of competent jurisdiction.

(b) If a permanent teacher is found guilty by the board, after due and legal hearing as provided herein, on charges of wilful neglect of duty, or of incompetency, or of dishonesty, or of failure to achieve the standard required for satisfactory performance on an evaluation established by the board and administered on a uniform basis to all teachers similarly situated and ordered removed from office, or disciplined by the board, the teacher may, not more than one year after the date of such finding by the entire board, petition a court of competent jurisdiction for a full hearing to review the action of the board, and the court shall have jurisdiction to affirm or reverse the action of the board in the matter. If the finding of the board is reversed by the court and the teacher is ordered reinstated and restored to duty, the teacher shall be entitled to full pay for any loss of time or salary he may have sustained by reason of the action of the board.

(4)(a) Whenever a teacher who has acquired permanent

status, as set forth in this Section, in a special school is promoted from a position of lower salary or status in such special school to a position of higher status or salary, such teacher shall serve a probationary period of three years in the higher position before acquiring permanent status therein, but shall retain the permanent status acquired in the position of lower status or salary from which he or she was promoted.

(b) During the probationary period in the position to which promoted, a teacher shall not be disciplined, removed, or demoted to the lower position from which he was promoted except in compliance with the provisions of Subsection A(1)(2) of this Section. At the expiration of the probationary period in the higher position, a teacher, unless removed or demoted in accordance with Subsection A(1)(2) of this Section, shall automatically acquire permanent status in the higher position and thereafter may not be disciplined, removed, or demoted from such higher position in compliance with the provisions of Subsection A(2)(3) of this Section.

(c) Where a teacher has not completed the probationary period for teachers as required by Subsection A(1)(2) of this Section, or for a particular promotional position as established herein, and is promoted to a higher position, the probationary period, either as a teacher or in the previous promotional position shall continue to run and at the end of such three year probationary period the teacher shall automatically acquire permanent status in the previously held position until permanent status in the new position is acquired by compliance with the provisions of this Section.

* * *

§443. Removal of teachers; procedure; right to appeal

A. A permanent teacher shall not be removed from office except upon written and signed charges of willful neglect of duty, or incompetency, or dishonesty, or failure to achieve the standard required for satisfactory performance on an evaluation established by the school board and administered on a uniform basis to all teachers similarly situated, or of being a member of or contributing to any group, organization, movement or corporation that is by law or injunction prohibited from operating in the state of Louisiana, and then only if found guilty after a hearing by the school board of the parish or city, as the case may be, which hearing may be private or public, at the option of the teacher. At least twenty days in advance of the date of the hearing, the superintendent with approval of the school board shall furnish the teacher with a copy of the written charges. Such statement of charges shall include a complete and detailed list of the specific reasons for such charges and shall include but not be limited to the following: date and place of alleged offense or offenses, names of individuals involved in or witnessing such offense or offenses, names of witnesses called or to be called to testify against the teacher at said hearing, and whether or not any such charges previously have been brought against the teacher. The teacher shall have the right to appear before the board with witnesses in his behalf and with counsel of his selection, all of whom shall be heard by the board at said hearing. For the purpose of conducting hearings hereunder the board shall have the power to issue subpoenas to compel the attendance of all witnesses on behalf of the teacher. Nothing herein contained shall impair the right of appeal to a court of competent jurisdiction.

B. If a permanent teacher is found guilty by a school board, after due and legal hearing as provided herein, on charges of willful neglect of duty, or of incompetency, or dishonesty, or of failure to achieve the standard required for satisfactory performance on an evaluation established by the school board and administered on a uniform basis to all teachers similarly situated, or of being a member of or contributing to any group, organization, movement or corporation that is by law or injunction prohibited from operating in the state of Louisiana, and ordered removed from office, or disciplined by the board, the superintendent with approval of the board shall furnish to the teacher a written statement of recommendation of removal or discipline, which shall include but not be limited to the exact

reason(s), offense(s), or instance(s) upon which the recommendation is based. Such teacher may, not more than one year from the date of the said finding, petition a court of competent jurisdiction for a full hearing to review the action of the school board, and the court shall have jurisdiction to affirm or reverse the action of the school board in the matter. If the finding of the school board is reversed by the court and the teacher is ordered reinstated and restored to duty, the teacher shall be entitled to full pay for any loss of time or salary he or she may have sustained by reason of the action of the said school board.

* * *

§462. Permanent teachers; causes for removal; procedure

A.(1) A permanent teacher shall not be removed from office except on written and signed charges of immorality, or of wilful neglect of duty, or of incompetency, or of failure to achieve the standard required for satisfactory performance on an evaluation established by the school board and administered on a uniform basis to all teachers similarly situated, or of being a member of or contributing to any group, organization, movement or corporation that is prohibited by law or injunction from operating in the state of Louisiana, and then only if found guilty after a hearing by the Orleans Parish School Board, which hearing may be private or public, at the option of the teacher.

(2) At least fifteen days in advance of the date of the hearing, the school board shall furnish the teacher with all of the following:

(1)(a) A copy of the written charges;

(2)(b) A list of the names and last-known addresses of all witnesses the board may or will use at the hearing;

(3)(c) A copy of all documents the board will or may introduce during the course of the hearing.

(3)(a) The teacher shall have the right to appear before the board with witnesses in on his behalf and with counsel of his selection all of whom shall be heard by the board at the said hearing.

(b) At least fifteen days in advance of the date of the hearing, the teacher shall furnish to the school board the following:

(1)(i) A list of the names and addresses of all witnesses the teacher may or will use at the hearing;

(2)(ii) A copy of all documents the teacher will or may introduce during the course of the hearing.

(4) Nothing ~~herein contained in this Section~~ shall be construed as depriving the Orleans Parish School Board or any teacher thereof of any right of action it or they may be entitled to under the constitution and laws of the state of Louisiana.

(5) For the purpose of conducting hearings or investigations hereunder, the board shall have the power to administer oaths and affirmations and the power to issue subpoenas in the name of the state of Louisiana to compel the attendance of witnesses and the production of documentary evidence. All such subpoenas shall be served by the sheriff or any deputy of the parish to which the same is directed; and such sheriff or deputy shall be entitled to no fee for serving such subpoenas. In the event any person fails or refuses to obey a subpoena issued hereunder, any district court of this state within the jurisdiction of which the hearing is held or within the jurisdiction of which said person is found or resides, upon application by the board or its representatives, shall have the power to compel such person to appear before the board and to give testimony or produce evidence as ordered; and any failure to obey such an order of the court may be punished by the court issuing the same as a contempt thereof.

B. If a permanent teacher is found guilty by the school board, after due and legal hearing as provided herein, on charges of willful neglect of duty, or of incompetency, or immorality, or of failure to achieve the standard required for satisfactory performance on an evaluation established by the school board and administered on a uniform basis to all teachers similarly situated, or of being a member of or contributing to any group, organization, movement or corporation that is prohibited by law or injunction from operating in the state of Louisiana, and ordered removed from office or disciplined by the said board, the teacher

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may, not more than one year from the date of said finding, petition a court of competent jurisdiction for a full hearing to review the action of the school board, and the court shall have jurisdiction to affirm or reverse the action of the school board in the matter. If the finding of the school board is reversed by the court and the teacher is ordered reinstated and restored to duty, the teacher shall be entitled to full pay for any loss of time or salary he may have sustained by reason of the action of the said school board.

* * *

§471. Teacher defined; probationary term; tenure; discipline and removal from office

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D. A permanent teacher employed by the Department of **Public Safety and** Corrections shall not be disciplined or removed from office except upon written and signed charges of willful neglect of duty, incompetence, dishonesty, **or failure to achieve the standard required for satisfactory performance on an evaluation established by the school board and administered on a uniform basis to all teachers similarly situated**, or violation of the rules and regulations governing employees of the department, and then only if found guilty of such charges after a hearing by the Department of **Public Safety and** Corrections. All hearings conducted pursuant to this Section shall be in accordance with the provisions of Chapter 13 of Title 49 of the Louisiana Revised Statutes of 1950 relative to adjudication. Judicial review of a decision of the board shall also be in accordance with Chapter 13 of Title 49 of the Louisiana Revised Statutes of 1950.

* * *

§493. Removal of bus operators; procedures; right to appeal

A. A permanent school bus operator shall not be removed from his position except upon written and signed charges of willful neglect of duty, or incompetence, or immorality, or drunkenness while on duty, or physical disability to perform his duties, or failure to keep his transfer equipment in a safe, comfortable, and practical operating condition, **or failure to achieve the standard required for satisfactory performance on an evaluation established by the school board and administered on a uniform basis to all school bus operators similarly situated**, or of being a member of or contributing to any group, organization, movement, or corporation that is prohibited by law or injunction from operating in the state, and then only if found guilty after a hearing by the school board of the parish or city in which the school bus operator is employed. An additional ground for the removal from office of any permanent school bus operator shall be the abolition, discontinuance, or consolidation of routes, but then only if it is found as a fact, after a hearing by the school board of the parish or city, that it is in the best interests of the school system to abolish, discontinue, or consolidate said route or routes.

* * *

C. If a permanent school bus operator is found guilty by a school board, after due and legal hearing as provided herein, on charges of willful neglect of duty, or of incompetency, or immorality, or drunkenness while on duty, or physical disability to perform his duties, or failure to keep his transfer equipment in a safe, comfortable, and practical operating condition, **or failure to achieve the standard required for satisfactory performance on an evaluation established by the school board and administered on a uniform basis to all school bus operators similarly situated**, or of being a member of or contributing to any group, organization, movement, or corporation that is prohibited by law or injunction from operating in the state, and ordered removed from office, or disciplined by the board, the superintendent with approval of the board shall furnish to the school bus operator a written statement of recommendation of removal or discipline, which shall include but not be limited to the exact reason, offense, or instance upon which the recommendation is based. Such operator may, not more than one year from the date of the said finding, petition a court of competent jurisdiction for a full hearing to review the action of the school board, and the court shall have jurisdiction to affirm or reverse the action of the school board in the matter. If the finding of the school board is reversed by the

court and the operator is ordered reinstated and restored to duty, the operator shall be entitled to full pay for any loss of time or salary he may have sustained by reason of the action of the said school board.

* * *

§523. Permanent employees; causes for removal; procedure

A. A regular or permanent employee shall not be dismissed or discharged, except upon written and signed charges of willful neglect of duty, or of incompetency, dishonesty, immorality, or of insubordination, **or failure to achieve the standard required for satisfactory performance on an evaluation established by the school board and administered on a uniform basis to all employees similarly situated**, or of being a member of or contributing to any group, organization, movement or corporation that is prohibited by law or injunction from operating in the state of Louisiana, and then only if found guilty after a hearing by the Orleans Parish School Board, which hearing at the option of said employee may be private or public. The Orleans Parish School Board shall furnish the employee a copy of the written charges at least fifteen days in advance of the date set for the hearing. The employee shall have the right to appear before the Orleans Parish School Board at said hearing with witnesses in his behalf, and with counsel of his selection, all of whom shall be heard by the board at the hearing.

B. Nothing herein contained shall impair the right of appeal to the court of appropriate jurisdiction.

* * *

§533. Permanent employees; causes for removal; procedure

A. A regular or permanent employee shall not be dismissed or discharged except upon written and signed charges of willful neglect of duty, incompetency, dishonesty, immorality, insubordination **or failure to achieve the standard required for satisfactory performance on an evaluation established by the school board and administered on a uniform basis to all employees similarly situated**, or of being a member of or contributing to any group, organization, movement or corporation that is by law or injunction prohibited from operating in the state of Louisiana, and then only if found guilty after a hearing by the Iberville Parish School Board. The hearing, at the option of the employee, may be private or public. The employee shall be furnished by the Iberville Parish School Board, at least fifteen days in advance of the date set for the hearing, with a copy of the written charges. The employee shall have the right to appear before the Iberville Parish School Board at the hearing with witnesses in his behalf, and with counsel of his selection, all of whom shall be heard by the board at the hearing.

B. Nothing herein contained shall impair the right of appeal to the court of appropriate jurisdiction.

* * *

§542. Permanent employees; causes for removal; procedure

A.(1) A permanent employee shall not be removed except on written and signed charges of willful neglect of duty, incompetency, dishonesty, **or failure to achieve the standard required for satisfactory performance on an evaluation established by the board and administered on a uniform basis to all employees similarly situated**, or of being a member of or contributing to any group, organization, movement or corporation that is prohibited by law or injunction from operating in the state of Louisiana, and then only if found guilty after a hearing by a committee of the board hereby authorized to be established therefor, which hearing may be private or public, at the option of the employee.

(2) At least thirty days in advance of the date of the hearing, the chief school administrator shall furnish the board with **all of** the following:

- (+) (a) A copy of the written charges.
- (-) (b) A list of the names and last known addresses of all witnesses the board committee may or will use at the hearing.
- (-) (c) A copy of all documents the board committee will or may introduce during the course of the hearing.

(3)(a) The employee shall have the right to appear before the committee of the board with witnesses in his behalf and with counsel of his selection all of whom shall be heard by the committee at the said hearing.

(b) At least fifteen days in advance of the date of the hearing, the employee shall furnish to the chief school administrator the following:

(1)(i) A list of the names and addresses of all witnesses the employee may or will use at the hearing.

(2)(ii) A copy of all documents the employee will or may introduce during the course of the hearing.

(4) Nothing herein contained in this Section shall be construed as depriving the board or any employee thereof of any right of action it or they may be entitled to under the constitution and laws of the state of Louisiana.

(5) For the purpose of conducting hearings or investigations hereunder, the committee of the board shall have the power to administer oaths and affirmations and the power to issue subpoenas in the name of the state of Louisiana to compel the attendance of witnesses and the production of documentary evidence. All such subpoenas shall be served by the sheriff or any deputy of the parish to which the same is directed; and such sheriff or deputy shall be entitled to no fee for serving such subpoenas. In the event any person fails or refuses to obey a subpoena issued hereunder, any district court of this state within the jurisdiction of which the hearing is held or within the jurisdiction of which said person is found or resides, upon application by the board or its representatives, shall have the power to compel such person to appear before the committee and to give testimony or produce evidence as ordered; and any failure to obey such an order of the court may be punished by the court issuing the same as a contempt thereof.

B. If a permanent employee is found guilty by the committee, after due and legal hearing as provided herein, on charges of willful neglect of duty, or of incompetency, dishonesty, or of failure to achieve the standard required for satisfactory performance on an evaluation established by the board and administered on a uniform basis to all employees similarly situated, or of being a member of or of contributing to any group, organization, movement or corporation that is prohibited by law or injunction from operating in the state of Louisiana, and ordered removed from office or disciplined by the said board committee, the employee may, not more than one year from the date of said finding, petition a court of competent jurisdiction for a full hearing to review the action of the board committee and the court shall have jurisdiction to affirm or reverse the action of the committee in the matter. If the finding of the board committee is reversed by the court and the employee is ordered reinstated and restored to duty, the employee shall be entitled to full pay for any loss of time or salary he may have sustained by reason of the action of the said board committee.

* * *

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

On motion of Senator Greene, the committee substitute bill was adopted and becomes Senate Bill No. 1563 by Senator Greene, substitute for Senate Bill No. 340 by Senator Greene.

SENATE BILL NO. 1563 (SUBSTITUTE FOR SENATE BILL NO. 340 BY SENATOR GREENE)—

BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 17:45(A), 443, 462, 471(D), 493(A) and (C), 523, 533, and 542(A) and (C), relative to tenure; to provide relative to the causes for terminating certain permanent school

employees; and to provide for related matters.

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

HOUSE BILL NO. 454— BY REPRESENTATIVE TOOMY AN ACT

To amend and reenact R.S. 26:81(C) and (D) and 281(C)(1) and (D), relative to permits for selling beverage alcohol; to exempt premises with Class "B" permits from the prohibition against the premises being located within a designated distance of certain other premises; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Original Senate Bill No. 454 by Senator Romero

AMENDMENT NO. 1

On page 1, line 2, change "transfer" to "provide for special uses of" and before "Fausse" insert "Lake"

AMENDMENT NO. 2

On page 1, line 3, delete "from the Department of Culture, Recreation and"

AMENDMENT NO. 3

On page 1, delete line 4 in its entirety

AMENDMENT NO. 4

On page 1, at the beginning of line 5, delete "documents;"

AMENDMENT NO. 5

On page 1, line 8, after "Section 1." delete the remainder of the line, delete line 9 in its entirety, and insert in lieu thereof the following:

"Notwithstanding any law to the contrary and subject to the limitations and restrictions provided in this Act and set forth by law, including rules and regulations promulgated by the Department of Wildlife and Fisheries, hunting with shotguns only shall be authorized from November 1 to January 15 annually on the property described below, to wit:"

AMENDMENT NO. 6

On page 1, line 10, change "undeveloped lands in Fausse" to "lands in Lake Fausse"

AMENDMENT NO. 7

On page 1, line 14, after "Section 2." delete the remainder of the line, delete lines 15 and 16 in their entirety, and insert in lieu thereof the following:

"Under no circumstances shall the authorization for hunting contained in this Act be extended to or apply to any other property now owned or acquired in the future by the office of state parks. Such authorized use is predicated upon a unique combination of features at Lake Fausse Pointe State Park, including the fact that the acreage referred to in Section 1 herein is a wetland area, which is isolated by a natural water boundary of approximately thirty feet in width, and lies more than one mile from the closest constructed facility on the park.

Section 3 is all proposed new law.

Section 3. The park wardens shall bear no responsibility for the enforcement of state wildlife laws, but shall retain all law enforcement powers granted to them under state law. The restrictions on hunting which are contained in this Act shall be

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strictly enforced. All violations of the provisions of this Act shall be prosecuted to the fullest extent of the law. The secretary of the Department of Culture, Recreation and Tourism, after a finding of imminent peril to the public health, safety or welfare of the citizens of the state of Louisiana or their visitors, may suspend the authorization of hunting provided in this Act, provided however, that such suspension shall be subject to a prior approval by the Senate Committee on Natural Resources and House Committee on Municipal, Parochial and Cultural Affairs."

AMENDMENT NO. 8

On page 2, delete lines 1 through 3 in their entirety

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

SENATE BILL NO. 1450—
BY SENATOR GUIDRY

AN ACT

To enact R.S. 33:4717(C) and Chapter 13-B of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:4720.25 through 4720.33, all relative to the sale and donation of abandoned or blighted housing in municipalities and parishes; to provide for a redemptive period; to provide for post-adjudication notices; to provide for liability; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 1450 by Senator Guidry

AMENDMENT NO. 1

On page 1, line 2, delete "R.S. 33:4717(C) and"

AMENDMENT NO. 2

On page 1, line 9, delete "R.S. 33:4717(C) and"

AMENDMENT NO. 3

On page 1, line 11, change "are" to "is" and delete lines 12 through 16 in their entirety

AMENDMENT NO. 4

On page 2, delete lines 1 through 7 in their entirety

AMENDMENT NO. 5

On page 3, line 14, after "reason" and before "dilapidation" change "or" to "of"

AMENDMENT NO. 6

On page 4, line 17, change "4717" to "4717.3"

AMENDMENT NO. 7

On page 5, line 14, change "thirty" to "sixty"

AMENDMENT NO. 8

On page 7, line 9, after "subsequent to" insert "the"

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

SENATE BILL NO. 1504—
BY SENATOR CRAVINS

AN ACT

To enact Subpart B-11 of Part IV of Chapter 1 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:130.301 through 130.307 and to repeal R.S. 33:130.361

through 130.369, R.S. 33:130.491 through 130.497, Act 693 of the 1986 Regular Session of the Legislature, Act 616 of the 1991 Regular Session of the Legislature, Act 1008 of the 1993 Regular Session of the Legislature, and Act 897 of the 1995 Regular Session of the Legislature, relative to St. Landry Parish; to consolidate the St. Landry Parish Economic Inducement District, the St. Landry Parish Economic and Industrial Development District and the St. Landry Parish Industrial District into one district; to provide relative to the board of commissioners and their powers, duties and functions; to provide relative to economic plans and projects; to provide relative to the issuance of bonds; to provide relative to powers of the district, including the power of taxation, with voter approval; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 1504 by Senator Cravins

AMENDMENT NO. 1

On page 2, line 12, after "District" change "is" to "are"

AMENDMENT NO. 2

On page 2, line 13, delete ", which are"

AMENDMENT NO. 3

On page 2, line 18, change "be composed of" to "comprise"

AMENDMENT NO. 4

On page 3, delete lines 1 through 11 and insert in lieu thereof the following:

"B. The district is established for the primary purpose of stimulating industrial and commercial development in St. Landry Parish. In the pursuit of this goal, special attention shall be focused on developing stable and more extensive employment opportunities, promoting economic development in disadvantaged communities, improving infrastructure, and promoting the overall welfare of the citizens of the parish."

AMENDMENT NO. 5

On page 3 delete lines 21 through 27, delete page 4 and on page 5 delete lines 1 through 22 and insert in lieu thereof the following:

"(2) All commissioners shall be qualified voters and taxpayers within the limits of the district or within any adjoining parish during their term of office and shall reside in St. Landry Parish or within an adjoining parish. In making appointments to the commission, the appointing authorities shall make every effort within the law to provide for racial and gender diversity among commissioners and shall make reasonable efforts to ensure that, where relevant, the racial proportion of the appointees reflects the same racial proportion of the geographical area which they represent.

(3) The commissioners of the board shall be initially determined as follows:

(a) The Police Jury of St. Landry Parish shall appoint one commissioner from each police jury district.

(b) The St. Landry Parish Municipal Association shall appoint four commissioners.

B. The commissioners of the board shall serve for one year and shall not be eligible for reappointment. Upon expiration of the terms of sitting commissioners, a new board shall be appointed as provided in Subsection A. The sitting commissioners shall make

all necessary provisions to ensure an orderly and timely transfer of authority to the incoming board.

C. The sitting members of the board shall fill any vacancy not caused by the normal expiration of a commissioner's term within forty-five days by appointing an interim board member who shall serve the remaining term of the vacating commissioner. A commissioner appointed in an interim capacity shall, upon the expiration of his interim term, be eligible for appointment to one and only one full term."

AMENDMENT NO. 6

On page 6, line 3, change "a secretary, and a treasurer" to "and a secretary-treasurer"

AMENDMENT NO. 7

On page 6, line 4, after "offices." delete the remainder of the line and delete line 5

AMENDMENT NO. 8

On page 8, line 3, change "board" to "committee"

AMENDMENT NO. 9

On page 8, line 4, change "for" to "to"

AMENDMENT NO. 10

On page 8, line 5, change "carrying out of" to "implement"

AMENDMENT NO. 11

On page 8, line 15, change "business" to "businesses" and change "warehousing" to "warehouses"

AMENDMENT NO. 12

On page 8, line 20, change "in connection with" to "to achieve"

AMENDMENT NO. 13

On page 8, line 22, after "respect to" insert "the use of"

AMENDMENT NO. 14

On page 12, line 7, change "board" to "committee"

AMENDMENT NO. 15

On page 16, at the end of line 2, change "board" to "committee"

AMENDMENT NO. 16

On page 19, line 1, change "executive board" to "executive committee"

AMENDMENT NO. 17

On page 21, lines 22 and 25, change "executive board" to "executive committee"

AMENDMENT NO. 18

On page 23, line 23, change "The" to "This act shall become effective on January 1, 1998. On such date the"

AMENDMENT NO. 19

On page 23, line 26, delete "August 15, 1997"

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

SENATE BILL NO. 1519—
BY SENATOR SHORT

AN ACT

To enact R.S. 33:4575.11 through 4575.16, relative to special districts; to create event center districts in certain parishes; and to provide for related matters.

Reported with amendments by the Committee on Local and

Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 1519 by Senator Short

AMENDMENT NO. 1

On page 1, line 11, change "sixty" to "forty-four" and change "seventy-five" to "sixty"

AMENDMENT NO. 2

On page 2, line 5, after "district" add ", including hurricane or disaster evacuation"

AMENDMENT NO. 3

On page 2, between lines 22 and 23, insert the following:

"(4) One member appointed by the governor, subject to Senate confirmation.

(5) One member for, and representing, each organization or entity which the board determines has provided or is providing significant support to the district appointed by the commissioners appointed pursuant to R.S. 33:4575.12 (1) through (4)."

AMENDMENT NO. 4

On page 3, line 23, delete "The" and delete lines 24 and 25 in their entirety

AMENDMENT NO. 5

On page 5, line 27, after "assessment", insert "provided that any such election shall be held only on the dates provided by R.S. 18:402(F)"

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

SENATE BILL NO. 1522—
BY SENATOR DARDENNE

AN ACT

To amend and reenact Subpart G of Part II of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1791 and R.S. 17:1792, relative to collegiate athletic scholarships; to provide relative to the nature of an athletic scholarship as an agreement among certain parties; to provide for certain obligations of the parties to such an agreement; to provide for the reimbursement of the cost of an athletic scholarship under certain circumstances; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Original Senate Bill No. 1522 by Senator Dardenne

AMENDMENT NO. 1

On page 3, line 21, after "aid" insert "and by means of a scholarship bearing the name of the former student athlete who is employed by a professional athletic team"

AMENDMENT NO. 2

On page 3, line 22, after "Justice" insert "which shall be entitled to receive reasonable attorneys fees for collecting such money"

AMENDMENT NO. 3

On page 4, line 10, after "E." delete "(1)"

AMENDMENT NO. 4

On page 4, delete lines 15 through 22 in their entirety

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AMENDMENT NO. 5

On page 4, line 27, after "athletes" insert "and shall provide notice of this Subpart to the Commissioners of the National Basketball Association, the Women's Basketball Association, the National Football League and the Acting Commissioner of Major League Baseball"

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

Message from the House

**SIGNED HOUSE BILLS AND
JOINT RESOLUTIONS**

May 29, 1997

To the Honorable President and Members of the Senate:

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

HOUSE BILL NO. 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.

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

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

The House Bills and Joint Resolutions contained herein were signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Fields	1 Day	Tarver	1 Day
Jones	½ Day		

Adjournment

Senator Bagneris moved that the Senate adjourn until Friday, May 30, 1997 at 12:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 12:30 o'clock P.M. on Friday, May 30, 1997.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk