

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

FIFTEENTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, April 23, 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 | Lambert |
| Bagneris | Ellington | Landry |
| Bajoie | Fields | Lentini |
| Barham | Greene | Malone |
| Bean | Guidry | Robichaux |
| Branch | Hainkel | Romero |
| Cain | Heitmeier | Schedler |
| Campbell | Hines | Short |
| Casanova | Hollis | Siracusa |
| Cox | Irons | Smith |
| Cravins | Johnson | Tarver |
| Dardenne | Jones | Theunissen |
| Dean | Jordan | Ullo |

Total—39

ABSENT

Total—0

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

Prayer

The prayer was offered by Senator Hollis, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Hollis, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Privileged Report of the
Legislative Bureau**

April 22, 1997

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 1765 —
BY REPRESENTATIVES DAMICO AND DEWITT
AN ACT

To amend and reenact R.S. 30:2050.5, relative to the enforcement of final actions; to provide for the powers of the secretary of the Department of Environmental Quality; to delete certain powers and duties; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 1767—
BY REPRESENTATIVES DAMICO AND DEWITT
AN ACT

To amend and reenact R.S. 30:2050.20, relative to the record of decision; to provide for preparation of the record; and to provide for related matters.

Reported without amendments.

Respectfully submitted,

DENNIS BAGNERIS
Chairman

Adoption of Legislative Bureau Report

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

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**

April 22, 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. 301—
BY REPRESENTATIVE BARTON
AN ACT

To amend and reenact Code of Civil Procedure Art. 4843(E)(2) and to enact Code of Civil Procedure Art. 4843(F), relative to trial courts of limited jurisdiction; to increase the amount in controversy for civil jurisdiction of the City Court of Bossier City, City of Baton Rouge; and to provide for related matters.

HOUSE BILL NO. 413—
BY REPRESENTATIVES TRAVIS AND WELCH
AN ACT

To enact Part XIX of Chapter 2 of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3577.1 through 3577.8, relative to small loans; to provide for fees for making loans for five hundred dollars or less; to provide for penalties; to prohibit certain acts; and to provide for related matters.

HOUSE BILL NO. 478—
BY REPRESENTATIVE THOMAS
AN ACT

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

HOUSE BILL NO. 515—

BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact R.S. 9:2097(A) and 2123, relative to powers of a trustee; to provide with respect to the prohibition against a trustee serving in certain capacities within an entity in which trust funds are invested; to provide that a trustee may become a member of a limited liability company or other legal entity; and to provide for related matters.

HOUSE BILL NO. 517—

BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact R.S. 9:1961 and 1964, relative to trusts; to provide that the trust instrument may provide for the allocation of income; to provide that the settlor may give a trustee the discretion, without objective standards, to allocate income in different amounts; and to provide for related matters.

HOUSE BILL NO. 538—

BY REPRESENTATIVES MCCAIN, BRUCE, PINAC, DOERGE, AND JOHNS
AN ACT

To enact R.S. 47:463.46, relative to motor vehicle registration; to provide for special prestige license plates for members of Lions International; to provide for fees; to provide for the disbursement of those fees; to provide for the procedure for issuing the plates; and to provide for related matters.

HOUSE BILL NO. 545—

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

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

HOUSE BILL NO. 551—

BY REPRESENTATIVES TOOMY, ANSARDI, BAUDOIN, BRUCE, DIEZ, FAUCHEUX, FORSTER, FRITH, FRUGE, GAUTREAU, HEATON, HEBERT, KENNEY, MICHOT, MORRELL, MORRISH, PERKINS, PIERRE, POWELL, PRATT, ROMERO, ROUSSELLE, SCALISE, SHAW, WALSWORTH, WELCH, WIGGINS, WILLARD-LEWIS, WINSTON, AND WRIGHT
AN ACT

To enact Chapter 7 of Title 26 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 26:901 through 909, relative to the Louisiana Responsible Vendor Program; to establish a program for the responsible sale, service, and consumption of alcoholic beverages; to provide for definitions; to provide for qualification and certification as a responsible vendor; to provide for server training courses; to provide for suspension and revocation of permits and other penalties; to provide for fees; and to provide for related matters.

HOUSE BILL NO. 1588—

BY REPRESENTATIVES MICHOT AND BRUNEAU
AN ACT

To amend and reenact R.S. 24:772(A), relative to reports to the legislature; to provide for distribution of reports required to be submitted to the legislature; to provide that copies of such reports be sent to individual legislators only upon request of such legislator; to require each agency to annually submit a list of reports and publications to the members of the legislature; and to provide for related matters.

HOUSE BILL NO. 1723—

BY REPRESENTATIVES WESTON, CLARKSON, JETSON, RIDDLE, BARTON, BAUDOIN, BAYLOR, BRUCE, BRUNEAU, DOERGE, DOWNER, DUPRE, FAUCHEUX, FLAVIN, FRITH, FRUGE, GUILLORY, HEBERT, HILL, HOLDEN, HUNTER, ILES, JOHNS, LANDRIEU, MARIONNEAUX, MARTINY, MCDONALD, MICHOT, MURRAY, ODINET, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, ROMERO, ROUSSELLE, SCHNEIDER, STELLY, TRAVIS, WELCH, WIGGINS, WILKERSON, AND WILLARD-LEWIS
AN ACT

To enact R.S. 46:286.1, relative to the Kinship Foster Care Program; to

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

HOUSE BILL NO. 1799—

BY REPRESENTATIVE JOHN SMITH
AN ACT

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

HOUSE BILL NO. 1950—

BY REPRESENTATIVE DONELON
AN ACT

To enact Chapter 13 of Title 40 of the Revised Statutes of 1950, to be entitled Managed Care: Communication of Treatment Information, consisting of Section 2255, relative to managed care health care benefit plans; to prohibit such plans from restricting a participating provider from communicating information under certain circumstances; to prohibit the transfer of liability to providers; and to provide for related matters.

HOUSE BILL NO. 2212—

BY REPRESENTATIVE DONELON
AN ACT

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

HOUSE BILL NO. 516—

BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact R.S. 9:2026(1) and 2064, relative to the termination or modification of a trust; to provide that a trust may be terminated or modified if the continuance of the trust unchanged would impair the purposes of the trust; and to provide for related matters.

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.

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.

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.

HOUSE BILL NO. 1123—

BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

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

HOUSE BILL NO. 1120—

BY REPRESENTATIVES TRAVIS, MURRAY, AND FRITH
AN ACT

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

HOUSE BILL NO. 1107—

BY REPRESENTATIVES TRAVIS AND MURRAY
AN ACT

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

HOUSE BILL NO. 1121—

BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

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

HOUSE BILL NO. 1127—

BY REPRESENTATIVE WRIGHT
AN ACT

To enact R.S. 47:463.46 and R.S. 56:10(B)(8), relative to motor vehicle registration; to provide for special prestige license plates for Ducks Unlimited; to provide for fees; to provide for the disposition of those fees; to provide for the establishment of an account in the Conservation Fund; and to provide for related matters.

HOUSE BILL NO. 1147—

BY REPRESENTATIVE MURRAY
AN ACT

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

HOUSE BILL NO. 1156—

BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

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

HOUSE BILL NO. 1157—

BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

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

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.

HOUSE BILL NO. 1182—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 47:463.23(B) and 463.30, relative to prestige license plates for professional firefighters; to provide for an initial fee; to provide for the revocation of such plates; and to provide for related matters.

HOUSE BILL NO. 514—

BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To enact Chapter 3 of the Louisiana Code of Evidence, to be comprised of Articles 301 through 308, and to enact Louisiana Code of Evidence Article 804(B)(5), to repeal Civil Code Articles 1849, 1850, 1851, and 1852, and to provide for the redesignation of Louisiana Code of Evidence Articles 804(B)(5) and (6), all relative to evidence in civil proceedings; to provide for the definition, effect, and application of presumptions and prima facie evidence as used in legislation governing civil proceedings; to provide for definitions; to provide with respect to conclusive and rebuttable presumptions; to provide for jury instructions; to provide for a residual hearsay exception when the declarant is unavailable to testify; to repeal certain Civil Code Articles relative to presumptions; and to provide for related matters.

HOUSE BILL NO. 549—

BY REPRESENTATIVES RIDDLE, A. ALEXANDER, CARTER, GUILLORY, MCCALLUM, AND THOMPSON

A JOINT RESOLUTION

Proposing to add Article VIII, Section 16 of the Constitution of Louisiana, to authorize the legislature to provide by law for the operation and management of public hospitals and their programs by the Board of Regents or by any board having powers of management over public institutions of higher education; to exclude certain institutions and programs from such authorization; to provide for legislative oversight; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

HOUSE BILL NO. 1215—

BY REPRESENTATIVES MCMAINS AND DEWITT
AN ACT

To amend and reenact Code of Civil Procedure Art. 970(A), (B), and (C), relative to the motion for judgment on an offer of judgment; to provide for time for service of the offer, inadmissibility in other proceedings, and exclusion of attorney fees in the assessment of costs; and to provide for related matters.

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.

HOUSE BILL NO. 1363—

BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

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

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.

HOUSE BILL NO. 1396—

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

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

HOUSE BILL NO. 1830—

BY REPRESENTATIVE JACK SMITH AND ROUSSELLE
AN ACT

To amend and reenact R.S. 47:463.3(A), 463.5(B), 463.6(B)(3), 463.9(B), 463.10, 463.12(B), 463.14(B), 463.15(C), 463.16(D), 463.22(B), 463.23(B), 463.24(B), 463.28(C), 463.30(B), 463.32(E), 463.33(B), 463.36(B), 463.37(B), 463.39(C), 463.40(C), 463.41(E), and 463.42(B) and to repeal R.S. 47:463.39(D) and 463.40(D) and (E), relative to motor vehicle registration; to repeal the fees for certain prestige license plates; and to provide for related matters.

HOUSE BILL NO. 1861—

BY REPRESENTATIVES WRIGHT AND BRUCE
AN ACT

To amend and reenact R.S. 30:2531(D)(1), relative to littering offenses; to provide for penalties; and to provide for related matters.

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.

HOUSE BILL NO. 1750—

BY REPRESENTATIVE MCCAIN
AN ACT

To enact R.S. 33:103(C)(1)(j) and 2536.3 and R.S. 40:401.10, relative to the compensation of members of certain boards in certain municipalities; to authorize payment of per diem to members of such boards for attendance at meetings and to provide otherwise relative to such per diem; and to provide for related matters.

HOUSE BILL NO. 9—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 9:2796(A), relative to offenses and quasi offenses; to limit liability of krewes conducting parades held on streets or waterways, or in buildings; and to provide for related matters.

HOUSE BILL NO. 293—

BY REPRESENTATIVE TRAVIS
AN ACT

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

HOUSE BILL NO. 306—

BY REPRESENTATIVE DOWNER
AN ACT

To amend and reenact R.S. 32:411(B)(2) and to enact R.S. 32:393(H) and 398(I), relative to drivers' licenses; to require law enforcement officers to take certain actions when it is determined that a driver who has been involved in an accident or is charged with a traffic violation has a medical condition which could result in possible suspension or revocation of his driver's license; and to provide for related matters.

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

House Bills and Joint Resolutions

Senator Bagneris 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. 9—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 9:2796(A), relative to offenses and quasi offenses; to limit liability of krewes conducting parades held on streets or waterways, or in buildings; 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. 293—

BY REPRESENTATIVE TRAVIS
AN ACT

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

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

HOUSE BILL NO. 301—

BY REPRESENTATIVE BARTON
AN ACT

To amend and reenact Code of Civil Procedure Art. 4843(E)(2) and to enact Code of Civil Procedure Art. 4843(F), relative to trial courts of limited jurisdiction; to increase the amount in controversy for civil jurisdiction of the City Court of Bossier City, City of Baton Rouge; 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. 306—

BY REPRESENTATIVE DOWNER
AN ACT

To amend and reenact R.S. 32:411(B)(2) and to enact R.S. 32:393(H) and 398(I), relative to drivers' licenses; to require law enforcement officers to take certain actions when it is determined that a driver who has been involved in an accident or is charged with a traffic violation has a medical condition which could result in possible

suspension or revocation of his driver's license; 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. 413—
BY REPRESENTATIVES TRAVIS AND WELCH
AN ACT

To enact Part XIX of Chapter 2 of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3577.1 through 3577.8, relative to small loans; to provide for fees for making loans for five hundred dollars or less; to provide for penalties; to prohibit certain acts; 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. 478—
BY REPRESENTATIVE THOMAS
AN ACT

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

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

HOUSE BILL NO. 514—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To enact Chapter 3 of the Louisiana Code of Evidence, to be comprised of Articles 301 through 308, and to enact Louisiana Code of Evidence Article 804(B)(5), to repeal Civil Code Articles 1849, 1850, 1851, and 1852, and to provide for the redesignation of Louisiana Code of Evidence Articles 804(B)(5) and (6), all relative to evidence in civil proceedings; to provide for the definition, effect, and application of presumptions and prima facie evidence as used in legislation governing civil proceedings; to provide for definitions; to provide with respect to conclusive and rebuttable presumptions; to provide for jury instructions; to provide for a residual hearsay exception when the declarant is unavailable to testify; to repeal certain Civil Code Articles relative to presumptions; 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. 515—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact R.S. 9:2097(A) and 2123, relative to powers of a trustee; to provide with respect to the prohibition against a trustee serving in certain capacities within an entity in which trust funds are invested; to provide that a trustee may become a member of a limited liability company or other legal entity; 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. 516—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact R.S. 9:2026(1) and 2064, relative to the termination or modification of a trust; to provide that a trust may be terminated or modified if the continuance of the trust unchanged would impair the purposes of the trust; 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. 517—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact R.S. 9:1961 and 1964, relative to trusts; to provide that the trust instrument may provide for the allocation of income; to provide that the settlor may give a trustee the discretion, without objective standards, to allocate income in different amounts; 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. 538—
BY REPRESENTATIVES MCCAIN, BRUCE, PINAC, DOERGE, AND JOHNS
AN ACT

To enact R.S. 47:463.46, relative to motor vehicle registration; to provide for special prestige license plates for members of Lions International; to provide for fees; to provide for the disbursement of those fees; to provide for the procedure for issuing the plates; and to provide for related matters.

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

HOUSE BILL NO. 545—
BY REPRESENTATIVES MURRAY, BARTON, DUPRE, FLAVIN, FRITH, HILL, HOPKINS, POWELL, THOMPSON, AND TRAVIS
AN ACT

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

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

HOUSE BILL NO. 549—
BY REPRESENTATIVES RIDDLE, A. ALEXANDER, CARTER, GUILLORY, MCCALLUM, AND THOMPSON
A JOINT RESOLUTION

Proposing to add Article VIII, Section 16 of the Constitution of Louisiana, to authorize the legislature to provide by law for the operation and management of public hospitals and their programs by the Board of Regents or by any board having powers of management over public institutions of higher education; to exclude certain institutions and programs from such authorization; to provide for legislative oversight; to provide for submission of the proposed amendment to the electors; 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. 551—
BY REPRESENTATIVES TOOMY, ANSARDI, BAUDOIN, BRUCE, DIEZ, FAUCHEUX, FORSTER, FRITH, FRUGE, GAUTREAUX, HEATON, HEBERT, KENNEY, MICHOT, MORRELL, MORRISH, PERKINS, PIERRE, POWELL, PRATT, ROMERO, ROUSSELLE, SCALISE, SHAW, WALSWORTH, WELCH, WIGGINS, WILLARD-LEWIS, WINSTON, AND WRIGHT
AN ACT

To enact Chapter 7 of Title 26 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 26:901 through 909, relative to the Louisiana Responsible Vendor Program; to establish a program for the responsible sale, service, and consumption of alcoholic beverages; to provide for definitions; to provide for qualification and certification as a responsible vendor; to provide for server training courses; to provide for suspension and revocation of permits and other penalties; to provide for fees; and to provide for related matters.

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

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.

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. 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.

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. 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.

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

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

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

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

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

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

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

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

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

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

referred to the Committee on Commerce and Consumer Protection.

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

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

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

HOUSE BILL NO. 1127—
BY REPRESENTATIVE WRIGHT
AN ACT

To enact R.S. 47:463.46 and R.S. 56:10(B)(8), relative to motor vehicle registration; to provide for special prestige license plates for Ducks Unlimited; to provide for fees; to provide for the disposition of those fees; to provide for the establishment of an account in the Conservation Fund; 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. 1147—
BY REPRESENTATIVE MURRAY
AN ACT

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

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

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

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

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

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

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

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

HOUSE BILL NO. 1182—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 47:463.23(B) and 463.30, relative to prestige license plates for professional firefighters; to provide for an initial fee; to provide for the revocation of such plates; and to provide for related matters.

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

HOUSE BILL NO. 1215—
BY REPRESENTATIVES MCMAINS AND DEWITT
AN ACT

To amend and reenact Code of Civil Procedure Art. 970(A), (B), and (C), relative to the motion for judgment on an offer of judgment; to provide for time for service of the offer, inadmissibility in other proceedings, and exclusion of attorney fees in the assessment of costs; 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. 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.

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. 1363—
BY REPRESENTATIVES TRAVIS, FRITH, AND MURRAY
AN ACT

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

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

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

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

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. 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.

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. 1588—
BY REPRESENTATIVES MICHOT AND BRUNEAU
AN ACT

To amend and reenact R.S. 24:772(A), relative to reports to the legislature; to provide for distribution of reports required to be submitted to the legislature; to provide that copies of such reports be sent to individual legislators only upon request of such legislator; to require each agency to annually submit a list of reports and publications to the members of the legislature; and to provide for related matters.

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

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

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

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

HOUSE BILL NO. 1750—
BY REPRESENTATIVE MCCAIN
AN ACT

To enact R.S. 33:103(C)(1)(j) and 2536.3 and R.S. 40:401.10, relative to the compensation of members of certain boards in certain municipalities; to authorize payment of per diem to members of such boards for attendance at meetings and to provide otherwise relative to such per diem; and to provide for related matters.

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

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

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

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

HOUSE BILL NO. 1830—
BY REPRESENTATIVE JACK SMITH AND ROUSSELLE
AN ACT

To amend and reenact R.S. 47:463.3(A), 463.5(B), 463.6(B)(3), 463.9(B), 463.10, 463.12(B), 463.14(B), 463.15(C), 463.16(D), 463.22(B), 463.23(B), 463.24(B), 463.28(C), 463.30(B), 463.32(E), 463.33(B), 463.36(B), 463.37(B), 463.39(C), 463.40(C), 463.41(E), and 463.42(B) and to repeal R.S. 47:463.39(D) and 463.40(D) and (E), relative to motor vehicle registration; to repeal the fees for certain prestige license plates; and to provide for related matters.

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

HOUSE BILL NO. 1861—
BY REPRESENTATIVES WRIGHT AND BRUCE
AN ACT

To amend and reenact R.S. 30:2531(D)(1), relative to littering offenses; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 1950—
BY REPRESENTATIVE DONELON
AN ACT

To enact Chapter 13 of Title 40 of the Revised Statutes of 1950, to be entitled Managed Care: Communication of Treatment Information, consisting of Section 2255, relative to managed care health care benefit plans; to prohibit such plans from restricting a participating provider from communicating information under certain circumstances; to prohibit the transfer of liability to providers; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 2212—
BY REPRESENTATIVE DONELON
AN ACT

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

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

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.

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

**Introduction of
Senate Concurrent Resolutions**

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

SENATE CONCURRENT RESOLUTION NO. 82—
BY SENATOR SCHEDLER
A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study the feasibility of including hospice care services as an optional service covered under the Medical Assistance Program for a recipient of Medicaid.

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

Special Order of the Day

The following House 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:

HOUSE BILL NO. 1162—
BY REPRESENTATIVES R. ALEXANDER, DOWNER, DEWITT, BAYLOR, BRUCE, CLARKSON, CRANE, DEVILLE, DOERGE, DUPRE, FLAVIN, KENNARD, MCMAINS, POWELL, RIDDLE, SHAW, JACK SMITH, THOMAS, THOMPSON, TOOMY, WALSWORTH, DANIEL, MCCALLUM, MONTGOMERY, AND PERKINS AND SENATORS DARDENNE, HINES, EWING, BARHAM, BEAN, CRAVINS, ELLINGTON, GREENE, ROBICHAUX, SCHEDLER, AND TARVER AND REPRESENTATIVES ALARIO, A. ALEXANDER, ANSARDI, BARTON, BAUDOIN, CARTER, COPELIN, CURTIS, DIMOS, DONELON, FAUCHEUX, FRITH, FRUGE, GAUTREAUX, GUILLORY, HEATON, HEBERT, HILL, HUDSON, HUNTER, JOHNS, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LONG, MARTINY, MCDONALD, MICHOT, MORRISH, MURRAY, ODINET, PIERRE, PINAC, PRATT, QUEZAIRE, ROMERO, ROUSSELLE, SALTER, SCALISE, SCHNEIDER, JOHN SMITH, STRAIN, THORNHILL, TRAVIS, TRICHE, VITTER, WARNER, WELCH, WIGGINS, WILLARD-LEWIS, AND WRIGHT
AN ACT

To amend and reenact R.S. 17:3215(6), R.S. 36:251(B), R.S. 38:2212(A)(1)(f)(iv) and (K), R.S. 39:1554(D)(4) and (5), R.S. 40:2018.1(A) and (B)(6), 2241(A)(3), 2251(A)(3), 2742(B)(1)(introductory paragraph), R.S. 45:836(introductory paragraph), and R.S. 46:160.8(A)(3)(a) and 1072(2)(b), to enact Subpart C-2 of Part II of Chapter 4 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1519 through 1519.8, R.S. 22:3021, R.S. 36:254(A)(14) and 259(FF), R.S. 38:2212(A)(1)(f)(v) and 2221(B)(4), and R.S. 40:2742(B)(4), and to repeal R.S. 39:101(B)(3), R.S. 40:2742(B)(1)(f), R.S. 45:836(8), and Parts I and II of Chapter 6 of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:701 through 709 and 751 through 776, respectively, relative to the delivery of health care services; to transfer public hospitals and their funds, property, records, obligations, functions, and employees from the Louisiana Health Care Authority to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College; to provide for the operation of public hospitals by the Louisiana State University Medical Center under the overall direction, supervision, and management of the board; to provide for the health care services division of the medical center; to provide for the powers and duties of board, the medical center and its chancellor, and the division, including provisions for funds and funding and the issuance of debt; to provide for legislative approval for certain actions and for certain reports to the legislature and legislative committees; to abolish the Louisiana Health Care Authority; to provide for the administration of the Medical Center of Louisiana at New Orleans; to provide for the administration of the Huey P. Long Medical Center; to create and provide for the membership, powers, and duties of the Medical Education Commission; to provide for membership on certain boards and commissions; to provide relative to the powers

and duties of the secretary of the Department of Health and Hospitals; to repeal provisions related to Charity Hospital at New Orleans; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1162 by Representative Rodney Alexander.

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 12 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on April 16, 1997.

AMENDMENT NO. 2

On page 12, line 4, between "Subpart." and "For" insert the following:

"The exemptions granted in this Section shall not include those relating to open meetings and public records as set forth in R.S. 46:1073(B) and (C) except for sealed bids submitted by respondents as part of a competitive bid process as required in the Louisiana Procurement Code."

AMENDMENT NO. 3

On page 12, line 24, between "organizations" and "as" insert the following:

", including local health departments and federally qualified health centers,"

AMENDMENT NO. 4

On page 13, line 20, between "Hospitals" and the comma "," insert the following:

"and local health departments and federally qualified health centers"

AMENDMENT NO. 5

Delete Senate Committee Amendment No. 24 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on April 16, 1997.

AMENDMENT NO. 6

On page 22, line 8, delete "with the approval of" and insert in lieu thereof the following:

"by the hospital in consultation with"

AMENDMENT NO. 7

On page 23, line 4, after "units" change the period "." to a comma "," and add the following:

"including the New Orleans Department of Health."

AMENDMENT NO. 8

Delete Senate Committee Amendment No. 37 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on April 16, 1997.

AMENDMENT NO. 9

On page 28, line 6, after "years" change the period "." to a comma "," and add the following:

"and thereafter the division and the department shall execute subsequent memorandums of understanding, having a minimum term of one year, which shall establish the amount of such revenues available to the division."

AMENDMENT NO. 10

On page 28, line 24, between "thereto" and "The" change the period "." to a comma "," and add the following:

"which includes public health facilities and community based and school based health facilities."

AMENDMENT NO. 11

On page 46, line 4, between "Hospitals," and "including" insert the following:

"local health departments, and federally qualified health centers,"

AMENDMENT NO. 12

On page 58, line 24, after "union" delete the remainder of the line and delete line 25 in its entirety and insert in lieu thereof the following:

"of which they were members prior to the transfer."

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1162 by Representative Rodney Alexander

AMENDMENT NO. 1

Delete Senate Committee Amendments Nos. 55 and 56 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on Wednesday, April 16, 1997

AMENDMENT NO. 2

On page 1, line 3, delete "1554(D)(4) and (5)" and insert "1593"

AMENDMENT NO. 3

On page 1, line 9, after "259(FF)," insert "R.S. 39:1593.1,"

AMENDMENT NO. 4

On page 2, line 1, after "101(B)(3)" insert "and 1554(D)(4) and (5)"

AMENDMENT NO. 5

On page 50, delete lines 4 through 26

AMENDMENT NO. 6

On page 51, delete lines 1 through 26

AMENDMENT NO. 7

On page 52, delete lines 1 through 5 and insert the following:

"Section 5. R.S. 39:1593 is hereby amended and reenacted and R.S. 39:1593.1 is hereby enacted to read as follows:

§1593. Methods of source selection

Unless otherwise authorized by law, all state contracts shall be awarded by competitive sealed bidding, pursuant to R.S. 39:1594, except as provided in **R.S. 39:1593.1** and R.S. 39:1595 through R.S. 39:1598.

§1593.1 Group purchasing

R.S. 39:1593.1 is all proposed new law.

A. The Louisiana State University Medical Center may contract with a group purchasing organization through a competitive request for proposals process for medical and laboratory supplies and medical equipment required for the purpose of diagnosis or direct treatment of a patient by a health care provider in a hospital or clinic setting.

B. Prior to the award of the such contract, the proposed contract shall be approved by the commissioner of administration provided he determines the total cost to be less than the state procurement prices and

April 23, 1997

that the contract is in the best interest of the state.

C. No later than sixty days after a purchasing agency submits a proposed contract to the commissioner for approval, the commissioner shall notify the purchasing agency in writing as to whether the proposed contract has been approved or rejected. If the commissioner does not timely notify the purchasing agency of his decision, the request for approval on the proposed contract shall be deemed to have been approved. The commissioner shall not unreasonably withhold his approval."

AMENDMENT NO. 8

On page 55, line 6, after "101(B)(3)" and insert "and 1554(D)(4) and (5)"

Senator Dardenne moved adoption of the amendments.

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

| | |
|---------|--------|
| Irons | Landry |
| Total—2 | |

ABSENT

| | | |
|---------|-------|--------|
| Hainkel | Jones | Malone |
| Total—3 | | |

The Chair declared 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 Reengrossed House Bill No. 1162 by Representative Rodney Alexander, et al.

AMENDMENT NO. 1

On page 15, line 24, delete "The" and insert "Pursuant to recommendations by the medical center, the"

On motion of Senator Hines, 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 Reengrossed House Bill No.

1162 by Representative Rodney Alexander, et al.

AMENDMENT NO. 1

In Senate committee amendment No. 16 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on Wednesday, April 16, 1997, on line 5, line 11, and line 20, delete the word "nonprofit"

On motion of Senator Hines, 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 Reengrossed House Bill No. 1162 by Representative Rodney Alexander.

AMENDMENT NO. 1

On page 44, between lines 18 and 19, insert the following:

"D. All health care providers on staff at any hospital as described in this Section shall be entitled to participate as providers in this health maintenance organization.

AMENDMENT NO. 2

On page 44, line 19, change "D." to "E."

AMENDMENT NO. 3

On page 44, delete lines 21 and 22 in their entirety and insert in lieu thereof the following:

"based on actuarially derived costs of providing care to the same population as certified by the Department of Health and Hospitals."

AMENDMENT NO. 4

On page 44, line 23, change "E." to "F."

AMENDMENT NO. 5

On page 45, between lines 2 and 3, and immediately preceding the text inserted by Senate Committee Amendment No. 50 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on April 16, 1997, insert the following:

"G. The Louisiana State University Health Maintenance Organization shall enter into a contract with any willing provider licensed by the Louisiana State Board of Medical Examiners or the Louisiana State Board of Dental Examiners to provide primary care services delivered in an outpatient setting including medical and surgical services. Such providers shall satisfy the standards that are established as part of the approved managed care plan relating to quality, utilization, and accessibility of services.

H. All Medicaid managed care plans implemented as part of this Section shall be limited to programs implemented by the Department of Health and Hospitals in accordance with state law.

I. All Medicaid managed care plans implemented as part of this Section shall be subject to approval by the commissioner of insurance and legislative approval as set forth in R.S. 17:1519.2(D).

J. The rules and regulations shall provide that persons eligible for enrollment shall have the freedom to choose among all health maintenance organizations providing services to such persons, shall insure that such persons are informed of their right to choose, and shall provide a process through which persons who fail to make a choice are assigned to one of the health maintenance organizations authorized and eligible to provide services to such persons."

On motion of Senator Hines, the amendments were adopted.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris to Reengrossed House Bill No. 1162 by Representative R. Alexander

AMENDMENT NO. 1

On page 13, line 10, between "agencies" and "engaged" insert the following:

", including local health departments and federally qualified health centers,"

On motion of Senator Bagneris, the amendments were adopted.

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

Rules Suspended

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 18—

BY SENATOR BAJOIE

A RESOLUTION

To commend Delta Sigma Theta Sorority for its achievements and designate April 23, 1997 as Delta Sigma Theta Sorority Legislative Day at the Louisiana Legislature.

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

Special Order of the Day No. 1 Resumed

Floor Amendments Sent Up

Senator Casanova sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Casanova to Reengrossed House Bill No. 1162 by Representative R. Alexander

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 16 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on April 16, 1997.

AMENDMENT NO. 2

On page 20, between lines 10 and 11, insert the following:

"(7)(a) The board may enter into contracts, joint ventures, cooperative endeavors, or any combination thereof, for hospital health services provided to the medically indigent or uninsured at rural hospitals or hospitals in rural parishes offering twenty-four hour emergency care. Such contracts, joint ventures, cooperative endeavors, or any combination thereof, shall assist the hospitals to provide inpatient services to medically indigent and uninsured residents of the state within the service area of the hospital.

(b) Nothing in this Subsection shall be construed to require that a rural hospital or hospital in a rural parish be accredited by the Joint Commission on Accreditation of Healthcare Organizations in order to participate in a contract, joint venture, or cooperative endeavor, or any combination thereof, as provided in this Paragraph.

(c) The board shall enter into a contract, joint venture, or cooperative endeavor, or any combination thereof, only pursuant to rules and regulations promulgated in accordance with R.S. 17:1519.2(D). Such rules and regulations shall include criteria for the determination of eligible rural hospitals or hospitals in rural parishes and of the service area of any such hospital and the methodology to determine funding and programs necessary to provide services to the medically indigent and uninsured state residents within a service area."

On motion of Senator Casanova, the amendments were adopted.

Floor Amendments Sent Up

Senator Ullo sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ullo to Reengrossed House Bill No. 1162 by Representative Rodney Alexander

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 37 proposed by the Senate Committee on Health and Welfare and adopted by the Senate on April 16, 1997, and insert the following:

"H. Notwithstanding any other law to the contrary, the division shall in all cases give preference to blind persons, under the administration of the Department of Social Services, and shall with the Department of Social Services jointly work to insure proper operation of vending stands, vending machines, and other small business concessions which are currently in operation on the premises and shall give priority to similar concessions in the future in accordance with R.S. 44:333. No other vending stands, vending machines, or small business concessions shall be operated on the same premises with vending stands, vending machines, or other small business concessions operated under the provisions of this Subsection. No blind person shall be required to pay any fee, service charge, or equivalent thereof in the operation of a vending stand, vending machines, or other small business concessions in hospitals or the premises transferred pursuant to R.S. 17:1519 et seq., nor shall the blind person be disturbed in the security of the operation of the vending stand, vending machine, or small business concession in any way, without reasonable or just cause. The provisions of this Subsection shall not prevent the division from permitting the operation of gift shops or similar concessions by voluntary organizations which contribute the proceeds to the hospital or which spend the proceeds on behalf of the hospital."

On motion of Senator Ullo, 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 Reengrossed House Bill No. 1162 by Representative R. Alexander

AMENDMENT NO. 1

On page 23, between lines 5 and 6, insert the following:

"(viii) Local Chapter of the American Academy of Physical Therapy.

(ix) New Orleans Health Corporation."

On motion of Senator Johnson, 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 Reengrossed House Bill No. 1162 by Representative R. Alexander

AMENDMENT NO. 1

On page 20, between lines 21 and 22, insert the following:

"(d) State planning and budgeting system (Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950)."

AMENDMENT NO. 2

On page 20, line 22, delete "Notwithstanding" and insert "Excluding the provisions of Subparagraph (d) of Paragraph (1) of this Subsection, and notwithstanding"

On motion of Senator Hainkel, the amendments were adopted.

Floor Amendments Sent Up

Senator Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Reengrossed House Bill No. 1162 by Representative Alexander, et. al

AMENDMENT NO. 1

On page 8, delete lines 19 through 21 and insert "no hospital shall be closed or transferred to or managed by a private entity without a two-thirds vote of the legislature."

Senator Jones moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS and NAYS, listing names of senators and their counts for various amendments.

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Johnson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Johnson to Reengrossed House Bill No. 1162 by Representative R. Alexander

AMENDMENT NO. 1

On page 35, line 6, after "Center" insert the following:

"which shall appoint at least one representative nominated by Xavier University"

AMENDMENT NO. 2

On page 35, line 7, after "Center" insert the following:

"which shall appoint at least one representative nominated by Southern University at New Orleans"

AMENDMENT NO. 3

On page 35, line 7, after "third" insert "appointing" and after "institution" insert the following:

"which shall appoint at least one representative nominated by Dillard University"

AMENDMENT NO. 4

On page 35, at the beginning of line 8 insert "appointing"

AMENDMENT NO. 5

On page 35, line 8, after "Each" insert "appointing"

Senator Johnson moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS, NAYS, and ABSENT, listing names of senators and their counts for various amendments.

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Short sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Short to Reengrossed House Bill No. 1162 by Representative Alexander, et. al

AMENDMENT NO. 1

On page 8, delete lines 19 through 21 and insert "no hospital shall be closed or transferred to or managed by a private entity without a two-thirds vote of the legislature."

AMENDMENT NO. 2

On page 8, line 24, after "without" insert "two-thirds vote of" and delete lines 25 and 26.

Senator Short moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Bajorie, Hainkel, Cravins, Fields, Total; Guidry, Irons, Johnson; Jones, Jordan, Short

NAYS

Table with 3 columns: Mr. President, Bagneris, Barham, Bean, Branch, Campbell, Casanova, Dardenne, Dean, Total; Dyess, Ellington, Greene, Heitmeier, Hines, Hollis, Lambert, Landry, Lentini; Malone, Romero, Schedler, Siracusa, Smith, Tarver, Theunissen, Ullo

ABSENT

Table with 2 columns: Cox, Total; Robichaux

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Reengrossed House Bill No. 1162 by Representative R. Alexander

AMENDMENT NO. 1

On page 25, line 4, delete "an ancillary enterprise" and insert "a"

AMENDMENT NO. 2

On page 25, line 18, delete "on an" and on line 19, delete "accrual basis"

AMENDMENT NO. 3

On page 26, line 16, delete "on an accrual basis"

AMENDMENT NO. 4

On page 26, line 22, delete the comma ","

AMENDMENT NO. 5

On page 26, line 23, delete "on an accrual basis,"

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 1162 by Representative R. Alexander

AMENDMENT NO. 1

Delete Senate Floor Amendment No. 2 proposed by Senator Dardenne and adopted by the Senate on April 23, 1997.

AMENDMENT NO. 2

On page 1, line 3, delete "and (5)" and insert "and 1593"

AMENDMENT NO. 3

Delete Senate Floor Amendment No. 4 proposed by Senator Dardenne and adopted by the Senate on April 23, 1997.

AMENDMENT NO. 4

Delete Senate Floor Amendment No. 5 proposed by Senator Dardenne and adopted by the Senate on April 23, 1997.

AMENDMENT NO. 5

On page 50, line 4, delete "Section 5. R.S. 39:1554(D)(4) and (5) is" and insert "Section 4. R.S. 39:1554(D)(4) and 1593 are"

AMENDMENT NO. 6

On page 50, line 5, after "reenacted" insert "and R.S. 39:1593.1 is hereby enacted"

AMENDMENT NO. 7

On page 50, line 10, delete "(a)"

AMENDMENT NO. 8

On page 50, delete lines 19 through 26

AMENDMENT NO. 9

In Senate Floor Amendment No. 7 proposed by Senator Dardenne and adopted by the Senate on April 23, 1997, on page 1, delete lines 17 and 18 and insert the following:

""* * *

On motion of Senator Dardenne, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Barham, Bean, Branch, Cain, Campbell; Ellington, Greene, Guidry, Heitmeier, Hines, Hollis; Robichaux, Romero, Schedler, Short, Siracusa, Smith

April 23, 1997

Cox
Cravins
Dardenne
Dean
Dyess
Total—31

Jones
Lambert
Landry
Lentini
Malone

Tarver
Theunissen
Ullo

NAYS

Bagneris
Bajoie
Casanova
Total—7

Fields
Irons
Johnson

Jordan

ABSENT

Hainkel
Total—1

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

Rules Suspended

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 83—
BY SENATOR BARHAM

A CONCURRENT RESOLUTION

To direct the Department of Transportation and Development to study the feasibility of providing an additional five million dollars from the Transportation Trust Fund to the funding of rural bridge repairs through the office of rural development.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

COMMERCE AND CONSUMER PROTECTION

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

April 23, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 224—
BY SENATOR SHORT

AN ACT

To enact Chapter 4 of Code Title XV of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3891 through 3899, relative to real estate transactions; to provide relative to

various agency relationships in real estate transactions; to provide for duties and liabilities between agents, clients, and other people; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 708—
BY SENATOR LANDRY

AN ACT

To enact R.S. 40:1580.1, relative to hotels or motels; to require hotels or motels to install approved fire detection and alarm systems for the hearing impaired in all rooms; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 749—
BY SENATOR COX

AN ACT

To amend and reenact R.S. 38:3098(B), relative to licensing of water well and other drillers; to provide for continuing education; to provide relative to qualifying examinations; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 787—
BY SENATOR HEITMEIER

AN ACT

To enact Chapter 59 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:3601 through 3616, relative to the Louisiana Board of Personal Training Instructors; to create the board and provide for its rights, powers, and duties; to provide for licensing of and standards for personal training and instructors, and personal training establishments; to provide for penalties for violations; to provide for fees and a special fund and expenditures therefrom; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 849—
BY SENATOR SHORT

AN ACT

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

Reported with amendments.

SENATE BILL NO. 918—
BY SENATOR LANDRY

AN ACT

To enact R.S. 32:1254(N)(3)(f), relative to motor vehicles; to provide relative to sale and delivery of vehicles sold on condition of financing; to require certain terms for such delivery; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 962—
BY SENATOR CAIN

AN ACT

To enact R.S. 51:911.24.1 and 911.24.2, relative to manufactured homes; to provide for unlawful acts; to provide for relationships; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1344—
BY SENATORS HAINKEL, DARDENNE AND EWING
AN ACT

To amend and reenact R.S. 40:600.3 and 600.4(A)(2) and (C), to enact R.S. 36:109(J), and to repeal R.S. 36:769(J), relative to the Louisiana Housing Finance Agency; to provide for transfers between departments; to provide for membership of the board of commissioners; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
KEN HOLLIS
Chairman

REPORT OF COMMITTEE ON
INSURANCE

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

April 23, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 8—
BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 22:1118(F)(1) and(2), relative to insurance agents of record; to provide that an insured shall have the right to remove an agent of record; to require written notice to the agent of record thirty days prior to removal; to provide relative to the payment of commissions and servicing of policies; to require certain contract clauses; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 190—
BY SENATORS BEAN AND MALONE
AN ACT

To enact R.S. 22:1464.1, relative to policies of homeowner's insurance; to provide for premium discounts to owners of mobile homes, manufactured homes, or manufactured housing based on installation or existence of a security system; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 405—
BY SENATOR DARDENNE
AN ACT

To enact R.S. 22:215.18, relative to health insurance coverage; to provide for coverage for diabetes outpatient self-management training and education, including medical nutrition therapy, and diabetes equipment and supplies; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1044—
BY SENATOR HOLLIS
AN ACT

To enact R.S. 42:851(G), relative to the state group benefits; to provide for health and accident insurance; to prohibit payment of certain employer contributions to agencies that withdraw from the state group health and accident insurance plan; and to provide for related matters.

Reported favorably.

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.

Reported favorably.

Respectfully submitted,
GREGORY TARVER
Chairman

REPORT OF COMMITTEE ON
SENATE AND GOVERNMENTAL AFFAIRS

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

April 23, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 49—
BY SENATOR DARDENNE
A JOINT RESOLUTION

Proposing to amend Article III, Section 2(A) and Article XIII, Section 1(A) of the Constitution of Louisiana, relative to legislative sessions; to provide for general sessions of the legislature in even-numbered years; to provide for limited sessions of the legislature in odd-numbered years; to provide for the convening of legislative sessions; to provide for deadlines for the prefiling, introduction, and consideration of legislation during sessions of the legislature; to provide for effectiveness; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 220—
BY SENATOR CAIN
AN ACT

To amend and reenact R.S. 42:1113(B), relative to the code of governmental ethics; to provide for the donation of office space to newly created boards or commissions; to provide for three year transition period; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 485—
BY SENATOR JORDAN
AN ACT

To amend and reenact R.S. 24:51(5), relative to the term "lobbyist"; to provide for the definition of "lobbyist"; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 519—
BY SENATOR SMITH
AN ACT

To enact R.S. 24: 513(D)(6), and R.S. 49:216, relative to the office of the inspector general; to terminate the office of the inspector general in the division of administration, office of the governor; to transfer the authority, duties, powers, and employees of the office of the inspector general to the legislative auditor; to provide for duties of the legislative auditor; to specify transitional provisions; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 563—
BY SENATORS HAINKEL, DARDENNE AND EWING
AN ACT

To amend and reenact R.S. 46:2602(A) and (B) and 2605(B), to enact R.S. 46:2606, and to repeal Section 2 of Act No. 1232 of the 1995 Regular Session of the Legislature, relative to the Children's Cabinet; to change the composition of the Children's Cabinet and the Children's Cabinet Advisory Board; to provide relative to the termination date of the Children's Cabinet; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 688—
BY SENATOR LANDRY
AN ACT

To amend and reenact R.S. 44:7(F), relative to hospital records; to provide for confidentiality of persons participating in medical research; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 828—
BY SENATORS HAINKEL, DARDENNE AND EWING
AN ACT

To amend and reenact R.S. 39:291, relative to the Louisiana Data Base Commission; to provide for membership; to provide for qualification of members; to provide for term of membership; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 896—
BY SENATOR JORDAN
AN ACT

To amend and reenact R.S. 24:31.5, relative to legislative assistants; to provide relative to the compensation of legislative assistants; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1253—
BY SENATOR DARDENNE
AN ACT

To enact R.S. 36:4(R) and Part V-B of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:211 through 214, relative to technology innovations; to establish a technology innovation fund; to create a council; to provide for application and review process; to provide for funding; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1447—
BY SENATOR DARDENNE
AN ACT

To enact R.S. 13:1952(4)(d), relative to courts created by special legislative act; to authorize the metropolitan council for the city of Baton Rouge, parish of East Baton Rouge to assign future annexations to the appropriate election sections for the City Court of Baton Rouge; to provide for the combination or deletion of existing precincts within an election section; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1901—
BY REPRESENTATIVE BRUN
AN ACT

To amend and reenact R.S. 36:642(C)(1), 647(B), and 649(C) and (D), to enact R.S. 36:649(B), and to repeal R.S. 36:648(C) and 649(E), (F), and (G), all relative to the Department of Education; to provide relative to the offices within the department; to provide relative to the duties of the deputy superintendent for management and finance; to remove provisions requiring assistant superintendents to employ, appoint, remove, assign, and promote certain personnel; to provide for the purposes and functions of the offices of student and school performance, quality educators, and school and community support; to remove provisions relative to the purposes and functions of certain offices; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JAY DARDENNE
Chairman

**REPORT OF COMMITTEE ON
HEALTH AND WELFARE**

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

April 23, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 575—
BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To enact R.S. 46:236.1(O), relative to consumer reports to be used in child support enforcement actions; to require consumer reporting agencies to provide consumer reports; to provide limitations; to require prior notification to consumers; to provide for confidentiality; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 580—
BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To enact R.S. 40:46.2, relative to vital records; to provide for paternity establishment services; to provide duties for the state registrar of vital records; to provide relative to ex officio notaries public; to provide an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 581—
BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To enact R.S. 9:392, relative to paternity; to provide for evidence of hospital bills and tests in paternity actions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 590—
BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To amend and reenact R.S. 46:460.21, relative to state payment of legal fees and expenses in child protection cases; to provide for the cases in which the state shall make such payments; to provide for approved expenses and documentation; and to provide for related

matters.

Reported with amendments.

SENATE BILL NO. 591—
BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To amend and reenact R.S. 36:477(C)(1), relative to the office of community services of the Department of Social Services; to provide for the purposes and functions of the office; to provide an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 595—
BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To enact R.S. 49:191(11) and to repeal R.S. 49:191(8)(l), relative to the Department of Social Services, including provisions to provide for the re-creation of the Department of Social Services and the statutory entities made a part of the Department of Social Services 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.

SENATE BILL NO. 596—
BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To enact R.S. 46:236.10, relative to the child support enforcement program within the Department of Social Services; to create an automated state case registry of child support orders; to provide relative to linking of local registries; to define elements of the registry; to authorize exchange of information; to provide with respect to the federal case registry of child support orders; to provide with respect to the federal parent locator service; and to provide for related matters.

Reported with amendments.

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

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

Reported with amendments.

SENATE BILL NO. 1158—
BY SENATOR IRONS
AN ACT

To amend and reenact R.S. 46:2121, 2121.1, 2122(A), 2123, 2124(A) and (C)(1) and (2), 2126(D), 2127(A) and (B)(1), and 2128(A)(2) through (4) and (B) and to enact R.S. 46:460(7), 460.1(C)(5), and 460.4, and to repeal R.S. 46:2124.1(A)(3), 2131 and 2132, relative to domestic violence; to require the secretary of the Department of Social Services to waive certain public assistance program requirements for domestic violence victims; to provide for purposes; to define terms; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1284—
BY SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 36:254(F) and 258(G) and R.S. 46:2664(A)(4) and 2665(A), relative to the Capital Area Human Services District; to provide for the functions, powers, and duties of the district; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1360—
BY SENATOR LANDRY
AN ACT

To amend and reenact R.S. 46:2352(7)(c)(i), relative to the Louisiana Commission for the Deaf; to change the composition of the Interpreter Certification Board; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1384—
BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To amend and reenact R.S. 23:1101(A) and to enact R.S. 23:1032(A)(1)(c) relative to workers' compensation; to provide that the Department of Social Services shall not be liable for any injury allegedly arising from the negligent placement of any person in a work experience or community service activity; to provide that persons placed in a work experience or community service activity by the Department of Social Services shall be included within the definition of employee; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1419—
BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To amend and reenact R.S. 46:231 and 46:443, to enact R.S. 46:231.1 through 231.13 and 233.1 and to repeal R.S. 46:237 through 240, R.S. 46:290, R.S. 46:447.3, R.S. 46:451 through 459, and 46:460 through 460.3, relative to public assistance; to provide for definitions; to provide for a program of cash assistance; to provide for a program of education, employment, training, and related services; to provide for eligibility conditions; to provide for school attendance requirements; to provide for immunization requirements; to provide for a twenty-four month limit; to provide for a program of parenting skills education; to provide for a program of support services; to provide for a program of transitional services; to provide for the provision of worker's compensation and liability insurance for recipients placed in community work experience or community service activities; to provide for the establishment of a Louisiana Welfare Reform Coordinating Committee; to provide for the correction of overpayments or under payments in certain programs of the department; to provide for the establishment of income and resource guides; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DONALD E. HINES
Chairman

Special Order of the Day

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

April 23, 1997

SENATE BILL NO. 1200—
 BY SENATORS CASANOVA, BRANCH, DYESS AND ELLINGTON
 AN ACT

To amend and reenact R.S. 14:90(B) and R.S. 18:1300.21(D), to enact Part XIII of Chapter 4 of Title 27 of the Louisiana Revised Statutes of 1950, comprised of R.S. 27:121, and R.S. 27:325, and to repeal R.S. 14:90(C), (D), and (E), Chapter 1, comprised of R.S. 27:1 through 3, Chapter 2, comprised of R.S. 27:11 through 26, and Chapter 3, comprised of R.S. 27:31 through 32, Chapter 4, comprised of R.S. 27:41 through 121, Chapter 5, comprised of R.S. 27:201 through 286, and Chapter 6, comprised of R.S. 27:301 through 325, all of Title 27 of the Louisiana Revised Statutes of 1950, relative to gaming; to provide for the termination of all authority, licensing, and permitting relative to the operation of a land-based casino in New Orleans, gaming aboard a riverboat and the operation of video draw poker devices; to provide for the termination of such activity over time; to provide effective dates; 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 Reengrossed Senate Bill No. 1200 by Senator Casanova

AMENDMENT NO. 1

On page 5, lines 14 and 15, following "286," and before "hereby" delete "Louisiana Revised Statutes of 1950, comprised of Chapters 1 through 9 which are" and insert "is" in lieu thereof

On motion of Senator Bagneris, the amendments were adopted.

Motion

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

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|---------|------------|
| Bagneris | Guidry | Robichaux |
| Bean | Hainkel | Schedler |
| Cain | Hines | Tarver |
| Campbell | Hollis | Theunissen |
| Cox | Irons | |
| Ellington | Lambert | |
| Total—16 | | |

NAYS

| | | |
|----------|-----------|----------|
| Bajoie | Dyess | Lentini |
| Barham | Fields | Malone |
| Branch | Greene | Romero |
| Casanova | Heitmeier | Short |
| Cravins | Jones | Siracusa |
| Dardenne | Jordan | Smith |
| Dean | Landry | Ullo |
| Total—21 | | |

ABSENT

| | |
|---------------|---------|
| Mr. President | Johnson |
| Total—2 | |

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

Motion

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

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|----------|-----------|----------|
| Bagneris | Dyess | Malone |
| Bajoie | Ellington | Romero |
| Bean | Hainkel | Schedler |
| Cain | Hines | Smith |
| Campbell | Hollis | Tarver |
| Cox | Johnson | |
| Dardenne | Lambert | |
| Total—19 | | |

NAYS

| | | |
|----------|-----------|------------|
| Barham | Greene | Landry |
| Branch | Guidry | Lentini |
| Casanova | Heitmeier | Short |
| Cravins | Irons | Siracusa |
| Dean | Jones | Theunissen |
| Fields | Jordan | Ullo |
| Total—18 | | |

ABSENT

| | |
|---------------|-----------|
| Mr. President | Robichaux |
| Total—2 | |

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

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|----------|
| Mr. President | Dean | Lambert |
| Barham | Dyess | Romero |
| Branch | Ellington | Schedler |
| Cain | Greene | Short |
| Casanova | Hainkel | Smith |
| Dardenne | Jordan | |
| Total—17 | | |

NAYS

| | | |
|----------|-----------|------------|
| Bagneris | Guidry | Lentini |
| Bajoie | Heitmeier | Malone |
| Bean | Hines | Siracusa |
| Campbell | Hollis | Tarver |
| Cox | Irons | Theunissen |
| Cravins | Johnson | Ullo |
| Fields | Jones | |
| Total—20 | | |

ABSENT

| | |
|--------|-----------|
| Landry | Robichaux |
|--------|-----------|

Total—2

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

Senator Casanova, 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 Landry asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote due to a malfunction in the voting machine on Senate Bill No. 1200. He had intended to vote nay on the bill. He asked that the Official Journal so state.

Special Order of the Day

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

SENATE BILL NO. 1292—
BY SENATORS IRONS AND HAINKEL
AN ACT

To enact R.S. 33:2740.35, relative to crime prevention in the Lakeview area of Orleans Parish; to create the Lakeview Crime Prevention District; to provide relative to the purposes, governance, duties, and authority of the district; to authorize the governing authority of New Orleans, subject to the approval of district voters, to impose a parcel fee within the district and to provide further relative to such fee; to provide relative to funds of the district; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Jones Robichaux
Total—2

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

was passed and laid the motion on the table.

Rules Suspended

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 19—
BY SENATOR BAJOIE
A RESOLUTION

To commend and congratulate Walter L. Cohen High School on winning the Class 4-A state basketball championship.

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

Adjournment

Senator Bagneris moved that the Senate adjourn until Thursday, April 24, 1997 at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Thursday, April 24, 1997.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk