

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

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**FIFTY-FIRST DAY'S PROCEEDINGS**

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

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Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Friday, June 20, 1997

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

**ROLL CALL**

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

**PRESENT**

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

**ABSENT**

Bagneris  
Total—1

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

**Prayer**

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

**Messages from the House**

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

**Morning Hour**

**Message from the House  
DISAGREEMENT TO HOUSE BILL**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 666 by Representative Wright, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House  
DISAGREEMENT TO HOUSE BILL**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1047 by Representative R. Alexander, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House  
DISAGREEMENT TO HOUSE BILL**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 2208 by Representative Heaton, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House  
DISAGREEMENT TO HOUSE BILL**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 2018 by Representative Donelon, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Donelon, Alario, and Copelin.

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

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**EDUCATION**

Senator Greene, Chairman on behalf of the Committee on Education, submitted the following report:

June 20, 1997

To the President and Members of the Senate:

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

**HOUSE CONCURRENT RESOLUTION NO. 245—**  
BY REPRESENTATIVE BRUN

**A CONCURRENT RESOLUTION**

To provide for legislative approval of the formula developed by the State Board of Elementary and Secondary Education and adopted by the board on June 13, 1997, to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems.

Reported favorably.

Respectfully submitted,  
THOMAS A. GREENE  
Chairman

**HOUSE CONCURRENT RESOLUTION NO. 245—**  
BY REPRESENTATIVE BRUN

**A CONCURRENT RESOLUTION**

To provide for legislative approval of the formula developed by the State Board of Elementary and Secondary Education and adopted by the board on June 13, 1997, to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems.

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

**Senate Bills and Joint Resolutions  
Returned from the House  
of Representatives with Amendments**

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

**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.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Jetson to Reengrossed Senate Bill No. 1284 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 3, after "2665(A)," and before "relative" insert "and to enact R.S. 46:2664(F),"

AMENDMENT NO. 2

On page 3, line 6, after "reenacted" and before "to read" insert "and R.S. 46:2664(F) is hereby enacted"

AMENDMENT NO. 3

On page 3, between lines 16 and 17, insert the following:

"F.(1) Notwithstanding any provision of state law to the contrary, the district and the department shall share access to each other's client case records of clients for whom they both provide services, to the extent that success is not prohibited by any contrary provision of federal law or regulation.

(2) For the purposes of this Subsection, "case records" include social service records, medical services records, probation and parole records, records of foster care services, records and investigations on abuse or neglect of children or adults, and records of child welfare services administered by the department, including handicapped children's services, nutrition immunization, and other medical and public health services records pertaining to children or adults, and where such records are in the custody of the parish health units, records in regional and central offices of the office of public health of the department."

Senator Dardenne moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total—36

**NAYS**

Total—0

**ABSENT**

Mr. President	Bagneris	Ellington
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Dardenne moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 1289—**  
BY SENATORS HAINKEL, DARDENNE AND EWING  
AN ACT

To enact R.S. 40:600.25, relative to the Louisiana Housing Finance Agency; to provide for certain fees; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Appropriations to Engrossed Senate Bill No. 1289 by Senators Hainkel, et al.

AMENDMENT NO. 1  
On page 1, between lines 5 and 6 insert "**R.S. 40:600.25 is all proposed new law.**"

AMENDMENT NO. 2  
On page 2, line 1, change "B" to "B(1)"

AMENDMENT NO. 3  
On page 2, line 4, change "(1)" to "(a)"

AMENDMENT NO. 4  
On page 2, line 5, change "(2)" to "(b)"

AMENDMENT NO. 5  
On page 2, line 6, change "(3)" to "(c)"

AMENDMENT NO. 6  
On page 2, at the end of line 6, delete the asterisk "\*\*"

AMENDMENT NO. 7  
On page 2, at the beginning of line 7 delete "\*The cost certification audit fee shall" and insert "(2) The cost certification audit fee as provided in Paragraph (1) of this Subsection shall"

Senator Hainkel moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

	YEAS	
Bajoie	Ellington	Lambert
Barham	Fields	Landry
Bean	Greene	Lentini
Branch	Guidry	Malone
Cain	Hainkel	Romero
Campbell	Heitmeier	Schedler
Casanova	Hines	Short
Cox	Hollis	Siracusa
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones	Theunissen
Dyess	Jordan	Ullo
Total—36		
	NAYS	
Total—0		
	ABSENT	
Mr. President	Bagneris	Robichaux
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Hainkel moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 1295—**  
BY SENATOR CRAVINS  
AN ACT

To enact Chapter 7 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:351 through 354, 361 through 365, 371 through 377, and 381, relative to slot machine gaming at certain live horse race tracks; to provide for state policy; to provide definitions; to provide relative to the power of the Louisiana State Racing Commission; to provide relative to the temporary and permanent conduct of slot machine gaming; to provide for required licenses and the terms of such licenses; to provide relative to required suitability standards; to provide relative to the powers and duties of the Louisiana Gaming Control Board; to provide relative to the duties of the office of state police; to provide relative to limitations on slot machine gaming; to prohibit certain relationships; to provide for certain crimes and provide penalties therefor; to prohibit allowing minors to play slot machines and to provide with regard thereto; to require posting certain information regarding assistance for compulsive gambling; to require and provide for a local election regarding slot machine gaming; and to provide for related matters.

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

**SENATE BILL NO. 1302—**  
BY SENATOR THEUNISSEN  
AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1302 by Senator Theunissen

AMENDMENT NO. 1  
In House Committee Amendment No. 7, proposed by the House Committee on Municipal, Parochial and Cultural Affairs on line 15, change "commas" to "comma"

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 1302 by Senator Theunissen

AMENDMENT NO. 1  
On page 2, line 4, after "thousand" insert "five hundred"

AMENDMENT NO. 2  
On page 2, line 5, after "than" change "thirty-five" to "thirty-one"

AMENDMENT NO. 3

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On page 2, line 5, after "residents" insert "based on the latest federal decennial census"

AMENDMENT NO. 4

On page 2, line 16, change "Section" to "Part"

AMENDMENT NO. 5

On page 2, line 20, after "thousand" insert "five hundred"

AMENDMENT NO. 6

On page 2, at the end of line 20, change "thirty-five" to "thirty-one"

AMENDMENT NO. 7

On page 2, line 21, after "residents" delete the commas "," and insert "based on the latest federal decennial census."

AMENDMENT NO. 8

On page 8, delete lines 10 through 12

Senator Theunissen moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, and another Name. Lists names like Mr. President, Bajoie, Barham, etc.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, ABSENT, and another Name. Lists names like Bagneris, Cravins, Robichaux.

The Chair declared the amendments proposed by the House were concurred in. Senator Theunissen moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1310—

BY SENATORS HAINKEL, BRANCH, SHORT, THEUNISSEN, BAGNERIS, BAJOIE, BARHAM, BEAN, CAMPBELL, CASANOVA, COX, DARDENNE, DYESS, ELLINGTON, EWING, FIELDS, GREENE, GUIDRY, HEITMEIER, HINES, HOLLIS, IRONS, JORDAN, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SIRACUSA, SMITH, AND ULLO

AN ACT

To authorize the board of directors of the Louisiana School for Math, Science, and the Arts to designate a facility located on said campus in honor of Dave Treen, former governor.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Holden to Reengrossed Senate Bill No. 1310 by Senator Hainkel

AMENDMENT NO. 1

On page 1, at the end of line 4, delete the period "." and insert in lieu thereof semicolon ";" and "and to authorize the Louisiana State University Board of Supervisors to name the field located at Alex Box Stadium in honor of Skip Bertman"

AMENDMENT NO. 2

On page 1, between lines 11 and 12, insert the following:

"Section 2. Notwithstanding the provisions of R.S. 14:316 or any contrary provision of Chapter 16 of Title 49 of the Louisiana Revised Statutes of 1950 and any other provision of law to the contrary, the Louisiana State University Board of Supervisors may name the field located at Alex Box Stadium in honor of Skip Bertman."

AMENDMENT NO. 3

On page 1, at the beginning of line 12, change "Section 2." to "Section 3."

Senator Hainkel moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, and another Name. Lists names like Mr. President, Fields, Landry, etc.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, ABSENT, and another Name. Lists names like Bagneris, Dardenne, Cravins, Siracusa.

The Chair declared the amendments proposed by the House were rejected. Senator Hainkel moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 1320—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 33:2719(B) and to enact R.S. 33:2719(E) and (F), relative to sales taxes; to provide for notification when auditing for compliance with local sales and use tax ordinances; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Engrossed Senate Bill No. 1320 by Senator Theunissen

AMENDMENT NO. 1

On page 2, delete lines 10 through 19 in their entirety and insert the following:

"E.(1) Prior to initiating an examination or audit of a taxpayer, a political subdivision shall provide notice of the political subdivision's intent to audit by certified mail to the taxpayer at the taxpayer's last known address. Such notice shall:

a. reasonably describe the nature of the audit.  
b. identify the name, office, address, and office telephone number of the firm or individual who will initiate the audit.

c. advise the taxpayer of the right to review and copy the audit contract if the audit will be conducted by a private auditing firm.

d. summarize the remedies available to the taxpayer if the taxpayer should choose to contest the audit findings.

e. describe the interest, penalties, and costs, including audit costs, for which the taxpayer may be liable if taxes are determined to be due.

(2) During the course of the audit, the taxpayers shall be notified of the name, office address, and office telephone number of each auditor assigned to the audit. Private auditing firms shall provide taxpayers subject to audit with access to an original or a copy of the audit contract specifying the terms under which the audit firm was engaged, which may be reviewed and copied by the taxpayer."

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 1320 by Senator Theunissen

AMENDMENT NO. 1

In House Committee Amendment No. 1, proposed by the House Committee on Ways and Means to Engrossed Senate Bill No. 1320 by Senator Theunissen on line 7, change "a. reasonably" to "(a) Reasonably" and on line 8, change "b. identify" to "(b) Identify"; on line 11, change "c. advise" to "(c) Advise"; on line 14, change "d. summarize" to "(d) Summarize"; on line 16, change "e. describe" to "(e) Describe"; on line 19, following "the" and before "shall" change "taxpayers" to "taxpayer"; on line 22, following "provide" and before "subject" change "taxpayers" to "any taxpayer"; and following "to" and before "audit" insert "an"

Senator Theunissen moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris  
Total—1

The Chair declared the amendments proposed by the House were concurred in. Senator Theunissen moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 1325—**

BY SENATORS HINES, DYESS, ROBICHAUX AND SCHEDLER AND REPRESENTATIVES GAUTREAU, JOHNS, RIDDLE, THOMPSON AND VITTER

**AN ACT**

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Bill No. 1325 by Senator Hines

AMENDMENT NO. 1

On page 1, line 2, after "enact" delete the remainder of the line

AMENDMENT NO. 2

On page 1, delete line 3, and insert "R.S. 46:437.1 through"

AMENDMENT NO. 3

On page 1, line 4, delete "160.25," and insert "437.5,"

AMENDMENT NO. 4

On page 1, line 4, delete "Medical Assistance Program" and insert "medical assistance programs"

AMENDMENT NO. 5

On page 1, line 6, delete "state Medical" and insert "medical assistance programs"

AMENDMENT NO. 6

On page 1, line 7, delete "Assistance Program"

AMENDMENT NO. 7

On page 1, line 10, delete "of medical assistance" and insert "for enrollment as a health care"

AMENDMENT NO. 8

On page 1, line 12, delete "Medicaid"

AMENDMENT NO. 9

On page 1, line 13, delete "of services and goods" and insert "for goods, services, or supplies"

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AMENDMENT NO. 10

On page 1, delete line 16, and insert the following:

"Section 1. R.S. 46:437.1 is hereby enacted to read as follows:

§437.1. Definitions

As used in this Part:

(1) "Agent" means a person who is employed by or has a contractual relationship with a health care provider or who acts on behalf of the health care provider.

(2) "Billing" or "bills" means submitting, or attempting to submit, a claim for goods, services, or supplies.

(3) "Claim" includes any request or demand, including any and all documents or information required by federal or state law or by rule, made against medical assistance programs funds for payment. A claim may be based on costs or projected costs and includes any entry or omission in a cost report or similar document, book of account, or any other document which supports, or attempts to support, the claim. A claim may be made through electronic means if authorized by the department. Each claim may be treated as a separate claim or several claims may be combined to form one claim."

AMENDMENT NO. 11

On page 2, delete lines 1 through 8

AMENDMENT NO. 12

On page 2, line 9, delete "(1)" and insert "(4)"

AMENDMENT NO. 13

On page 2, delete lines 11 through 17, and insert the following:

(5) "Good, service, or supply" means any good, item, device, supply, or service for which a claim is made, or is attempted to be made, in whole or part.

(6) "Health care provider" means any person furnishing or claiming to furnish a good, service, or supply under the medical assistance programs, any other person defined as a health care provider by federal or state law or by rule, and a provider-in-fact.

(7) "Managing employee" means a person who exercises operational or managerial control over, or who directly or indirectly conducts, the day-to-day operations of a health care provider. "Managing employee" shall include, but is not limited to, a chief executive officer, president, general manager, business manager, administrator, or director.

(8) "Medical assistance programs" means the Medical Assistance Program (Title XIX of the Social Security Act), commonly referred to as "Medicaid", and other programs operated by and funded in the department which provide payment to health care providers.

(9) "Misrepresentation" means the knowing failure to truthfully or fully disclose any and all information required, or the concealment of any and all information required on a claim or a provider agreement or the making of a false or misleading statement to the department relative to the medical assistance programs.

(10) "Ownership interest" means the possession, directly or indirectly, of equity in the capital or the stock, or the right to share in the profits, of a health care provider.

(11) "Payment" means the payment to a health care provider from medical assistance programs funds pursuant to a claim, or the attempt to seek payment for a claim.

(12) "Provider agreement" means a document which is required as a condition of enrollment or participation as a health care provider under the medical assistance programs.

(13) "Provider-in-fact" means an agent who directly or indirectly participates in management decisions, has an ownership interest in the health care provider, or other persons defined as a provider-in-fact by federal or state law or by rule.

(14) "Recipient" means an individual who is eligible to receive health care through the medical assistance programs.

(15) "Recoupment" means recovery through the reduction, in whole or in part, of payment to a health care provider.

(16) "Recovery" means the recovery of overpayments, damages, fines, penalties, costs, expenses, restitution, attorneys fees, or interest or settlement amounts.

(17) "Rule" means any rule or regulation promulgated by the department in accordance with the Administrative Procedure Act and any federal rule or regulation promulgated by the federal government in accordance with federal law."

AMENDMENT NO. 14

On page 2, line 18, delete "(4)" and insert "(18)"

AMENDMENT NO. 15

On page 2, line 19, after "Hospitals" and before the period "." insert a comma "," and "or his authorized designee"

AMENDMENT NO. 16

On page 2, delete lines 20 through 21, and insert the following:

(19) "Withhold payment" means to reduce or adjust the amount, in whole or in part, to be paid to a health care provider for a pending or future claim during the time of a criminal, civil, or departmental investigation or proceeding or claims review of the health care provider.

Section 2. R.S. 46:437.2 through 437.5 are hereby enacted to read as follows:

§437.2. Provider agreements"

AMENDMENT NO. 17

On page 2, line 22, delete "for medical assistance"

AMENDMENT NO. 18

On page 2, delete line 23 and insert "from medical assistance programs funds for goods, services, or supplies rendered to recipients to any"

AMENDMENT NO. 19

On page 2, line 24, delete "or entity" and insert "person"

AMENDMENT NO. 20

On page 2, delete lines 25 through 27 and insert the following:

"who is complying with all federal and state laws and rules pertaining to the medical assistance programs, and who agrees that no person shall be subjected to discrimination under the medical assistance programs because of race, creed, ethnic origin, sex, age, or physical condition."

AMENDMENT NO. 21  
On page 3, delete lines 1 through 3

AMENDMENT NO. 22  
On page 3, line 4, after "the" and before "provider to" insert "health care"

AMENDMENT NO. 23  
On page 3, line 5, delete "state and federal laws" and insert "federal and state laws and rules"

AMENDMENT NO. 24  
On page 3, line 5, delete "Medicaid" and insert "medical assistance programs"

AMENDMENT NO. 25  
On page 3, delete line 6, and insert "to licensure, if"

AMENDMENT NO. 26  
On page 3, line 7, delete "any of the healing arts, and" and insert "medicine, osteopathy, surgery, and midwifery. The provider agreement"

AMENDMENT NO. 27  
On page 3, delete lines 8 and 9, and insert "the health care provider to provide goods, services, or supplies only if medically necessary and that are within the scope and quality of standard care."

AMENDMENT NO. 28  
On page 3, line 11, before each occurrence of the word "provider" insert "health care"

AMENDMENT NO. 29  
On page 3, line 12, delete "all laws and rules" and insert "federal and state laws and rules"

AMENDMENT NO. 30  
On page 3, line 12, delete "Medicaid program" and insert "medical assistance programs"

AMENDMENT NO. 31  
On page 3, line 13, delete "services or goods to a Medicaid" and insert "goods, services, or supplies to a"

AMENDMENT NO. 32  
On page 3, line 15, delete "manner, for the services or goods" and insert "method, for the goods, services, or supplies"

AMENDMENT NO. 33  
On page 3, line 16, delete "Medicaid"

AMENDMENT NO. 34  
On page 3, line 17, delete "Each" and insert the following:

"(1) Unless the provider agreement is terminated by the secretary for cause as provided in Paragraph (2) of this Subsection, a health care"

AMENDMENT NO. 35  
On page 3, line 19, delete ", unless" and insert a period "."

AMENDMENT NO. 36  
On page 3, delete line 20, and insert the following:

"(2) The secretary may terminate a provider agreement immediately and without written notice if a health care provider is the subject of a sanction or of a criminal, civil, or departmental proceeding."

AMENDMENT NO. 37  
On page 3, line 21, after "Each" and before "provider who" insert "health care"

AMENDMENT NO. 38  
On page 3, line 24, delete "160.23." and insert "437.3."

AMENDMENT NO. 39  
On page 3, line 26, delete "160.22" and insert "437.2"

AMENDMENT NO. 40  
On page 4, line 1, before "provider" insert "health care"

AMENDMENT NO. 41  
On page 4, line 4, delete "services or goods" and insert "goods, services, or supplies"

AMENDMENT NO. 42  
On page 4, line 4, delete "state law and"

AMENDMENT NO. 43  
On page 4, delete lines 5 and 6, and insert the following:

"applicable federal and state laws and rules, and maintain such license or certificate in good standing with the department throughout the effective period of the provider"

AMENDMENT NO. 44  
On page 4, delete lines 8 through 11, and insert the following:

"(2) Maintain medical assistance programs-related records in a systematic and orderly manner that the department requires and determines are relevant to the goods, services, or supplies being provided.

(3) Retain medical assistance programs-related records for a period"

AMENDMENT NO. 45  
On page 4, line 14, delete "Medicaid"

AMENDMENT NO. 46  
On page 4, line 14, delete "all state and"

AMENDMENT NO. 47  
On page 4, line 15, delete "laws" and insert "and state laws and rules"

AMENDMENT NO. 48  
On page 4, delete lines 18 through 22, and insert the following:

"to all medical assistance programs-related records pertaining to goods, services, or supplies billed to the medical assistance programs, including access to all patient records and other health care provider information if the health care provider cannot easily separate records for recipients"

AMENDMENT NO. 49  
On page 4, line 25, delete "Medicaid program" and insert "medical assistance programs"

AMENDMENT NO. 50  
On page 4, line 25, after "if" insert "after reasonable inquiry it is known that"

AMENDMENT NO. 51

On page 4, line 27, delete "other state and federal" and insert "applicable federal and state laws and rules in regard to this billing."

AMENDMENT NO. 52

On page 5, delete lines 1 and 2

AMENDMENT NO. 53

On page 5, line 3, delete "Promptly report" and insert "Report and refund"

AMENDMENT NO. 54

On page 5, line 4, before "provider" insert "health care"

AMENDMENT NO. 55

On page 5, at the end of line 4, delete "Medicaid" and delete line 5 and insert "medical assistance programs."

AMENDMENT NO. 56

On page 5, delete lines 7 through 9, and insert "department harmless from any cause of action or recovery arising out of the negligence or omission of the health care provider in the course of providing goods, services, or supplies"

AMENDMENT NO. 57

On page 5, line 10, delete "goods"

AMENDMENT NO. 58

On page 5, line 13, delete "services or goods are furnished to Medicaid" and insert "goods, services, or supplies are furnished to"

AMENDMENT NO. 59

On page 5, line 14, delete "Medicaid payment" and insert "payment from the medical assistance programs"

AMENDMENT NO. 60

On page 5, line 15, before "provider" insert "health care"

AMENDMENT NO. 61

On page 5, line 17, after "requires" insert a comma ","

AMENDMENT NO. 62

On page 5, line 18, delete "services"

AMENDMENT NO. 63

On page 5, line 19, delete "or goods" and insert "goods, services, or supplies"

AMENDMENT NO. 64

On page 5, line 20, delete "Medicaid"

AMENDMENT NO. 65

On page 5, line 21, delete both occurrences of the words "services or goods" and insert "goods, services, or supplies"

AMENDMENT NO. 66

On page 5, line 22, delete "Medicaid program" and insert "medical assistance programs"

AMENDMENT NO. 67

On page 5, delete line 23 and insert "be covered by medical assistance programs."

AMENDMENT NO. 68

On page 5, line 24, delete "payment" and insert "claims"

AMENDMENT NO. 69

On page 5, line 25, after "the" and before "provider sells" insert "health care"

AMENDMENT NO. 70

On page 5, line 27, after "the" and before "provider in" insert "health care"

AMENDMENT NO. 71

On page 6, delete line 2, and insert "as the health care provider in the provider agreement, the health care provider shall maintain"

AMENDMENT NO. 72

On page 6, line 3, delete "Medicaid" and insert "medical assistance programs"

AMENDMENT NO. 73

On page 6, line 6, before "provider" insert "health care"

AMENDMENT NO. 74

On page 6, at the end of line 7, between "requirement" and the period "." insert "and provides a copy of this agreement to the department"

AMENDMENT NO. 75

On page 6, delete lines 8 through 23, and insert the following:

"C. A provider agreement shall provide that any sale, merger, consolidation, or other disposition of a health care provider shall be subject to any and all outstanding debts and liabilities owed or which may be owed to the medical assistance programs.

D. A provider agreement shall provide that, if the department withholds payment or is entitled to recovery, such withholding or assessment of recovery may be imposed on any and all provider numbers in which the health care provider has an interest or in which he may have an interest."

AMENDMENT NO. 76

On page 6, line 24, delete "160.24." and insert "437.4."

AMENDMENT NO. 77

On page 6, line 27, delete "services or"

AMENDMENT NO. 78

On page 7, line 1, after "goods" insert a comma "," and "services, or supplies"

AMENDMENT NO. 79

On page 7, line 1, after "by the" and before "provider" insert "health care"

AMENDMENT NO. 80

On page 7, line 2, delete "The claim form"

AMENDMENT NO. 81

On page 7, delete line 3, and insert "(2) Require certification on the claim form that the goods, services, or supplies have been"

AMENDMENT NO. 82

On page 7, delete line 4, delete "services or"

AMENDMENT NO. 83

On page 7, line 5, after "goods" insert a comma "," and "services, or supplies"

AMENDMENT NO. 84

On page 7, line 5, delete "services or goods" and insert "goods, services, or supplies"

AMENDMENT NO. 85

On page 7, line 6, before "provider's" insert "health care"

AMENDMENT NO. 86



On page 7, line 7, delete "services or goods." and insert "goods, services, or supplies."

AMENDMENT NO. 87

On page 7, line 8, delete "(2)" and insert "(3)"

AMENDMENT NO. 88

On page 7, line 8, before "provider" insert "health care"

AMENDMENT NO. 89

On page 7, line 9, delete "Medicaid" and insert "medical assistance programs"

AMENDMENT NO. 90

On page 7, line 14, delete "Medicaid" and insert "medical assistance programs"

AMENDMENT NO. 91

On page 7, line 15, delete "Medicaid"

AMENDMENT NO. 92

On page 7, delete lines 16 and 17, and insert "a change of ownership in the named health care provider."

AMENDMENT NO. 93

On page 7, delete line 18, and insert "(b) Require a health care provider to give the department sixty days written notice"

AMENDMENT NO. 94

On page 7, delete line 19, delete "entity" and insert "person"

AMENDMENT NO. 95

On page 7, line 20, delete "provider agreement as the provider." and insert "provider agreement as the health care provider."

AMENDMENT NO. 96

On page 7, line 21, delete "(a)"

AMENDMENT NO. 97

On page 7, line 21, delete "Medicaid"

AMENDMENT NO. 98

On page 7, delete lines 22 through 24 and insert the following:

"medical assistance programs and before entering into the provider agreement, the following:

(a) An onsite inspection of"

AMENDMENT NO. 99

On page 7, line 25, before "provider's" insert "health care"

AMENDMENT NO. 100

On page 7, line 26, after "function" insert a period "." and delete the remainder of the line

AMENDMENT NO. 101

On page 7, delete line 27, and insert the following:

"(b) A letter of credit, a surety bond, or a combination thereof, from the health care provider not to"

AMENDMENT NO. 102

On page 8, at the end of line 1, add the following:

"The letter of credit, surety bond, or combination thereof may only be required if either of the following conditions are met:

(i) A letter of credit, surety bond, or any combination thereof is required for each health care provider in that category of health care provider.

(ii) The health care provider is the subject of a sanction or of a criminal, civil, or departmental proceeding."

AMENDMENT NO. 103

On page 8, delete lines 2 through 7, and insert the following:

"(c) The submission of information concerning the professional, business, and personal background of the health care provider, any person having an ownership interest in the health care provider, and any agent of the health care provider."

AMENDMENT NO. 104

On page 8, delete lines 10 and 11, and insert the following:

"applicable, if required by federal or state law or by rule or by a local jurisdiction in which the health care provider is located."

AMENDMENT NO. 105

On page 8, line 12, delete "Information concerning any" and insert "Any"

AMENDMENT NO. 106

On page 8, line 13, delete "the"

AMENDMENT NO. 107

On page 8, delete lines 14 through 16, and insert the following:

"federal or state law or rule or the laws or rules of any other state relative to medical assistance programs, Medicare, or a regulatory body.

(iii) Any prior violation of the"

AMENDMENT NO. 108

On page 8, line 17, after "insurer" delete the remainder of the line and insert a period "."

AMENDMENT NO. 109

On page 8, delete lines 18 and 19

AMENDMENT NO. 110

On page 8, line 20, delete "(iii)" and insert "(iv)"

AMENDMENT NO. 111

On page 8, delete lines 21 and 22, and insert the following:

"interest that the health care provider, or a person with an ownership interest in that health care provider, may hold in any other health care provider or health"

AMENDMENT NO. 112

On page 8, line 25, delete "(iv) If a group" and insert "(v) If a group health care"

AMENDMENT NO. 113

On page 8, line 27, delete "Medicaid program." and insert "medical assistance programs."

AMENDMENT NO. 114

On page 9, line 7, delete "160.25." and insert "437.5."

AMENDMENT NO. 115

On page 9, line 8, delete "Medicaid program" and insert "medical assistance programs"

AMENDMENT NO. 116

On page 9, line 9, delete "160.25." and insert "437.5."

AMENDMENT NO. 117

On page 9, delete lines 12 through 21, and insert the following:

"medical assistance programs to a health care provider if any of the following are found to be applicable to the health care provider, his agent, a managing employee, or any person having an ownership interest equal to five percent or greater in the health care provider:(1) Misrepresentation."

AMENDMENT NO. 118

On page 9, delete lines 23 through 25, and insert the following:

"or the involuntary withdrawing from participation in, the medical assistance programs, any other state's Medicaid program, Medicare, or any other public or private health or health insurance"

AMENDMENT NO. 119

On page 9, line 27, after "Conviction" insert "under federal or state law"

AMENDMENT NO. 120

On page 10, delete lines 1 through 4, and insert the following:

"any goods, services, or supplies, including the performance of management or administrative services relating to the delivery of the goods, services, or supplies, under the medical assistance programs, any other state's Medicaid program, Medicare, or any other public or private health or health insurance program."

AMENDMENT NO. 121

On page 10, line 6, delete "related" and insert "relating"

AMENDMENT NO. 122

On page 10, delete line 7, and insert "delivery of any goods, services, or supplies."

AMENDMENT NO. 123

On page 10, line 11, after "Conviction" delete "of any" and insert "under federal or state law of a"

AMENDMENT NO. 124

On page 10, line 14, after "crime" insert "criminal offense"

AMENDMENT NO. 125

On page 10, line 17, after "Conviction" insert "under federal or state law of a criminal offense"

AMENDMENT NO. 126

On page 10, line 18, after "in" and before "this" insert "Paragraphs (3) through (9) of"

AMENDMENT NO. 127

On page 10, delete lines 20 through 27, and insert the following:

"(9) Sanction pursuant to a violation of federal or state laws or rules relative to the medical assistance programs, any other state's Medicaid program, Medicare, or any other public health care or health insurance program."

(10) Violation of licensing or certification conditions or professional standards relating to the licensure or certification of health care providers or the required quality of goods, services, or supplies provided."

AMENDMENT NO. 128

On page 11, delete lines 1 through 8, and insert the following:

"(11) Failure to pay recovery properly assessed or pursuant to an approved repayment schedule under the medical assistance programs."

AMENDMENT NO. 129

On page 11, line 9, delete "conditions" and insert "condition"

AMENDMENT NO. 130

On page 11, delete line 11, and insert "the department, a person"

AMENDMENT NO. 131

On page 11, line 12, delete "entity"

AMENDMENT NO. 132

On page 11, line 12, delete "Medicaid"

AMENDMENT NO. 133

On page 11, delete lines 13 through 16, and insert the following:

"medical assistance programs from the time the goods, services, or supplies were furnished, if:

(1) The goods, services, or supplies provided were otherwise compensable.

(2) The person met all other requirements of a health care provider at the time the goods, services, or supplies were provided."

AMENDMENT NO. 134

On page 11, line 17, delete "entity" and insert "person"

AMENDMENT NO. 135

On page 11, delete line 18, and insert the following:

"agreement to be effective from the date the goods, services, or supplies were provided.

Section 3. If the bill which originated as Senate Bill No. 1559 of the 1997 Regular Session of the Legislature is enacted into law, Section 1 of this Act shall be null, void, and of no effect.

Section 4. If the bill which originated as Senate Bill No. 1559 of the 1997 Regular Session of the Legislature is enacted into law, the Louisiana State Law Institute is hereby directed to designate R.S. 46:437.2 through 437.5 contained herein as R.S. 46:437.11 through 436.14 under Subpart A of Part VI-A of that Act.

Section 5. If the bill which originated as Senate Bill No. 1559 of the 1997 Regular Session of the Legislature is not enacted into law, the Louisiana State Law Institute is hereby directed to designate R.S. 46:437.1 through 437.5 contained herein as Part VI-A of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, to be entitled "MEDICAL ASSISTANCE PROGRAMS PROVIDER AGREEMENTS".

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 1325 by Senator Hines

AMENDMENT NO. 1

In House Committee Amendment No. 13, proposed by the House Committee on Health and Welfare on page 3, line 28, change "attorneys" to "attorney"

AMENDMENT NO. 2

In House Committee Amendment No. 24, proposed by the house Committee on Health and Welfare on page 4, line 33, after "programs" insert a comma ",,"

AMENDMENT NO. 3

In House Committee Amendment No. 82, proposed by the House Committee on Health and Welfare on page 10, line 13, delete the first "delete" and change "services" to "service"

AMENDMENT NO. 4

In House Committee Amendment No. 90, proposed by the House Committee on Health and Welfare on page 11, line 2, after "Medicaid" insert "program"

AMENDMENT NO. 5

In House Committee Amendment No. 94, proposed by the House Committee on Health and Welfare on page 11, line 13, delete the first "delete"

AMENDMENT NO. 6

In House Committee Amendment No. 102, proposed by the House Committee on Health and Welfare on page 12, line 8, change "only be required" to "be required only" and change "are" to "is"

AMENDMENT NO. 7

In House Committee Amendment No. 124, proposed by the House Committee on Health and Welfare on page 14, line 26, change "after crime" to "delete crime"

AMENDMENT NO. 8

In House Committee Amendment No. 135, proposed by the House Committee on Health and Welfare on page 16, line 15, delete "that" and on line 16, delete "Act" and insert "Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Riddle to Engrossed Senate Bill No. 1325 by Senator Hines

AMENDMENT NO. 1

On page 3, at the end of line 18, delete "after thirty days" and insert "thirty days after receipt of"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Engrossed Senate Bill No. 1325 by Senator Hines

AMENDMENT NO. 1

On page 3, line 16, after "recipient," add the following:

"However a provider agreement shall not be construed to be a contract for the purposes of R.S. 42:1113(D)"

Senator Hines moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Ellington, Landry; Bajoue, Fields, Lentini; Barham, Greene, Malone; Bean, Guidry, Robichaux; Branch, Hainkel, Romero; Cain, Heitmeier, Schedler

Table with 3 columns: Campbell, Hines, Short; Casanova, Hollis, Siracusa; Cox, Irons, Smith; Cravins, Johnson, Tarver; Dardenne, Jones, Theunissen; Dean, Jordan, Ullo; Dyess, Lambert

Total—38

NAYS

Total—0

ABSENT

Bagneris Total—1

The Chair declared the amendments proposed by the House were concurred in. Senator Hines moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1350— BY SENATORS BAJOEIE AND GUIDRY AN ACT

To amend and reenact R.S. 22:657(D)(2), relative to emergency care; to prohibit pre-certification for an emergency medical condition; to provide for coverage in certain circumstances; to prohibit certain health care organizations from denying or reducing payments in certain circumstances; to provide for penalties; and to provide for related matters.

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

SENATE BILL NO. 1363— BY SENATOR LANDRY AN ACT

To amend and reenact R.S. 32:237(E) and to enact R.S. 32:57(G), relative to traffic regulations and construction barricades; to provide relative to construction zones; to increase penalties; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Reengrossed Senate Bill No. 1363 by Senator Landry

AMENDMENT NO. 1

On page 1, line 13, after "construction" and before "or" insert "and construction workers are on site."

Senator Landry moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Ellington, Lentini; Bajoue, Fields, Malone; Barham, Greene, Robichaux; Bean, Guidry, Romero; Branch, Heitmeier, Schedler; Cain, Hines, Short; Campbell, Hollis, Siracusa; Casanova, Irons, Smith; Cox, Johnson, Tarver

June 20, 1997

Cravins	Jones	Theunissen
Dardenne	Jordan	Ullo
Dean	Lambert	
Dyess	Landry	
Total—37		
	NAYS	
Total—0		
	ABSENT	
Bagneris	Hainkel	
Total—2		

The Chair declared the amendments proposed by the House were concurred in. Senator Landry moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 1389—**

BY SENATORS JONES, FIELDS, BAGNERIS, BAJOIE, BARHAM, BEAN, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, EWING, GREENE, GUIDRY, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, LANDRY, LENTINI, MALONE, ROMERO, SCHEDLER, SHORT, SIRACUSA, SMITH, TARVER, THEUNISSEN AND ULLO

AN ACT

To enact R.S. 14:51.1, relative to offenses against property; to provide with respect to violence to buildings and other property; to provide for arson of a place of worship; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Conforming Amendments proposed by Representative Carter to Reengrossed Senate Bill No. 1389 by Senator Jones (Duplicate of H.B. No. 118)

AMENDMENT NO. 1

On page 1, line 2, change "14:51.1" to "14:52.1" and after "relative to" delete the remainder of the line, delete line 3 in its entirety, and on line 4, delete "of a place of worship;" and insert the following"

"simple arson; to create the crime of simple arson of a religious building; to provide penalties;"

AMENDMENT NO. 2

On page 1, line 6, change "14:51.1" to "14:52.1"

AMENDMENT NO. 3

On page 1, delete line 7, and insert "§52.1. Simple arson of a religious building"

AMENDMENT NO. 4

On page 1, line 9, after "A," delete "Arson of a place of worship" and insert "Simple arson of a religious building" and at the end of the line delete "or" and insert a comma ","

AMENDMENT NO. 5

On page 1, line 10, delete "destruction" and after "substance or" delete the remainder of the line and delete line 11 in its entirety and insert a comma "," and "of any church, synagogue, mosque, or other building, structure, or place primarily used for religious worship or other religious purpose."

AMENDMENT NO. 6

On page 1, line 12, after "crime of" insert "simple" and after "of a" delete the remainder of the line and insert "religious building"

AMENDMENT NO. 7

On page 1, line 13, after "shall be" insert "fined not more than fifteen thousand dollars and" and after "less than" change "five" to "two"

AMENDMENT NO. 8

On page 1, line 14, after "fifteen years" delete the remainder of the line and insert a period "."

AMENDMENT NO. 9

On page 1, line 15, delete "Five years of such" and insert "At least two years of the sentence of" and after "imprisonment" delete "at hard labor" and after "shall be" insert "imposed"

AMENDMENT NO. 10

On page 2, delete lines 1 through 6 in their entirety

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1389 by Senator Jones

AMENDMENT NO. 1

On page 1, line 10, following "substance" delete "or"

Senator Jones moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris  
Total—1

The Chair declared the amendments proposed by the House were concurred in. Senator Jones moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 1391—**

BY SENATOR LANDRY

AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 1391 by Senator Landry

AMENDMENT NO. 1

On page 1, line 2, following "R.S." and before ":2216(L)" change "32" to "38"

Senator Landry moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members voting YEAS: Mr. President, Bajoue, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Total—38.

NAYS

Total—0

ABSENT

Bagneris Total—1

The Chair declared the amendments proposed by the House were concurred in. Senator Landry moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1404—

BY SENATOR LAMBERT (BY REQUEST) AN ACT

To amend and reenact R.S. 37:3391, 3392(8), (9) and (10), 3393(B), 3394(A), 3395, 3396, 3397, the introductory paragraph of 3398(A), 3398(A)(1) and (6), (B) and (C), 3399, 3400, 3401(A), (B), (C)(3) and (C)(3)(d), 3402, 3403, 3404, 3405, 3406, 3407(A)(1), (2), (3) and (5) and (B), 3408 (A), (B), (D), (E) and (F), the introductory paragraph of 3409(A), 3409(A)(6), (B), (B)(1), (C), (D) and the introductory paragraph of 3409(E), 3410, 3411, and 3413, and to enact R.S. 37:3392(11) through (19), 3393(C), (D), (E) and (F), 3398(D) and (E) and 3409(A)(8) through (12), relative to the "Louisiana Real Estate Appraisers Certification Law"; to provide for licensing and registration; to provide for trainees; to provide for the Louisiana Real Estate Appraisers Board; to provide for education and experience requirements; to provide for provisional licenses; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 1404 by Senator Lambert

AMENDMENT NO. 1

On page 1, delete lines 2 through 14 in their entirety and insert in lieu thereof the following:

"To amend and reenact R.S. 37:3399 and to enact R.S. 37:3398(D) and (E), relative to the Louisiana Real Estate Appraisers Certification Law; to provide for education and experience requirements; and to provide for related matters."

AMENDMENT NO. 2

On page 1, line 16, after "Section 1." delete the remainder of the line and delete page 2 in its entirety and insert in lieu thereof:

"R.S. 37:3399 is hereby amended and reenacted and R.S. 37:3398(D) and (E) are hereby enacted to read as follows:"

AMENDMENT NO. 3

Delete pages 3 through 13 in their entirety

AMENDMENT NO. 4

On page 14, delete lines 1 through 11 in their entirety and insert in lieu thereof the following:

"§3398. Examination

\* \* \*

D. Effective January 1, 1998, all applicants for certification shall be required to have successfully completed all"

AMENDMENT NO. 5

On page 16, delete lines 9 through 27 in their entirety

AMENDMENT NO. 6

Delete pages 17 through 29 in their entirety

AMENDMENT NO. 7

On page 30, delete lines 1 through 12 in their entirety

AMENDMENT NO. 8

On page 30, at the beginning of line 13, change "Section 3." to "Section 2."

Senator Lambert moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members voting YEAS: Mr. President, Bajoue, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Total—38.

NAYS

Total—0

ABSENT

June 20, 1997

Bagneris  
Total—1

The Chair declared the amendments proposed by the House were concurred in. Senator Lambert moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 1425—**

BY SENATORS DARDENNE, COX, GUIDRY BAGNERIS, BAJOIE, BARHAM, BEAN, BRANCH, CAIN, CAMPBELL, CASANOVA, DEAN, DYESS, ELLINGTON, EWING, FIELDS, GREENE, HEITMEIER, HOLLIS, IRONS, JOHNSON, JONES, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SHORT, SMITH, THEUNISSEN AND ULLO

**AN ACT**

To amend and reenact Children's Code Arts. 618, 1565(2), 1566, 1567(A)(1), 1568, 1570, and Code of Civil Procedure Art. 891, R.S. 9:362(4), R.S. 13:4243(B), R.S. 14:79(A) and R.S. 46:2121.1(1), 2123(2) and (3), 2124(A), 2124.1(A)(3), 2132(4), 2133(B), 2134, 2135(B), 2136, 2137(A), and 2138; to enact Children's Code Arts. 617(G), 627(C), 1569(G) and 1570.1, Code of Civil Procedure Art. 3607.1, and Code of Criminal Procedure Arts. 327.1, 871.1, R.S. 9:376, R.S. 13:4243(D) and R.S. 46:2135(G), 2136.1, and 2136.2, relative to domestic violence; to create a statewide registry of civil and criminal abuse prevention orders and provide for its administration; to provide relative to temporary restraining orders and protective orders; to expand the scope of protection for those covered; to provide that clerks of court transmit orders to the Louisiana Protective Order Registry; to provide restrictions on filing of reciprocal protective orders; to provide that violent abusers pay costs of domestic abuse cases; to provide that the address and parish of a residence of domestic abuse a petitioner may remain confidential to the court; to provide that protective orders issued as bail restrictions and as part of a sentence be forwarded to the Louisiana Protective Order Registry; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 1425 by Senator Dardenne, et al.

**AMENDMENT NO. 1**

On page 1, line 3, change "R.S. 9:362(4)," to "R.S. 9:362(4) and 372,"

**AMENDMENT NO. 2**

On page 1, line 6, change "617(G)," to "617(G) and (H),"

**AMENDMENT NO. 3**

On page 1, line 7, change "1569(G)" to "1569(G) and (H)"

**AMENDMENT NO. 4**

On page 1, line 8, delete "R.S. 9:376," and change "R.S. 13:4243(D)" to "R.S. 13:4248,"

**AMENDMENT NO. 5**

On page 1, line 9, change "R.S. 46:2135(G)," to "R.S. 46:2135(G) and (H),"

**AMENDMENT NO. 6**

On page 2, line 8, change "617(G)," to "617(G) and (H)," and change "1569(G)" to "1569(G) and (H),"

**AMENDMENT NO. 7**

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

"G. Immediately upon rendering a decision granting the relief requested by the petitioner, the judge shall cause to have prepared a Uniform Prevention Order, as provided in R.S. 46:2136.2(C), shall sign such order, and shall forward it to the clerk of court for filing, all without delay."

**AMENDMENT NO. 8**

On page 2, at the beginning of line 12, change "G." to "H."

**AMENDMENT NO. 9**

On page 2, line 13, delete "that information" and insert in lieu thereof "the Uniform Prevention Order"

**AMENDMENT NO. 10**

On page 1, line 14, delete "on the"

**AMENDMENT NO. 11**

On page 2, delete lines 15 through 17 in their entirety and insert in lieu thereof the following:

"by facsimile transmission, mail, or direct electronic input, where available, as expeditiously as possible, but no later than the end of the next business day after the order is filed with the clerk of court."

**AMENDMENT NO. 12**

On page 3, line 6, delete "is consistent with this Part" and insert in lieu thereof "may be rendered pursuant to this Chapter"

**AMENDMENT NO. 13**

On page 3, line 7, after "matter" and before "(1)" delete ": and" and insert in lieu thereof "and either of the following occurs:" and at the end of the line change "the" to "The"

**AMENDMENT NO. 14**

On page 3, line 8, after "agreement" delete ": or" and insert in lieu thereof a period "." and after "(2)" change "reasonable" to "Reasonable"

**AMENDMENT NO. 15**

On page 3, line 13, change "Subsection (B)" to "Paragraph B of this Article"

**AMENDMENT NO. 16**

On page 3, line 17, change "cross or counter petitions have" to "a reconventional demand has"

**AMENDMENT NO. 17**

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

"H. Immediately upon rendering a decision granting the relief requested by the petitioner, the judge shall cause to have prepared a Uniform Prevention Order, as provided in R.S. 46:2136.2(C), shall sign such order, and shall forward it to the clerk of court for filing, all without delay."

**AMENDMENT NO. 18**

On page 4, at the beginning of line 13, change "H." to "I."

**AMENDMENT NO. 19**

On page 4, line 15, delete "that information" and insert in lieu thereof "the Uniform Prevention Order"

**AMENDMENT NO. 20**

On page 4, line 16, delete "on the Louisiana Abuse Prevention" and delete lines 17 through 19 in their entirety and insert in lieu thereof the following:

"by facsimile transmission, mail, or direct electronic input, where available, as expeditiously as possible, but no later

than the end of the next business day after the order is filed with the clerk of court."

AMENDMENT NO. 21

On page 4, line 24, after "modified," and before "the clerk" insert "the judge shall cause to have prepared a Uniform Prevention Order, as provided in R.S. 46:2136.2(C), shall sign such order, and shall forward it to the clerk of court for filing, all without delay, and"

AMENDMENT NO. 22

On page 4, line 25, delete "that information" and insert in lieu thereof "the Uniform Prevention Order"

AMENDMENT NO. 23

On page 4, line 26, delete "on the Louisiana Abuse Prevention" and delete line 27 in its entirety and insert in lieu thereof "by facsimile transmission, mail, or direct electronic input, where available, as expeditiously as possible, but no later than the end of the next business day after the order is filed with the clerk of court."

AMENDMENT NO. 24

On page 5, delete line 1 in its entirety

AMENDMENT NO. 25

On page 5, line 20, delete "Louisiana Office of the Judicial" and insert in lieu thereof "Judicial Administrator's Office, Louisiana Supreme Court."

AMENDMENT NO. 26

On page 5, delete line 21 in its entirety

AMENDMENT NO. 27

On page 5, line 24, change "household" to "marital"

AMENDMENT NO. 28

On page 5, at the end of line 25, delete the period "." and add "or in which the household is located."

AMENDMENT NO. 29

On page 7, between lines 16 and 17, insert the following:

"G. Immediately upon rendering a decision granting the relief requested by the petitioner, the judge shall cause to have prepared a Uniform Prevention Order, as provided in R.S. 46:2136.2(C), shall sign such order, and shall forward it to the clerk of court for filing, all without delay."

AMENDMENT NO. 30

On page 7, at the beginning of line 17, change "G." to "H."

AMENDMENT NO. 31

On page 7, line 18, delete "that information" and insert in lieu thereof "the Uniform Prevention Order"

AMENDMENT NO. 32

On page 7, line 19, delete "on the" and delete lines 20 through 22 in their entirety and insert in lieu thereof the following:

"by facsimile transmission, mail, or direct electronic input, where available, as expeditiously as possible, but no later than the end of the next business day after the order is filed with the clerk of court."

AMENDMENT NO. 33

On page 8, line 11, delete "is consistent with this Part" and insert in lieu thereof "may be rendered pursuant to this Chapter"

AMENDMENT NO. 34

On page 8, line 12, after "matter" and before "(1)" delete ", and" and insert in lieu thereof "and either of the following occurs:" and at the end of the line change "the" to "The"

AMENDMENT NO. 35

On page 8, line 13, after "agreement" and before "(2)" delete "; or" and in lieu thereof insert a period "." and after "(2)" change "reasonable" to "Reasonable"

AMENDMENT NO. 36

On page 8, line 22, delete "cross or counter petitions have" and insert in lieu thereof "a reconventional demand has"

AMENDMENT NO. 37

On page 9, line 7, change "Protective" to "Prevention"

AMENDMENT NO. 38

On page 9, between lines 18 and 19, insert the following:

"H. Immediately upon rendering a decision granting the relief requested by the petitioner, the judge shall cause to have prepared a Uniform Prevention Order, as provided in R.S. 46:2136.2(C), shall sign such order, and shall forward it to the clerk of court for filing, all without delay."

AMENDMENT NO. 39

On page 9, at the beginning of line 19, change "H." to "I."

AMENDMENT NO. 40

On page 9, line 21, delete "that information" and insert in lieu thereof "the Uniform Prevention Order"

AMENDMENT NO. 41

On page 9, at the end of line 22, delete "on a Louisiana Abuse Prevention" and delete lines 23 through 25 in their entirety and insert in lieu thereof the following:

". by facsimile transmission, mail, or direct electronic input, where available, as expeditiously as possible, but no later than the end of the next business day after the order is filed with the clerk of court."

AMENDMENT NO. 42

On page 10, line 2, change "Part" to "Chapter"

AMENDMENT NO. 43

On page 11, between lines 2 and 3, insert the following:

"A. Immediately upon rendering a decision granting the relief requested by the petitioner, the judge shall cause to have prepared a Uniform Prevention Order, as provided in R.S. 46:2136.2(C), shall sign such order, and shall forward it to the clerk of court for filing, all without delay."

AMENDMENT NO. 44

On page 11, at the beginning of line 3, insert "B."

AMENDMENT NO. 45

On page 11, line 4, after "dissolved" and before "or" insert a comma ","

AMENDMENT NO. 46

On page 11, line 5, delete "this information" and insert in lieu thereof "the Uniform Prevention Order"

AMENDMENT NO. 47

On page 11, at the end of line 6, delete "on a Louisiana" and delete lines 7 through 9 in their entirety and insert in lieu thereof the following:

"by facsimile transmission, mail, or direct electronic input, where available, as expeditiously as possible, but no later than the end of the next business day after the order is filed with the clerk of court."

AMENDMENT NO. 48

On page 11, line 16, after "If" and before "as" insert a comma "," and after "restriction" and before "an" insert a comma ",".

AMENDMENT NO. 49

On page 11, line 19, after "violence," delete the remainder of the line and delete lines 20 through 24 in their entirety and insert in lieu thereof "the judge shall cause to have prepared a Uniform Prevention Order, as provided in R.S. 46:2136.2(C), shall sign such order, and shall forward it to the clerk of court for filing, all without delay. The clerk of the issuing court shall transmit the Uniform Prevention Order to the Louisiana Protective Order Registry, R.S. 46:2136.2(A), by facsimile transmission, mail, or direct electronic input, where available, as expeditiously as possible, but no later than the end of the next business day after the order is filed with the clerk of court."

AMENDMENT NO. 50

On page 12, line 3, after "against," and before "contact" delete "or"

AMENDMENT NO. 51

On page 12, line 4, after "with" and before "or" insert a comma ",".

AMENDMENT NO. 52

On page 12, line 5, after "violence," delete the remainder of the line and delete lines 6 through 10 in their entirety and insert in lieu thereof "the judge shall cause to have prepared a Uniform Prevention Order, as provided in R.S. 46:2136.2(C), shall sign such order, and shall forward it to the clerk of court for filing, all without delay. The clerk of the issuing court shall transmit the Uniform Prevention Order to the Louisiana Protective Order Registry, R.S. 46:2136.2(A), by facsimile transmission, mail, or direct electronic input, where available, as expeditiously as possible, but no later than the end of the next business day after the order is filed with the clerk of court."

AMENDMENT NO. 53

On page 12, line 12, change "R.S. 9:362(4) is" to "R.S. 9:362(4) and 372 are" and at the end of the line delete "and R.S."

AMENDMENT NO. 54

On page 12, line 13, delete "9:376 is hereby enacted"

AMENDMENT NO. 55

On page 13, line 5, after "employment." delete the remainder of the line and delete lines 6 and 7 in their entirety and insert in lieu thereof "Such injunctions shall be issued in the form of a Uniform Prevention Order and transmitted to the Louisiana Protective Order Registry, as required by this Part."

AMENDMENT NO. 56

On page 13, delete lines 9 through 17 in their entirety and insert in lieu thereof the following:

"§372. Injunction against abuse; form; central registry

A. In a proceeding for divorce, a court may grant an injunction prohibiting a spouse from harassing or physically or sexually abusing the other spouse or a child of either of the parties.

B. Immediately upon rendering a decision granting relief provided in Subsection A of this Section, the judge shall cause to have prepared a Uniform Prevention Order, as provided in R.S. 46:2136.2(C), shall sign such order, and shall forward it to the clerk of court for filing, all without delay.

C. The clerk of the issuing court shall transmit the Uniform Prevention Order to the Louisiana Protective Order Registry, R.S. 46:2136.2(A), by facsimile transmission, mail, or direct electronic input, where available, as expeditiously as possible, but no later than the end of the next business day after the order is filed with the clerk of court."

AMENDMENT NO. 57

On page 13, line 19, change "13:4243(D)" to "13:4248"

AMENDMENT NO. 58

On page 14, line 5, change "Ch.C." to "Children's Code"

AMENDMENT NO. 59

On page 14, delete lines 8 through 13 in their entirety and insert in lieu thereof the following:

"§4248. Foreign protective orders

A. A copy of any foreign protective order authenticated in accordance with an act of congress or the statutes of this state may be annexed to and filed with an ex parte petition praying that the protective order be made executory in this state. An affidavit setting forth the name and last known address of the person or persons to whom the protective order is directed shall also be attached thereto.

B. At an ex parte hearing, the court shall make the protective order executory in this state, cause to have prepared a Uniform Prevention Order, as provided in R.S. 46:2136.2(C), shall sign such order, and shall forward it to the clerk of court for filing, all without delay.

C. The clerk of the issuing court shall mail a copy of the Uniform Prevention Order to the person or persons to whom the protective order is directed at the address provided in the petitioner's affidavit and shall also transmit the order to the Louisiana Protective Order Registry, R.S. 46:2136.2(A), by facsimile transmission, mail, or direct electronic input, where available. The order shall be mailed and transmitted as expeditiously as possible, but no later than the end of the next business day after the order is filed with the clerk of court."

AMENDMENT NO. 60

On page 15, line 3, after "confirming" and before the colon ":" insert "both of the following" and after "(a)" change "that" to "That"

AMENDMENT NO. 61

On page 15, line 5, after "state" and before "(b)" delete ", and" and in lieu thereof insert a period "." and after "(b)" change "that" to "That"

AMENDMENT NO. 62

On page 15, line 14, change "R.S. 46:2135(G)," to "R.S. 46:2135(G) and (H),"

AMENDMENT NO. 63

On page 17, line 12, delete "household" and insert in lieu thereof "marital"

AMENDMENT NO. 64

On page 17, at the end of line 13, delete the period "." and add "or where the household is located."

AMENDMENT NO. 65

On page 19, delete lines 23 through 27 in their entirety and in lieu thereof insert the following:

"G. Immediately upon entering a temporary restraining order, the judge shall cause to have prepared a Uniform Prevention Order, as provided in R.S. 46:2136.2(C), shall sign such order, and shall forward it to the clerk of court for filing, all without delay.

H. The clerk of the issuing court shall transmit the Uniform Prevention Order to the Louisiana Protective Order Registry, R.S. 46:2136.2(A), by facsimile transmission, mail, or direct electronic input, where available, as expeditiously as possible, but no later than the



end of the next business day after the order is filed with the clerk of court."

AMENDMENT NO. 66

On page 20, delete line 1 in its entirety

AMENDMENT NO. 67

On page 20, line 18, delete "is consistent with" and insert in lieu thereof "may be rendered pursuant to"

AMENDMENT NO. 68

On page 20, line 19, after "matter" and before "(1)" delete "; and" and insert in lieu thereof "and either of the following occurs:" and at the end of the line change "the" to "The"

AMENDMENT NO. 69

On page 20, line 20, after "agreement" and before "(2)" delete "; or" and in lieu thereof insert a period "." and after "(2)" change "reasonable" to "Reasonable"

AMENDMENT NO. 70

On page 20, line 25, change "(B)" to "B of this Section"

AMENDMENT NO. 71

On page 21, line 2, delete "cross or counter petitions have" and insert in lieu thereof "a reconventional demand has"

AMENDMENT NO. 72

On page 21, line 14, change "Protective" to "Prevention"

AMENDMENT NO. 73

On page 21, line 18, change "Protective" to "Prevention"

AMENDMENT NO. 74

On page 21, delete lines 26 and 27 in their entirety and in lieu thereof insert the following:

"H. Immediately upon granting a protective order or approving any consent agreement, the judge shall cause to have prepared a Uniform Prevention Order, as provided in R.S. 46:2136.2(C), shall sign such order, and shall forward it to the clerk of court for filing, all without delay.

I. The clerk of the issuing court shall transmit the Uniform Prevention Order to the Louisiana Protective Order Registry, R.S. 46:2136.2(A), by facsimile transmission, mail, or direct electronic input, where available, as expeditiously as possible, but no later than the end of the next business day after the order is filed with the clerk of court."

AMENDMENT NO. 75

On page 22, delete lines 1 through 5 in their entirety

AMENDMENT NO. 76

On page 22, delete line 19 in its entirety and insert in lieu thereof "Judicial Administrator's Office, Louisiana Supreme Court. The Judicial Administrator's Office"

AMENDMENT NO. 77

On page 22, line 20, delete "of the Judicial Administrator"

AMENDMENT NO. 78

On page 23, line 5, after "against," and before "contact" delete "or" and after "with" and before "or physical" insert a comma ","

AMENDMENT NO. 79

On page 23, delete lines 7 and 8 in their entirety and insert in lieu thereof the following:

"C. The courts of this state shall use a uniform form for the issuance of any protective or restraining order,

which form shall be developed, approved, and distributed by the Judicial Administrator's Office, shall be titled the "Louisiana Abuse Prevention Order", and may also be referred to as the Uniform Prevention Order."

AMENDMENT NO. 80

On page 23, line 11, delete "upon its issuance." and insert in lieu thereof "as expeditiously as possible but no later than by the end of the next business day after the order is filed with the clerk of court." and delete "this information" and insert in lieu thereof "Uniform Prevention Order"

AMENDMENT NO. 81

On page 23, delete lines 12 through 14 in their entirety and insert in lieu thereof "facsimile transmission, mail, or direct electronic input, where available, as expeditiously as possible, but no later than the end of the next business day after the order is filed with the clerk of court."

AMENDMENT NO. 82

On page 23, line 15, delete "Louisiana Office of the Judicial Administrator" and insert in lieu thereof "Judicial Administrator's Office"

AMENDMENT NO. 83

On page 23, line 17, after "offices" and before "and" insert a comma ","

AMENDMENT NO. 84

On page 24, line 15, delete "Louisiana Office of the Judicial" and insert in lieu thereof "Judicial Administrator's Office, Louisiana Supreme Court,"

AMENDMENT NO. 85

On page 24, line 16, delete "Administrator,"

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1425 by Senator Dardenne

AMENDMENT NO. 1

In HCA #10 proposed by the House Committee on Civil Law and Procedure to Reengrossed Senate Bill 1425 by Senator Dardenne, on line 1, change "1" to "2"

AMENDMENT NO. 2

In HCA #80 proposed by the House Committee on Civil Law and Procedure to Reengrossed SB 1425 by Senator Dardenne, on line 25 before "Uniform" insert "the"

AMENDMENT NO. 3

On page 8, line 18, following "with" and before "shall" change "Subsection (B)" to "Paragraph B"

AMENDMENT NO. 4

On page 12, between lines 14 and 15, insert asterisks " \* \* \* "

AMENDMENT NO. 5

On page 14, line 5, following "as" and before "R.S." change "defined by" to "referred to in"

AMENDMENT NO. 6

On page 24, line 17, following "46:2134" and before the period "." change "(C)" to "(D)"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Downer to Reengrossed Senate Bill No. 1425 by Senator Dardenne, et al.

AMENDMENT NO. 1

In Amendment No. 7 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 19, change "Uniform Prevention Order" to "Uniform Abuse Prevention Order"

AMENDMENT NO. 2

In Amendment No. 9 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 26, change "Uniform Prevention Order" to "Uniform Abuse Prevention Order"

AMENDMENT NO. 3

In Amendment No. 17 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 28, change "Uniform Prevention Order" to "Uniform Abuse Prevention Order"

AMENDMENT NO. 4

In Amendment No. 19 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 2, change "Uniform Prevention Order" to "Uniform Abuse Prevention Order"

AMENDMENT NO. 5

In Amendment No. 21 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 12, change "Uniform Prevention Order" to "Uniform Abuse Prevention Order"

AMENDMENT NO. 6

In Amendment No. 22 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 17, change "Uniform Prevention Order" to "Uniform Abuse Prevention Order"

AMENDMENT NO. 7

In Amendment No. 29 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 5, change "Uniform Prevention Order" to "Uniform Abuse Prevention Order"

AMENDMENT NO. 8

In Amendment No. 31 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 12, change "Uniform Prevention Order" to "Uniform Abuse Prevention Order"

AMENDMENT NO. 9

In Amendment No. 37 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 34, change "Prevention" to "Abuse Prevention"

AMENDMENT NO. 10

In Amendment No. 38 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 5, change "Uniform Prevention Order" to "Uniform Abuse Prevention Order"

AMENDMENT NO. 11

In Amendment No. 40 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 12, change "Uniform Prevention Order" to "Uniform Abuse Prevention Order"

AMENDMENT NO. 12

In Amendment No. 43 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 26, delete "relief requested by the" and after "petitioner" and before "the judge" delete the comma "," and insert "a temporary restraining order issued in conjunction with a rule to show cause for a preliminary injunction prohibiting a spouse from harming the other

spouse or a child," and on line 27, change "Uniform Prevention Order" to "Uniform Abuse Prevention Order"

AMENDMENT NO. 13

In Amendment No. 46 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 2, change "Uniform Prevention Order" to "Uniform Abuse Prevention Order"

AMENDMENT NO. 14

In Amendment No. 49 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 16 and on line 19, change "Uniform Prevention Order" to "Uniform Abuse Prevention Order"

AMENDMENT NO. 15

In Amendment No. 52 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 30 and on line 33, change "Uniform Prevention Order" to "Uniform Abuse Prevention Order"

AMENDMENT NO. 16

In Amendment No. 55 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 6, change "Uniform Prevention Order" to "Uniform Abuse Prevention Order"

AMENDMENT NO. 17

In Amendment No. 56 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 18 and on line 22, change "Uniform Prevention Order" to "Uniform Abuse Prevention Order"

AMENDMENT NO. 18

In Amendment No. 59 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 3 and on line 7, change "Uniform Prevention Order" to "Uniform Abuse Prevention Order"

AMENDMENT NO. 19

In Amendment No. 65 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 32, change "Uniform" to "Uniform Abuse" and on line 37 change "Uniform Prevention Order" to "Uniform Abuse Prevention Order"

AMENDMENT NO. 20

In Amendment No. 72 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 20, change "Prevention" to "Abuse Prevention"

AMENDMENT NO. 21

In Amendment No. 73 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 22, change "Prevention" to "Abuse Prevention"

AMENDMENT NO. 22

In Amendment No. 74 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 28 and on line 32, change "Uniform Prevention Order" to "Uniform Abuse Prevention Order"

AMENDMENT NO. 23

In Amendment No. 79 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 18, change "'Louisiana Abuse'" to "'Uniform Abuse Prevention Order.'" and delete lines 19 and 20 in their entirety

AMENDMENT NO. 24

In Amendment No. 80 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on

line 25, change "Uniform Prevention Order" to "Uniform Abuse Prevention Order"

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Perkins to Reengrossed Senate Bill No. 1425 by Senator Dardenne, et al.

##### AMENDMENT NO. 1

On page 5, line 8, between "person" and "living" delete "presently or formerly"

##### AMENDMENT NO. 2

On page 5, at the beginning of line 10, insert "if a child or children also live in the residence,"

##### AMENDMENT NO. 3

On page 15, line 20, after "child" change the comma "," to a period "." delete the remainder of the line and delete line 21 in its entirety

##### AMENDMENT NO. 4

On page 17, at the beginning of line 3, insert "if a minor child or children also live in the residence,"

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Green to Reengrossed Senate Bill No. 1425 by Senator Dardenne, et al.

##### AMENDMENT NO. 1

On page 19, line 14, between "within" and "days" delete "ten thirty" and add "ten"

##### AMENDMENT NO. 2

On page 24, line 7, between "within" and "days" delete "five thirty" and add "ten"

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Brun to Reengrossed Senate Bill No. 1425 by Senator Dardenne

##### AMENDMENT NO. 1

On page 1, line 7, change "Art. 3607.1," to "Arts. 3603.1 and 3607.1,"

##### AMENDMENT NO. 2

On page 1, line 15, delete "restrictions on filing of reciprocal protective orders;" and insert in lieu thereof "for notice prior to the effective date of a protective order; to establish uniform grounds on which to render temporary or preliminary injunctions; to provide for court appointed counsel for the respondent if the petitioner has been afforded counsel;"

##### AMENDMENT NO. 3

On page 3, delete lines 16 through 21 in their entirety and at the beginning of line 22, change "E." to "D." and at the beginning of line 26, change "F." to "E."

##### AMENDMENT NO. 4

On page 4, at the beginning of line 8, change "G." to "F."

##### AMENDMENT NO. 5

On page 8, delete lines 21 through 26 in their entirety and at the beginning of line 27, change "E." to "D."

##### AMENDMENT NO. 6

On page 9, at the beginning of line 4, change "F." to "E." and at the beginning of line 14, change "G." to "F."

##### AMENDMENT NO. 7

On page 10, line 8, change "Art. 3607.1 is" to "Arts. 3603.1 and 3607.1 are"

##### AMENDMENT NO. 8

On page 10, between lines 25 and 26, insert the following:

"Art. 3603.1 Governing provisions for issuance of protective orders; grounds; notice; court appointed counsel

A. Notwithstanding any provision of law to the contrary, and particularly the provisions of Domestic Abuse Assistance, Part II of Chapter 28 of Title 46, Post-Separation Family Violence Relief Act and Injunctions and Incidental Orders, Parts IV and V of Chapter 1 of Code Title V of Title 9, Domestic Abuse Assistance, Chapter 8 of Title XV of the Children's Code, and this Chapter, no temporary restraining order or preliminary injunction prohibiting a spouse or other person from harming or going near or in the proximity of another shall:

(1) Issue unless the complainant has good and reasonable grounds to fear for his or her safety of that of the children or the complainant has in the past been the victim of domestic abuse by the other spouse.

(2) Be effective unless the order or notice specifically informs the person against whom the temporary or preliminary order is issued that if, after a contradictory hearing, an injunction or other protective order is issued against him, it may result in the lifetime loss of his ability to carry a firearm.

B. Any person against whom such an order is issued, shall be entitled to a court-appointed attorney if the applicant has likewise been afforded counsel at no cost, which right shall also be included in any order or notice.

\* \* \*

##### AMENDMENT NO. 9

On page 21, delete lines 1 through 6 in their entirety and at the beginning of line 7, change "E." to "D." and at the beginning of line 11, change "F." to "E." and at the beginning of line 21, change "G." to "F."

##### AMENDMENT NO. 10

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

"E. Upon formation, the registry shall immediately implement a daily process of expungement of records and names of the parties in all cases where either a temporary restraining order expires without conversion to an injunction or, after an evidentiary hearing, it is determined that a protective order is not warranted."

##### AMENDMENT NO. 11

On page 23, line 15, change "E." to "F."

##### AMENDMENT NO. 12

In Amendment No. 3 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997 change "1569(G) and (H)," to "1569(G), (H), and (I),"

##### AMENDMENT NO. 13

In Amendment No. 6 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997 change "1569(G) and (H)," to "1569(G), (H), and (I),"

June 20, 1997

AMENDMENT NO. 14

In Amendment No. 17 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 26, change "H." to "G."

AMENDMENT NO. 15

In Amendment No. 29 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 3, change "G." to "H." and between lines 2 and 3 insert the following:

"G. No ex parte order for a temporary restraining order shall be granted by a court until the court has questioned the petitioner seeking the order and the court believes good cause exists for the issuance of the temporary restraining order. The court shall require a bond for any temporary restraining order unless the petitioner demonstrates indigency in accordance with the provisions of Code of Civil Procedure Art. 5181 et seq."

AMENDMENT NO. 16

In Amendment No. 30 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997 on line 9, change "H." to "I"

AMENDMENT NO. 17

In Amendment No. 38 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 4, change "H." to "G."

AMENDMENT NO. 18

In Amendment No. 74 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997, on line 26, change "H." to "G." and on line 31, change "L." to "H."

AMENDMENT NO. 19

Delete Amendment Nos. 16, 18, 36, 39, and 71 proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 28, 1997

Senator Dardenne moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Landry Total—1

ABSENT

Bagneris Total—1

The Chair declared the amendments proposed by the House were concurred in. Senator Dardenne moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1440—

BY SENATOR JONES

AN ACT

To enact R.S. 32:410(D), relative to drivers' licenses; to prohibit use of photographs taken for licenses in police line-ups; to provide for exceptions to prohibition; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Engrossed Senate Bill No. 1440 by Senator Jones

AMENDMENT NO. 1

On page 2, line 3, after "(1)" and before "that" delete "Given written permission" and insert in lieu thereof "Been given written notification"

Senator Jones moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—37

NAYS

Total—0

ABSENT

Bagneris Casanova Total—2

The Chair declared the amendments proposed by the House were rejected. Senator Jones moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 1441—

BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 56:10(B)(7) and to enact R.S. 47:463.46, relative to motor vehicles; to establish the Louisiana Wild Turkey Federation license plate; to provide for a fee; to provide for the use of the revenues from the license plate; to provide

relative to the Louisiana Wild Turkey Stamp Fund; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Engrossed Senate Bill No. 1441 by Senator Barham

AMENDMENT NO. 1

On page 2, line 11, after "56:10(B)." delete the remainder of the line and insert in lieu thereof "Five dollars of the funds raised from the license plate sales shall be used for the purpose of advertising the license plates and the remainder of the funds shall be used"

AMENDMENT NO. 2

On page 3, line 4, after "legislature" delete the period "." and insert in lieu thereof a comma "," and the following words "with the exception of five dollars per plate sold to be used for the purpose of advertising the license plates."

Senator Barham moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Table with 2 columns: Bagneris, Siracusa, Total—2

The Chair declared the amendments proposed by the House were concurred in. Senator Barham moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1451— BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 51:1151(4), relative to municipal and parish industrial development boards; to provide relative to the types of development projects which such boards are authorized to undertake; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Engrossed Senate Bill No. 1451 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 2, after "51:1151(4)" delete the comma "," and insert "and 1753(B)(8) and to enact R.S. 51:1766,"

AMENDMENT NO. 2

On page 1, line 2, between "to" and "municipal" insert "economic development; to provide relative to"

AMENDMENT NO. 3

On page 1, at the end of line 4, insert "to provide relative to the economically disadvantaged business program; to provide for a bonding program;"

AMENDMENT NO. 4

On page 1, line 7, after "51:1151(4)" change "is" to "and 1753(B)(8) are"

AMENDMENT NO. 5

On page 1, line 7, between "reenacted" and "to" insert "and R.S. 51:1766 is hereby enacted"

AMENDMENT NO. 6

On page 2, between lines 23 and 24, insert the following:

"§1753. Division of economically disadvantaged business development; creation; appointment of executive director; duties

\* \* \*

B. The division shall do the following:

\* \* \*

(8) Establish any other programs that may be necessary to carry out the purpose and intent of this Chapter, including but not limited to small business bonding assistance programs.

(a) In its effort to provide bonding assistance, the The division is authorized to shall develop a system for providing two million dollars annually for bonding assistance for surety bonding financial and technical assistance and training to certified businesses. The Louisiana Economic Development Corporation shall provide two million dollars annually for use in the bonding assistance program provided that such funds shall be maintained and monitored by the corporation. The Louisiana Economic Development Corporation shall develop and provide an analysis and evaluation process to be used in the bonding assistance program for determining which requests shall be approved.

(b) Requests for bonding assistance shall be submitted to the division for approval. The division shall develop and provide an analysis and evaluation process to be used in the bonding assistance program for determining which requests shall be approved. Rules for the approval process shall be developed and promulgated by the division in accordance with the Administrative Procedure Act. executive director of the Louisiana Economic Development Corporation. The corporation, in cooperation with the executive director of the economically disadvantaged business program and the director of the bonding assistance program, shall determine which requests shall be approved for bonding assistance funding. The corporation The division shall review and monitor the evaluation and

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analysis process developed by the bonding assistance program.

(c) The approval of the undersecretary of the office of management and finance shall be required prior to the issuance of or entrance into any obligation, whether contractual or financial, by the bonding assistance program.

\* \* \*

§1766. Small Business Surety Bonding Fund; creation; distribution of funds

A. Funds received by the division under this Part or otherwise made available for the purposes of this Part shall be deposited immediately upon receipt into the state treasury.

B. After compliance with the requirements of Article VII, Section 9(B) of the Constitution of Louisiana relative to the Bond Security and Redemption Fund, and prior to monies being placed in the state general fund, an amount equal to that deposited as required in Subsection A hereof shall be credited to a special fund hereby created in the state treasury to be known as the Small Business Surety Bonding Fund. The monies in this fund shall be used solely as provided in Subsection C hereof and only in the amounts appropriated by the legislature. All unexpended and unencumbered monies in this fund at the end of the fiscal year shall remain in such fund. The monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund and interest earned on the investment of these monies shall be credited to this fund, again following compliance with the requirement of Article VII, Section 9(B) relative to the Bond Security and Redemption Fund.

C. The monies in the Small Business Surety Bonding Fund shall be used by the division solely to fund the division's effort to provide financial assistance to small businesses to mitigate gaps in the state surety bond market.

Section 2. The state treasurer, for the fiscal year beginning on July 1, 1997, shall transfer two million dollars from the Louisiana Economic Development Fund to the Small Business Surety Bonding Fund."

AMENDMENT NO. 7

On page 2, delete lines 24 through 27 and on page 3 delete lines 1 and two and insert "Section 3. This Act shall become effective on July 1, 1997."

Senator Johnson moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Bajoie	Fields	Robichaux
Barham	Greene	Romero
Bean	Guidry	Schedler
Branch	Heitmeier	Siracusa
Cain	Hines	Smith
Cox	Hollis	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones	
Dyess	Lambert	

Total—28

NAYS

Casanova	Jordan	Short
Hainkel	Landry	Ullo
Irons	Malone	

Total—8

ABSENT

Bagneris	Campbell	Cravins
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Johnson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 1473—**  
BY SENATOR BEAN

AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Donelon to Engrossed Senate Bill No. 1473 by Senator Bean

AMENDMENT NO. 1

On page 1, line 5, after "insurance;" insert "to limit increases for group policies;"

AMENDMENT NO. 2

On page 2, at the end of line 1, insert the following:

"In no event shall the increase in premiums for a group policy exceed twenty five percent."

Senator Bean moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dyess	Jordan
Bajoie	Ellington	Lentini
Barham	Fields	Malone
Bean	Greene	Robichaux
Branch	Guidry	Romero
Cain	Hainkel	Short
Campbell	Heitmeier	Siracusa
Cox	Hines	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones	Ullo
Total—33		

NAYS

Hollis	Landry
Total—2	

ABSENT

Bagneris	Lambert
----------	---------

Casanova Schedler  
Total—4

The Chair declared the amendments proposed by the House were concurred in. Senator Bean moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 1484—**  
BY SENATOR SHORT

AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways and Public Works to Engrossed Senate Bill No. 1484 by Senator Short

AMENDMENT NO. 1

On page 2, delete line 2 in its entirety, and insert in lieu thereof "vehicle registered in the applicant's name."

Senator Short moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Landry  
Total—1

ABSENT

Bagneris	Casanova	Robichaux
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Short moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 1485—**  
BY SENATOR LAMBERT (BY REQUEST)  
AN ACT

To enact Chapter 23 of Title 12 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 12:1400 through 1414, relative to corporations; to authorize professional social work corporations; to provide for their formation and authority to transact business; to provide for liability of certain persons of the corporation; to

provide for merger, consolidation, and dissolution of such corporations; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Engrossed Senate Bill No. 1485 by Senator Lambert

AMENDMENT NO. 1

On page 4, at the beginning of line 8, change "R.S. 12:22" to "R.S. 12:71"

Senator Lambert moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Landry  
Total—1

ABSENT

Bagneris	Cravins	Robichaux
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Lambert moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 1487—**  
BY SENATOR BAGNERIS  
AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Jetson to Reengrossed Senate Bill No. 1487 by Senator Bagneris

AMENDMENT NO. 1

On page 2, line 7, change "fifty" to "one hundred"

**HOUSE FLOOR AMENDMENTS**

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Amendments proposed by Representative Diez to Reengrossed Senate Bill No. 1487 by Senator Bagneris

AMENDMENT NO. 1

On page 1, line 2, after "R.S." and before the comma "," delete "48:756(B)" and insert in lieu thereof "48:756(A)(3) and (B)"

AMENDMENT NO. 2

On page 1, line 3, after "Fund;" and before "to modify" insert "to clarify the distribution formula for parishes with a population greater than four hundred seventy-five thousand;"

AMENDMENT NO. 3

On page 1, line 7, after "R.S." and before "is" delete "48:756(B)" and insert in lieu thereof "48:756(A)(3) and (B)"

AMENDMENT NO. 4

On page 1, between lines 9 and 10, insert the following:

"A. \* \* \*

(3) If funds are available for and appropriated to the Parish Transportation Fund in excess of the amount appropriated in Fiscal Year 1994-1995, such additional funds shall be distributed to the parishes on a per mile basis with the total miles of parish roads as determined by the Department of Transportation and Development for the year 1990. Each parish shall receive an amount based on that parish's total miles of road in proportion to total parish roads in the state. Parishes with a population of four hundred seventy-five thousand or greater shall participate in any distribution made under the provisions of this Paragraph based on the number of miles of roads and streets under their jurisdiction along with all other parishes. Funds received under the provisions of this Paragraph shall be distributed within each parish on the same basis, i.e., through a formula based on the number of miles of parish roads located in each district in the parish as reported by the Department of Transportation and Development on January first of each funding year."

Senator Heitmeier moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

	YEAS	
Mr. President	Fields	Landry
Bajoie	Greene	Lentini
Barham	Guidry	Malone
Bean	Hainkel	Robichaux
Branch	Heitmeier	Romero
Campbell	Hines	Schedler
Casanova	Hollis	Short
Cox	Irons	Siracusa
Dardenne	Johnson	Smith
Dean	Jones	Tarver
Dyess	Jordan	Theunissen
Ellington	Lambert	Ullo
Total—36		
	NAYS	
Total—0		
	ABSENT	
Bagneris	Cain	Cravins
Total—3		

The Chair declared the amendments proposed by the House were rejected. Senator Heitmeier moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 1497—**  
BY SENATORS SIRACUSA AND ROMERO  
AN ACT

To enact R.S. 48:388.1, relative to freight railroads; to create the Freight Railroad Intermodal Grant Program within the Department of Transportation and Development; to provide relative to grant authority of the program; to require certain funding for the program; to require the promulgation of rules and regulations; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 1497 by Senator Siracusa

AMENDMENT NO. 1

On page 2, line 8, before ". (1)" change "C" to "B"

AMENDMENT NO. 2

On page 2, line 13, before ". No" change "D" to "C"

AMENDMENT NO. 3

On page 2, line 15, before ". The" change "E" to "D"

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Transportation, Highways and Public Works to Engrossed Senate Bill No. 1497 by Senator Siracusa

AMENDMENT NO. 1

On page 2, delete line 9 and insert in lieu thereof "January 1, 1998."

Senator Siracusa moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

	YEAS	
Bajoie	Fields	Malone
Barham	Greene	Robichaux
Bean	Guidry	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jones	Ullo
Dyess	Lambert	
Ellington	Lentini	
Total—34		
	NAYS	
Landry		
Total—1		
	ABSENT	
Mr. President	Cravins	
Bagneris	Jordan	
Total—4		

The Chair declared the amendments proposed by the House were concurred in. Senator Siracusa moved to reconsider the vote by



which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 1503—**

BY SENATOR CRAVINS

## AN ACT

To enact R.S. 22:858, relative to domestic insurers; to authorize investment in investment pools; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Insurance to Reengrossed Senate Bill No. 1503 by Senator Cravins

AMENDMENT NO. 1

On page 4, line 5, after "index," insert "such as"

AMENDMENT NO. 2

On page 4, line 12, after "22:844.3" insert "and 844(I)"

AMENDMENT NO. 3

On page 4, line 21, change "an" to "any"

AMENDMENT NO. 4

On page 5, line 20, delete "cases" and insert in lieu thereof "the case"

AMENDMENT NO. 5

On page 8, line 2, after "1006" and before the period "." insert "(A)(6)"

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1503 by Senator Cravins

AMENDMENT NO. 1

On page 2, line 16, following "note" and before "debenture" insert a comma ","

AMENDMENT NO. 2

On page 3, line 23, following "rating," and before "by" insert "as rated"

AMENDMENT NO. 3

On page 4, line 6, following "Rate" and before "or" insert a comma ","

AMENDMENT NO. 4

On page 4, line 12, following "R.S." and before "or" change "22:844.3 and 844(I)" to "22:844(I) and 844.3"

AMENDMENT NO. 5

On page 4, line 25, following "from" and before "or" insert a comma ","

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Bowler to Reengrossed Senate Bill No. 1503 by Senator Cravins

AMENDMENT NO. 1

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

"(1) "Affiliate" means, as to any person, another person that, directly or indirectly through one or more intermediaries, controls, is controlled by, or is under common control with the person."

AMENDMENT NO. 2

On page 1, at the beginning of line 9, change "(1)" to "(2)"

AMENDMENT NO. 3

On page 1, line 11, after "fund" insert a comma "," and after "trust," insert "joint tenancy."

AMENDMENT NO. 4

On page 1, delete line 13 and insert in lieu thereof the following:

"(3) "Class one money market mutual fund" means a money market fund"

AMENDMENT NO. 5

On page 1, line 14, after "times" change "qualify" to "qualifies"

AMENDMENT NO. 6

On page 2, at the beginning of line 2, change "(3)" to "(4)"

AMENDMENT NO. 7

On page 2, at the beginning of line 12, change "(4)" to "(5)"

AMENDMENT NO. 8

On page 2, at the beginning of line 16, change "(5)" to "(6)" and after "note" insert a comma ","

AMENDMENT NO. 9

On page 2, line 20, after "money or" change "participation" to "participations"

AMENDMENT NO. 10

On page 2, at the beginning of line 24 change "(6)" to "(7)"

AMENDMENT NO. 11

On page 3, at the beginning of line 2, change "(7)" to "(8)"

AMENDMENT NO. 12

On page 3, at the beginning of line 7, change "(8)" to "(9)"

AMENDMENT NO. 13

On page 3, at the beginning of line 12, change "(9)" to "(10)"

AMENDMENT NO. 14

On page 3, at the beginning of line 16, change "(10)" to "(11)"

AMENDMENT NO. 15

On page 4, line 14, change "Title" to "Part"

AMENDMENT NO. 16

On page 4, line 18, change "Title" to "Part"

AMENDMENT NO. 17

On page 4, line 20, after "affiliate" change "or" to "of"

AMENDMENT NO. 18

On page 4, line 23, change "Title" to "Part"

AMENDMENT NO. 19

On page 6, line 20, after "affiliates" insert a comma "," and delete the remainder of the line

AMENDMENT NO. 20

On page 6, line 21, delete "subsidiaries and affiliates"

AMENDMENT NO. 21

On page 7, delete lines 7 through 10 in their entirety and insert in lieu thereof the following:

"(4) A participant may withdraw all or any portion of its investment from the pool under the terms of the pooling agreement. In the event of the participant's insolvency,

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bankruptcy or receivership, its trustee, receiver, or other successor-in-interest shall have the authority to withdraw all of the investment from the pool. The investment shall be considered an asset pursuant to R.S. 22:755."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Donelon to Engrossed Senate Bill No. 1503 by Senator Cravins

**AMENDMENT NO. 1**

On page 1, line 2, after "R.S. 22:" insert "844.4 and" and after "insurers;" insert "to authorize investments in certain securities;"

**AMENDMENT NO. 2**

On page 1, line 5, after "R.S. 22:" insert "844.4 and" and after "858 change "is" to "are"

**AMENDMENT NO. 3**

On page 1, between lines 5 and 6, insert the following:3

"844.4. Securities eligible for investments

(1) A domestic insurer may, with respect to its assets or liabilities, for purposes of protecting such assets or liabilities against the risk of changing asset values or interest rates and for risk reduction only, buy or sell options and terminate the same, buy or sell futures contracts and options on futures contracts, or utilize such other instruments or devices as are consistent with this Subsection.

(2) An insurer may engage in the purchase or sale of options and terminate such option only with regard to:

(a) Securities owned by the insurer;

(b) Securities which the insurer may obtain through exercise of warrants or conversion rights held by the insurer; or

(c) Other specific asset or liability exposures as specifically provided for in the insurer's policy adopted pursuant to Paragraph (4) of this Subsection.

(3) Subject to the limitations contained in Paragraph (4) of this Subsection with respect to cash flows reasonably anticipated to be available for investment purposes within the succeeding twelve months, which anticipation cannot exceed an amount equal to ten percent of such insurer's admitted assets, an insurer may, for purposes of protecting such cash flows against the risk of changing asset values or interest rates and for risk reduction only, buy or sell futures contracts and options on futures contracts or utilize such other instruments or devices as are consistent with this Subsection.

(4) An insurer may engage in the practices authorized by this Subsection only if prior thereto the board of directors of such insurer has adopted a written policy which specifies the following:

(a) The types of risk-limiting practices approved for such insurer.

(b) The aggregate maximum limits in such instruments, which maximum limits must be reasonably related to the insurer's business needs and its capacity to fulfill its obligations thereunder.

(c) The specific assets or class of assets, or cash flows or liabilities for which risk-limiting practices may be employed.

(d) The insurer's accounting or investment records shall specifically identify the assets, cash flows, or liabilities for which each risk-limiting practice is used.

(5) Investments authorized under this Subsection shall be limited to domestic insurers with at least \$750,000,000 in assets.

(6) The Commissioner may promulgate rules, guidelines, and regulations establishing standards and

requirements relating to practices and activities authorized in this Subsection, including, but not limited to, pricing risk management, market risk management, credit risk management, liquidity risk management, legal risk management and operations risk management.

\* \* \*

Senator Cravins moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Bagneris  
Total—1

The Chair declared the amendments proposed by the House were rejected. Senator Cravins moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 1504—**

BY SENATOR CRAVINS

**AN ACT**

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 1504 by Senator Cravins

AMENDMENT NO. 1

On page 4, line 24, change "and a secretary-treasurer." to "a secretary, and a treasurer"

Senator Cravins moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Total—37

**NAYS**

Total—0

**ABSENT**

Bagneris	Bean
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Total—2

The Chair declared the amendments proposed by the House were rejected. Senator Cravins moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 1506—**  
BY SENATOR ELLINGTON AND REPRESENTATIVE FORSTER  
AN ACT

To amend and reenact the introductory paragraphs of R.S. 12:312(C), 1351(C), R.S. 23:111(C)(10), 1693(B), and 1853(B), and R.S. 12:148(B), 256(B), 312.1 and 1352; R.S. 13:5112(D); R.S. 15:587(A)(1)(a); R.S. 23:101(7), 103(A)(1), 104, 106(B), 107(C) and (D), 183, 184.1, 392(B), (C), and (D), 897(E), 964(D), (E), (F), and (G), 1021(5), 1202(B), 1221(3)(f), 1532.1(F), 1576, 1592(A), 1600(3)(b)(i), 1624.1, 1651, 1657(A), 1668(A), 1670, 1671, 1802(1) and (5), 1803(A), (B), (C), and (D), and 1804; R.S. 36:301(C)(1), 308(B), and (C) and 313; R.S. 40:521(5) and (9); R.S. 46:56(L), 236.1(D)(1)(a) and (N), and 2602(B)(18); R.S. 47:299.2(1)(a)(vi), 299.11(5), 299.15(B), 299.16(C), 617(C), 1622(B), and 6004(A)(1); R.S. 49:967(A) and 992(D)(4); R.S. 51:1787(C)(2)(a); to enact R.S. 36:308(E) and R.S. 49:191(11); and to repeal R.S. 49:191(8)(i); relative to the Department of Labor; to provide for the recreation of the Department of Labor and certain statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; to specifically create and provide for the functions of the office of workplace and workforce development, office of regulatory services, and the office of occupational information services; to specifically abolish and transfer the functions of the office of employment security and the office of labor; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Labor and Industrial Relations to Reengrossed Senate Bill No. 1506 by Senator Ellington and Representative Forster

AMENDMENT NO. 1

On page 1, line 7, after "1221(3)(f)," insert "1291(C)(4), 1292(A) and (B),"

AMENDMENT NO. 2

On page 1, at the end of line 9, insert "304(A)(6), 306(B)"

AMENDMENT NO. 3

On page 2, at the beginning of line 4, delete "workplace and"

AMENDMENT NO. 4

On page 2, line 20, after "and the" delete the remainder of the line and delete line 21 and on line 22 delete "the Department of Labor," and insert in lieu thereof "administrator of Louisiana Employment Security Law."

AMENDMENT NO. 5

On page 3, lines 11, after "Taxation and the" delete the remainder of the line and delete 12 and on line 13 delete "of Labor" and insert in lieu thereof "administrator of Louisiana Employment Security Law."

AMENDMENT NO. 6

On page 4, delete lines 3 through 4 and insert in lieu thereof "administrator of Louisiana Employment Security Law."

AMENDMENT NO. 7

On page 4, delete line 18 and on line 19 delete "services of the Department of Labor" insert in lieu thereof "administrator of Louisiana Employment Security Law"

AMENDMENT NO. 8

On page 5, line 3, after "and the" delete the remainder of the line and delete lines 4 and on line 5 delete "Labor" and insert in lieu thereof "administrator of Louisiana Employment Security Law"

AMENDMENT NO. 9

On page 5, line 19, after "and the" delete the remainder of the line and delete line 21 and insert in lieu thereof "administrator of Louisiana Employment Security Law shall be"

AMENDMENT NO. 10

On page 6, line 3, after "shall" delete the remainder of the line and on line 4 delete "regulatory services or" and after "administrator" insert "of Louisiana Employment Security Law"

AMENDMENT NO. 11

On page 6, line 17, after "Committee" delete the remainder of the line and on line 18 delete "regulatory services" and insert in lieu thereof "the secretary" and after "Labor" and before the comma "," insert "or designee"

AMENDMENT NO. 12

On page 6, line 27, after "1221(3)(f)," insert "1291(C)(4), 1292(A) and (B),"

AMENDMENT NO. 13

On page 10, at the end of line 25, delete "workplace and workforce" and on line 26, delete "development" and insert in lieu thereof "regulatory services"

AMENDMENT NO. 14

On page 11, line 2, change "workplace and workforce development" to "regulatory services"

AMENDMENT NO. 15

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On page 11, at the end of line 6, delete "workplace and" and on line 7 delete "workforce development" and insert in lieu thereof "regulatory services"

AMENDMENT NO. 16

On page 11, at the end of line 14, delete "workplace" and on line 15 delete "and workforce development" and insert in lieu thereof "regulatory services"

AMENDMENT NO. 17

On page 11, delete line 27 in its entirety

AMENDMENT NO. 18

On page 13, line 14, after "administrator of" delete the remainder of the line and on line 15 delete "regulatory services" and insert in lieu thereof "Louisiana Employment Security Law"

AMENDMENT NO. 19

On page 14, line 12, after "records" delete the remainder of the line and on line 13 delete "regulatory services" and insert in lieu thereof "under Louisiana Employment Security Law"

AMENDMENT NO. 20

On page 14, between lines 16 and 17, insert the following:

"§1291. Creation, powers, and duties of the office of workers' compensation administration

\* \* \*

C. There shall be established within the office the following sections:

\* \* \*

(4) A ~~statistical data~~ records management section, which shall administer and implement the provisions of R.S. 23:1292.

\* \* \*

§1292. Statistical data; required reports; penalties

A. Every employer of more than ten employees who is subject to record keeping under the provisions of 29 U.S.C. §655 shall, within ninety days of any occupational death of an employee, any non-fatal occupational illness, or any non-fatal occupational injury involving either loss of consciousness, restriction of work or motion, transfer to another job, or medical treatment other than first aid, report to the ~~statistical data~~ records management section the following information:

\* \* \*

B. The records of the ~~statistical data~~ records management section which contain the identity of individual employers or employees are confidential, shall not be public records, and shall not be subject to subpoena. All employees of the office shall maintain such confidentiality. The statistical data derived from these records shall be public records, however, and shall be published annually by the section in such form as will insure its availability to the general public.

\* \* \*

AMENDMENT NO. 21

On page 15, line 13, delete "of the office" and on line 14 delete "regulatory services"

AMENDMENT NO. 22

On page 16, line 5, after "by the" delete the remainder of the line and on line 6 delete "regulatory services" and insert in lieu thereof "administrator"

AMENDMENT NO. 23

On page 17, delete line 7 and on line 8 delete "services, department of Labor." and insert in lieu thereof "administrator."

AMENDMENT NO. 24

On page 17, line 27, after "with the" delete the remainder of the line and on page 18, line 1, delete "regulatory services" and insert in lieu thereof "administrator"

AMENDMENT NO. 25

On page 18, line 11, after "in the" delete the remainder of the line and insert in lieu thereof "Department of Labor who administer programs and services under Louisiana Employment Security Law."

AMENDMENT NO. 26

On page 18, line 20, after "of the" delete the remainder of the line and insert in lieu thereof "Department of Labor who administer programs and services under Louisiana Employment Security Law"

AMENDMENT NO. 27

On page 19, line 7, delete "workplace and"

AMENDMENT NO. 28

On page 20, line 7, after "of the" delete the remainder of the line and insert in lieu thereof "programs administered under Louisiana Employment Security Law"

AMENDMENT NO. 29

On page 21, line 6, delete "of the office of" and on line 7 delete "regulatory services"

AMENDMENT NO. 30

On page 21, line 13, delete "office of regulator services" and insert in lieu thereof "administrator"

AMENDMENT NO. 31

On page 21, line 18, delete "of the office of" and on line 19 delete "regulatory services"

AMENDMENT NO. 32

On page 21, line 21, delete "office of" and on line 22 delete "regulatory services" and insert in lieu thereof "administrator"

AMENDMENT NO. 33

On page 21, line 23, after "personnel" delete "of" and on line 24 delete "the office of regulatory services," and insert in lieu thereof "who administer programs and services under Louisiana Employment Security Law."

AMENDMENT NO. 34

On page 22, line 3, delete "of the office of" and on line 4 delete "regulatory services"

AMENDMENT NO. 35

On page 22, delete lines 14 and 15 in their entirety and insert in lieu thereof "under Louisiana Employment Security Law."

AMENDMENT NO. 36

On page 22, line 20, delete "the office of" and on line 21 delete "regulatory services" and insert in lieu thereof "under Louisiana Employment Security Law"

AMENDMENT NO. 37

On page 24, line 21, delete "workplace and"

AMENDMENT NO. 38

On page 24, line 26, after "R.S. 32:301(C)(1)," and before "308(B)," insert "304(A)(6), 306(B),"

AMENDMENT NO. 39

On page 25, between lines 12 and 13, insert the following:

"§304. Powers and duties of secretary of labor

A. In addition to the functions, powers, and duties otherwise vested in the secretary by law, he shall:

\* \* \*

(6) Act as the sole agent of the state and administrator of the Louisiana Employment Security Law or, in necessary cases, designate one or more of the offices within the department ~~or its assistant secretary~~ to cooperate with the federal government and with other state and local agencies in matters of mutual concern and in the administration of federal funds granted to the state or directly to the department or an office thereof to aid in the furtherance of any function of the department and its offices. For this purpose he may take such actions, in accordance with applicable state law, necessary to meet such federal standards as are established for the administration and use of such federal funds, except as otherwise specifically provided in this Title or by the constitution and laws of this state.

\* \* \*

§306. Undersecretary; functions; office of management and finance

\* \* \*

B. The undersecretary shall direct and be responsible for the functions of the office of management and finance within the Department of Labor. In such capacity he shall be responsible for accounting and budget control, procurement and contract management, ~~data processing,~~ management and program analysis, personnel management, and grants management for the department and all of its offices, including all agencies transferred to the Department of Labor, except as otherwise specifically provided in this Title. He shall employ, appoint, remove, assign, and promote such personnel as is necessary for the efficient administration of the office of management and finance and the performance of its powers, duties, functions, and responsibilities, in accordance with applicable civil service laws, rules, and regulations, and with policies and rules of the department, all subject to budgetary control and applicable laws. The undersecretary shall exercise all powers and authority granted to him in this Title subject to the overall direction and control of the secretary.

\* \* \*

AMENDMENT NO. 40

On page 25, line 15, delete "workplace and"

AMENDMENT NO. 41

On page 25, line 23, after "handicapped;" delete the remainder of the line

AMENDMENT NO. 42

On page 25, line 25, after "employment" insert "security and employment"

AMENDMENT NO. 43

On page 26, line 2, after "affecting" delete the remainder of the line and on line 3 delete "and"

AMENDMENT NO. 44

On page 26, line 8, after "laws;" insert "the formulation of policy relative to labor apprenticeship;"

AMENDMENT NO. 45

On page 26, line 13, after "relating to" insert "data processing and"

AMENDMENT NO. 46

On page 26, line 17, delete "Internal security unit;" and insert in lieu thereof "Audit and security division;"

AMENDMENT NO. 47

On page 26, line 18, after "The" delete the remainder of the line and insert in lieu thereof "Audit and security division of the Department of"

AMENDMENT NO. 48

On page 26, line 23, delete "~~internal~~" and change "unit" to "division"

AMENDMENT NO. 49

On page 27, delete lines 12 and 13 in their entirety and insert in lieu thereof "administrator of Louisiana Employment Security Law."

AMENDMENT NO. 50

On page 27, line 22, delete "the office of" and insert in lieu thereof "any office" and on line 23 delete "regulatory services" and after "Labor" and before the comma "," insert "in its capacity of administering Louisiana Employment Security Law"

AMENDMENT NO. 51

On page 28, line 15, delete "of the office of regulatory" and on line 16 delete "services of the state" and insert in lieu thereof "under Louisiana Employment Security Law"

AMENDMENT NO. 52

On page 28, line 19, delete "office of" and delete line 20 and insert in lieu thereof "administrator of Louisiana Employment Security Law."

AMENDMENT NO. 53

On page 29, line 7, delete "office of" and on line 8 delete "regulatory services" and insert in lieu thereof "administrator of Louisiana Employment Security Law"

AMENDMENT NO. 54

On page 29, line 17, after "by the" delete the remainder of the line and insert in lieu thereof "administrator of Louisiana Employment Security Law."

AMENDMENT NO. 55

On page 29, line 25, delete "workplace" and on line 26 delete "and"

AMENDMENT NO. 56

On page 30, lines 10, after "(vi)" delete the remainder of the line and on line 11 delete "the" and insert in lieu thereof "The"

AMENDMENT NO. 57

On page 30, line 20, after "by the" delete the remainder of the line and on line 21 delete "services of the Department of Labor" and insert in lieu thereof "administrator of Louisiana Employment Security Law"

AMENDMENT NO. 58

On page 31, line 6, after "official" delete "of the office of regulatory services" and insert in lieu thereof "under Louisiana Employment Security Law"

AMENDMENT NO. 59

On page 31, line 15, after "from a decision" delete the remainder of the line and on line 16 delete "services," and insert in lieu thereof "under Louisiana Employment Security Law."

AMENDMENT NO. 60

On page 32, line 2, delete "office of" and on line 3 delete "regulatory services of the Department of Labor" and insert in lieu thereof "administrator of Louisiana Employment Security Law"

AMENDMENT NO. 61

On page 32, line 21, delete "office of regulatory services" and insert in lieu thereof "administrator of Louisiana Employment Security Law"

AMENDMENT NO. 62

On page 33, line 20, delete "office of regulatory services;" and insert in lieu thereof "administrator of Louisiana Employment Security Law."

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AMENDMENT NO. 63

On page 34, line 17, delete "to the office of regulatory services." and insert in lieu thereof "under Louisiana Employment Security Law."

AMENDMENT NO. 64

On page 35, line 9, after "1997," insert "and such department shall commence reconfiguration in accordance with this Act which shall be completed on or before June 30, 1998,"

AMENDMENT NO. 65

On page 35, line 14, change "Section 5" to "Section 12"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1506 by Senator Ellington

AMENDMENT NO. 1

In House Committee Amendment #11 proposed by the House Committee on Labor and Industrial Relations to Reengrossed Senate Bill No. 1506, on line 10 change "the" to " ", the" and on line 11 following "or" and before "designee" insert "his"

AMENDMENT NO. 2

In House Committee Amendment #20 proposed by the House Committee on Labor and Industrial Relations to Reengrossed Senate Bill No. 1506, on line 18 before "655" delete "\$"

AMENDMENT NO. 3

In House Committee Amendment #23 proposed by the House Committee on Labor and Industrial Relations to Reengrossed Senate Bill No. 1506, on line 41 change "department" to "Department"

AMENDMENT NO. 4

On page 5, line 20, at the beginning of the line delete "office of"

AMENDMENT NO. 5

On page 13, line 8 and page 25, lines 9 and 10, following "office of" and before "compensation" change "worker's" to "workers"

AMENDMENT NO. 6

On page 13, line 20, following "September" and before "following" change "1" to "first"

AMENDMENT NO. 7

On page 25, line 7, before "workforce" delete "workplace and"

AMENDMENT NO. 8

On page 25, line 24, before "customer" delete the semicolon ";"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Guillory to Reengrossed Senate Bill No. 1506 by Senator Ellington

AMENDMENT NO. 1

Delete Amendment No. 36 of the set of Amendments proposed by the House Committee on Labor and Industrial Relations and adopted by the House on June 2, 1997.

AMENDMENT NO. 2

On page 22, line 20, after "and" delete "the office of" and on line 21 delete "regulatory services" and insert in lieu thereof "under Louisiana Employment Security Law"

AMENDMENT NO. 3

On page 25, line 7, after "office of" delete "workplace and"

Senator Ellington moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—38

NAYS

Total—0

ABSENT

Bagneris
Total—1

The Chair declared the amendments proposed by the House were concurred in. Senator Ellington moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1512—

BY SENATOR COX

AN ACT

To amend and reenact R.S. 22:215(A)(2) and 215.4, relative to health and accident insurance; to provide coverage for certain unmarried students under the age of twenty-four; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Reengrossed Senate Bill No. 1512 by Senator Cox

AMENDMENT NO. 1

On page 1, line 14, after "insurance" insert "or similar coverage issued by a health maintenance organization"

AMENDMENT NO. 2

On page 2, line 17, after "policy" insert "or health maintenance organization subscriber agreement"

AMENDMENT NO. 3

On page 2, line 25, after "of a" delete "physician." and insert in lieu thereof "qualified psychiatrist, subject, if deemed necessary by the insurer or health maintenance organization, to a second opinion."

AMENDMENT NO. 4

On page 2, line 26, after "student" insert "and from holding self-sustaining employment"

AMENDMENT NO. 5

On page 3, line 10, after "policy" insert "or health maintenance organization subscriber agreement"

AMENDMENT NO. 6

On page 3, line 21, after "of a" insert "qualified psychiatrist, subject, if deemed necessary by the insurer or health maintenance organization, to a second opinion."

AMENDMENT NO. 7

On page 3, at the beginning of line 22, delete "physician." and after "student" insert "and from holding self-sustaining employment"

AMENDMENT NO. 8

On page 4, line 1, after "policies" insert "or health maintenance organization subscriber agreements"

Senator Cox moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoi, Barham, Bean, Branch, Cain, Campbell, Cox, Cravins, Dardenne, Dyess, Ellington, Fields, Total—35; Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jordan, Lambert, Landry, Total—35; Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo, Total—35

NAYS

Total—0

ABSENT

Table with 2 columns: Mr. President, Bagneris, Total—4; Casanova, Dean

The Chair declared the amendments proposed by the House were concurred in. Senator Cox moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1514— BY SENATORS BAJOIE, HAINKEL, BAGNERIS, JORDAN AND SHORT AN ACT

To amend and reenact Sections 4(C) and 20 of Act No. 305 of the 1978 Regular Session of the Legislature, as amended by Act No. 657 of the 1979 Regular Session of the Legislature, Act No. 99 of the 1980 Regular Session of the Legislature, Act No. 9 of the 1980 Second Extraordinary Session of the Legislature, Act No. 287 of the 1982 Regular Session of the Legislature, Act No. 572 of the 1984 Regular Session of the Legislature, Act No. 390 of the 1987 Regular Session of the Legislature, Act No. 43 of the 1992 Regular Session of the Legislature, Act No. 1013 of the 1993 Regular Session of the Legislature, and Acts 13 and 42 of the 1994 Regular Session of the Legislature, and to amend and reenact Section 1 of Act 1096 of the 1995 Regular Session of the Legislature and Section 1 of Act 45 of the 1996 Regular Session of the Legislature concerning a provision for a certain capital outlay project, and to enact Section 4(P) of Act No. 305 of the 1978 Regular Session of the Legislature, all relative to the Ernest N. Morial Convention Center-New Orleans; to provide to the New Orleans Exhibition Hall Authority authorizations for the acquisition of property; to provide for values for property acquired or disposed of; to provide for expansion projects and the sites thereof; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1514 by Senator Bajoie

AMENDMENT NO. 1

On page 6, line 16, before "ERNEST" change "/N005" to "/N05" and following "MORIAL" and before "NEW" delete the hyphen "-" and on line 18, before "ERNEST" change "50/N005" to "50/N05" and on page 8, line 2, following "hereof." insert " " "

Senator Bajoie moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoi, Barham, Branch, Cain, Campbell, Casanova, Cox, Dardenne, Dean, Dyess, Ellington, Fields, Total—35; Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jordan, Lambert, Landry, Total—35; Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo, Total—35

NAYS

Total—0

ABSENT

Table with 2 columns: Mr. President, Bagneris, Total—4; Bean, Cravins

The Chair declared the amendments proposed by the House were concurred in. Senator Bajoie moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

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

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1529 by Senator Hainkel

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AMENDMENT NO. 1

On page 4, line 16, before "Except" insert "D.(1)" and on line 20, change "(1)" to "(2)" and on line 26, change "(2)" to "(3)" and on page 5, line 6, change "(3)" to "(4)"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Reengrossed Senate Bill No. 1529 by Senator Hainkel

AMENDMENT NO. 1

On page 6, delete lines 7 through 12 in their entirety and insert in lieu thereof the following:

"Section 2. This Act shall become effective upon approval of a majority of the members present and voting at a joint committee meeting of the House and Governmental Affairs Committee and the Senate and Governmental Affairs Committee after testimony by the State Ethics Commission regarding the legality of each provision hereof."

Senator Hainkel moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

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

The Chair declared the amendments proposed by the House were rejected. Senator Hainkel moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 1530—

BY SENATORS CRAVINS AND ROMERO AND REPRESENTATIVE HUDSON

AN ACT

To amend and reenact R.S. 17:3217(11) and to enact Part III-B of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1823, Part III-C of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1824, Part III-D of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1825, Part III-E of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1826, and R.S. 17:3217(12), (13), (14) and (15), relative to institutions of higher education; to establish the Gulf Coast Community and

Technical College; to establish the River Parishes Community College; to establish the West Bank Community College; to establish the Louisiana Delta Community College; to provide for the campuses of such institutions; to provide for the governance of such institutions; to provide for an arts and sciences division at each campus of such institutions; to provide relative to the management, operation, and programming of such institutions; and to provide for related matters.

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

SENATE BILL NO. 1549 (Substitute for SB No. 1448 by Senator Hollis)—

BY SENATORS HOLLIS, SCHEDLER AND ULLO AN ACT

To enact Subpart B of Part II of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2115.11 through 2115.22, and to redesignate R.S. 40:2100 through 2115 as Subpart A of Part II of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, relative to hospitals; to authorize the attorney general to review and approve or disapprove the acquisition of certain hospitals; to provide for criteria for such review and procedures; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 1549 by Senator Hollis

AMENDMENT NO. 1

On page 2, line 9, after "no" and before "hospital" insert "not for profit"

AMENDMENT NO. 2

On page 2, line 17, after "in a" and before "hospital," insert "not for profit"

AMENDMENT NO. 3

On page 3, line 11, after "acquire a" and before "hospital" insert "not for profit"

AMENDMENT NO. 4

On page 3, line 11, after "without" and before "first" insert "the seller"

AMENDMENT NO. 5

On page 5, delete lines 9 through 12 in their entirety

AMENDMENT NO. 6

On page 6, line 20, after "value of" and before "assets" insert "charitable"

AMENDMENT NO. 7

On page 6, line 25, after "the" and before "exercised" delete "hospital" and insert in lieu thereof "hospital's board of directors"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1549 by Senator Hollis

AMENDMENT NO. 1

On page 9, line 14, before "No" insert "A." and on line 25, before "Any" insert "B."



Senator Hollis moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Landry
Total—1

ABSENT

Mr. President
Total—2
Bagneris

The Chair declared the amendments proposed by the House were concurred in. Senator Hollis moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1550 (Substitute for SB No. 1046 by Senator Ellington)—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 56:305(B)(15) and 320(A)(1) and to enact R.S. 56:8(131), 302.3(B)(6), 305(B)(16), 320(A)(5) and 322(E)(5) relative to fishing gear; to provide definitions; to authorize the use of certain types of gear; to provide for fees; to provide for limitations; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Reengrossed Senate Bill No. 1550 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 2, delete "305(B)(15) and"

AMENDMENT NO. 2

On page 1, line 3, change "305(B)(16)," to "and" and delete "and 322(E)(5)"

AMENDMENT NO. 3

On page 1, line 8, delete "305(B)(15) and" and change "are" to "is"

AMENDMENT NO. 4

On page 1, line 9, change "305(B)(16)," to "and" and at the end of the line delete "and" and on line 10, delete "322(E)(5)"

AMENDMENT NO. 5

On page 2, delete lines 14 through 27 in their entirety

AMENDMENT NO. 6

On page 3, at the end of line 11, add the following:

"Recreational wire nets authorized for use under the provisions of this Section shall be used only in the geographical areas located north of Interstate 12 from where it crosses the Louisiana/Mississippi state line westward to the city of Baton Rouge, in the geographical areas located north of US Highway 190 from the city of Baton Rouge westward to the town of Ragley, and in the geographical areas located north of Louisiana Highway 12 from the town of Ragley westward to where it crosses the Louisiana/Texas state line."

AMENDMENT NO. 7

On page 3, delete lines 18 through 27 in their entirety

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hammett to Reengrossed Senate Bill No. 1550 by Senator Ellington

AMENDMENT NO. 1

Delete Committee Amendments No. 1, 2, 3, 4, 5, and 7 proposed by the Committee on Natural Resources and adopted by the House on May 30, 1997

Senator Ellington moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoié, Barham, Bean, Branch, Cain, Campbell, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Total—37; Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry; Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Bagneris
Total—2
Casanova

The Chair declared the amendments proposed by the House were concurred in. Senator Ellington moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1552 (Substitute for SB 739 by Senator Heitmeier)—

BY SENATORS IRONS, DARDENNE, EWING AND ULLO

AN ACT

To amend and reenact R.S. 46:1608(E) and to enact R.S. 46:932(13) and (14), relative to the office of elderly affairs; to require the office to develop a plan for the delivery of services to the elderly; to provide for reporting of the plan; to authorize the office to approve additional senior centers; to provide relative to

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funding the parish councils on aging; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 1552 by Senator Irons

AMENDMENT NO. 1

On page 2, at the end of line 8, add "with private organizations and"

Senator Irons moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Total-37; Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry; Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Total-0

ABSENT

Mr. President Bagneris Total-2

The Chair declared the amendments proposed by the House were concurred in. Senator Irons moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1553 (Substitute for SB 741 by Senator Heitmeier)

BY SENATORS IRONS, DARDENNE, EWING, HINES, CASANOVA, BAJOIE, DYESS, LANDRY, SCHEDLER AND ULLO

AN ACT

To amend and reenact R.S. 14:403.2(B)(2), (D)(1), (E)(7), and the introductory paragraph of (K) and to enact R.S. 14:403.2(B)(11), (D)(3), and (F)(3), relative to abuse of the elderly; to define terms; to provide for reporting of alleged abuse or neglect; to provide for referral of such reports; to provide for orders of protective custody or judicial commitment; to provide relative to production of certain evidence; to provide for immunity under certain circumstances; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1553 by Senator Irons

AMENDMENT NO. 1

On page 1, lines 2 and 11, following "14:403.2(B)(2)," and before "(E)(7)", delete "(D)(1);"

AMENDMENT NO. 2

On page 2, line 18, following "D." delete the remainder of line 18 and lines 19-21 in their entirety

Senator Irons moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total-0

ABSENT

Mr. President Bagneris Johnson Total-3

The Chair declared the amendments proposed by the House were concurred in. Senator Irons moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1554 (Substitute for SB No. 1231 by Senator Ewing)

BY SENATOR EWING

AN ACT

To enact Subpart A of Part V-A of Chapter 1 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:81 through 84, relative to the Department of Transportation and Development; to create the Louisiana Infrastructure Bank; to provide for a board of directors to govern such bank; to provide for membership, duties, and authority of the board; to require the adoption of bylaws, rules, regulations by the board; to require the state treasurer to serve as chairman of the board; to provide for the receipt, administration, and expenditure of federal grants allotted for the fund; to require approval of all eligible projects by the Department of Transportation and Development; to provide for the capitalization, investment and disposition of the funds; to provide for the length of time of loans; to provide for interest on such loans; to provide for the dedication of revenues by local political subdivisions to pay for such loans; to authorize the infrastructure bank to incur debt and issue bond, notes, or other evidences of indebtedness and to guarantee the debt of other entities; to provide for the manner by which such evidences of indebtedness, guarantees, and pledges shall be authorized, issued, executed and delivered; to require written approval of the State Bond Commission for expenditure of fund or issuance of bonds; to require investment of monies in the fund by the state treasurer; to authorize loans from the fund to local governments, political subdivisions, and private entities;

to require and provide relative to a resolution of the governing authority of a political subdivision prior to the issuance of evidence of indebtedness; to exempt evidence of indebtedness issued by the bank from taxation; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Engrossed Senate Bill No. 1554 by Senator Ewing

AMENDMENT NO. 1

On page 1, line 8, after "the" and before "to" delete "state treasurer" and insert "commissioner of administration"

AMENDMENT NO. 2

On page 4, line 19, after "Development" and before the period "." insert "or his designee"

AMENDMENT NO. 3

On page 4, line 20, after "development" and before the period "." insert "or his designee"

AMENDMENT NO. 4

On page 4, line 21, after "treasurer" and before the period "." insert "or his designee"

AMENDMENT NO. 5

On page 4, line 23, after "Works" and before the period "." insert "or his designee"

AMENDMENT NO. 6

On page 4, line 25, after "Works" and before the period "." insert "or his designee"

AMENDMENT NO. 7

On page 4, between lines 25 and 26, insert the following:

"(f) The chairman of the House Committee on Ways and Means or his designee.

(g) The chairman of the Senate Committee on Revenue and Fiscal Affairs or his designee.

(h) The commissioner of administration or his designee.

(i) The speaker of the House of Representatives or his designee.

(j) The president of the Senate or his designee."

AMENDMENT NO. 8

On page 4, line 26, change "(f)" to "(k)"

AMENDMENT NO. 9

On page 5, line 15, after "The" and before "shall" delete "state treasurer" and insert "commissioner of administration"

AMENDMENT NO. 10

On page 7, line 15, after "projects" and before the period "." insert "subject to prior approval by the State Bond Commission"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 1554 by Senator Ewing

AMENDMENT NO. 1

On page 11, line 15, following "other fee" and before "or" insert a comma ", "

AMENDMENT NO. 2

On page 13, line 4, following "this" and before "shall" change "authority hereof" to "Section"

Senator Ewing moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing yeas for various senators: Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo. Total—37

NAYS

Total—0

ABSENT

Mr. President

Bagneris

Total—2

The Chair declared the amendments proposed by the House were rejected. Senator Ewing moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO.1558 (Substitute for Senate Bill 1534 by Senator Ellington)—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 40:1299.35.5(B)(3), (4), (6), (7), and (10) and (C)(2) and to reenact R.S. 40:1299.35.5(B)(1), (2), (5), (8), (9), (11), (12) and(13), (C)(1), and (D), relative to abortion procedures for minors, to clarify procedural provisions relative to a minor's application for judicial authorization of an abortion; to provide relative to hearings, delays, determinations, the exercise of appellate supervisory power, and expedition; to clarify and provide relative to evaluation and counseling sessions and reports to the court; to provide relative to court notification of parents or guardian of immature minors; to provide for severability; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Engrossed Senate Bill No. 1558 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 10, after "minors;" and before "to provide" insert "to provide relative to legislative intent;"

AMENDMENT NO. 2

On page 6, delete lines 21 through 24 and insert in lieu thereof the following:

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"Section 2. The Legislature of Louisiana hereby declares that the purpose of this Act is to remedy the issues addressed by the United States Court of Appeals, Fifth Circuit decision rendered on April 14, 1997 in Causeway Medical Suite v. Richard P. Ieyoub, No. 95-31178, with regard to Act No. 1254 of the 1995 Regular Session of the Legislature of Louisiana, with the exception of the issue regarding the constitutionality of R.S. 40:1299.35.5(B)(5). By retaining the language of R.S. 40:1299.35.5(B)(5) as enacted by said Act, it is the intention of the legislature in this Act to preserve the language of R.S. 40:1299.35.5(B)(5) for appeal to the United States Supreme Court of the above cited decision."

Senator Ellington moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Cain  
Total—1

**ABSENT**

Mr. President	Bajoie	Landry
Bagneris	Dardenne	
Total—5		

The Chair declared the amendments proposed by the House were concurred in. Senator Ellington moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 1559 (Substitute for Senate Bill No. 1324 by Senators Ewing and Hines)—  
BY SENATORS EWING, HINES AND LANDRY  
AN ACT**

To enact Part VI-A of Chapter 3 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of Subpart A, comprised of R.S. 46:437.1 through 437.10, Subpart B, comprised of R.S. 46:438.1 through 438.8, Subpart C, comprised of R.S. 46:439.1 through 439.4, and Subpart D, comprised of R.S. 46:440.1 through 440.3, and to repeal R.S. 46:442, relative to health services; to create and provide relative to the Medical Assistance Programs Integrity Law; to provide for definitions; to provide for claims review and administrative sanctions; to authorize settlements on behalf of the medical assistance programs; to authorize use of certain legal processes to protect the fiscal integrity of the medical assistance programs; to authorize civil causes of action for certain misconduct relative to the medical assistance programs; to provide for damages, civil fines, penalties, costs, fees, and expenses, and other recovery; to provide for burden of proof and evidence in regard to a civil action instituted pursuant to this Act; to authorize a private person to institute a civil action on behalf of the medical assistance programs and himself, to be known as a "Qui Tam

action"; to provide procedures, limitations, and requirements for a Qui Tam action; to provide relative to recovery in a Qui Tam action; to establish a fund to receive recovery in excess of actual damages to the medical assistance programs; to authorize uses for the monies in the fund; to allow the secretary of the Department of Health and Hospitals to grant limited rewards for certain information that leads to recovery; to provide certain protections and a cause of action for a person who supplies such information; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Rodney Alexander to Reengrossed Senate Bill No. 1559 by Senator Ewing

AMENDMENT NO. 1

On page 16, line 24, delete "9:2974" and insert "9:2794"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Copelin to Reengrossed Senate Bill No. 1559 by Senator Ewing

AMENDMENT NO. 1

On page 31, line 2, change "may" to "shall"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Copelin to Reengrossed Senate Bill No. 1559 by Senator Ewing

AMENDMENT NO. 1

On page 11, at the end of line 23, delete the period "." and add the following:

"except the first mortgage executed upon the property."

Senator Landry moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Mr. President	Bagneris
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Landry moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1561 (Substitute Bill for Senate Bill 95)— BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 32:1(93), 2(C), 3, 388(E) and (F)(1), and 389(A) and R.S. 47:718(B)(1) and (C)(1), 809(A), and 812(C) and to enact R.S. 32:1(99), and 2(D), and R.S. 36:408(B)(3) and 409(C)(8) and R.S. 40:1379.8, all relative to the Weights and Standards Mobile Police; to transfer such police force to the office of state police; to provide for a special fund for penalty fines; and to provide for related matters.

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

SENATE BILL NO. 58— BY SENATOR GUIDRY

AN ACT

To enact R.S. 49:1015(F), relative to employee drug testing; to require drug testing prior to the hiring of certain public employees; to require random drug testing of certain public employees; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 58 by Senator Guidry

AMENDMENT NO. 1

On page 2, line 5, after "(3)" and before "For" insert "(a)"

AMENDMENT NO. 2

On page 2, between lines 7 and 8, insert the following:

"(b) For purposes of this Subsection, "public employer" shall mean the state."

Senator Guidry moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Barham, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Greene, Total—34; Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry, Lentini; Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo

NAYS

ABSENT

Total—0

Table with 3 columns: Mr. President, Bagnieris, Total—5; Bajoie, Bean; Fields

The Chair declared the amendments proposed by the House were concurred in. Senator Guidry moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 161— BY SENATOR JORDAN

AN ACT

To repeal Code of Criminal Procedure Art. 894.1(D)(3), (4), and (5), relative to sentencing guidelines; to repeal certain requirements that the court advise the offender relative to the length of sentence and whether the sentence was enhanced.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 161 by Senator Jordan

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "repeal" insert "amend and reenact Code of Criminal Procedure Art. 894.1(E)(introductory paragraph) and to"

AMENDMENT NO. 2

On page 1, at the end of line 5, change the period "." to a semicolon ";" and add "to provide for victim notification of an offender's length of sentence; and to provide for related matters."

AMENDMENT NO. 3

On page 1, between lines 6 and 7, insert the following:

"Section 1. Code of Criminal Procedure Art. 894.1(E)(introductory paragraph) is hereby amended and reenacted to read as follows:

Art. 894.1. Sentencing guidelines; generally

\* \* \*

E. Before sentencing a defendant for any crime which is a felony, the All victims of felonies who provide a written request to the Department of Public Safety and Corrections, which includes a mailing address, are entitled to receive a written report of the prospective term of imprisonment of their offenders. The Department of Public Safety and Corrections shall furnish to the victim and the sentencing judge within ninety days of commitment a report for the record which includes the following information, in a format to be determined by the Department of Public Safety and Corrections:"

AMENDMENT NO. 4

On page 1, line 7, after "Section" change "1." to "2."

Senator Jordan moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Bajoie, Barham, Bean; Fields, Greene, Guidry; Lentini, Malone, Romero

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Branch	Hainkel	Schedler
Campbell	Heitmeier	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Jordan	Ullio
Dyess	Lambert	
Ellington	Landry	
Total—34		

NAYS

Total—0

ABSENT

Mr. President	Cain	Robichaux
Bagneris	Hines	
Total—5		

The Chair declared the amendments proposed by the House were concurred in. Senator Jordan moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 176—**  
BY SENATOR GUIDRY

AN ACT

To amend and reenact R.S. 18:1463(B), relative to election offenses; to prohibit the unauthorized use of a person's photograph or likeness on any sample ballot, political campaign pamphlet or other political material which falsely alleges endorsement or support by another candidate or person; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 176 by Senator Guidry

AMENDMENT NO. 1

On page 1, line 15, after "no" and before "person" delete "natural"

AMENDMENT NO. 2

On page 2, line 6, after "No" and before "person" delete "natural"

AMENDMENT NO. 3

On page 2, delete lines 8 through 10 in their entirety and insert "unofficial sample ballot which falsely states, with"

AMENDMENT NO. 4

On page 2, at the end of line 13 insert the following:

"This prohibition shall include the use of a photograph or likeness of any person used to falsely state, with an intent to misrepresent, support by that person."

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 176 by Senator Guidry

AMENDMENT NO. 1

On page 1, line 3, following "unauthorized" delete the remainder of the line and insert "printing, distribution, transportation, or transmission of"

AMENDMENT NO. 2

On page 1, line 4, following "ballot" delete the remainder of the line and on line 5, delete "material"

Senator Guidry moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Bagneris	Dyess
Total—3		

The Chair declared the amendments proposed by the House were rejected. Senator Guidry moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 253—**  
BY SENATOR HINES

AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

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

AMENDMENT NO. 1

On page 1, line 2, change "40:5.5(C) and (D)," to "40:5.5(C), (D), and (E)."

AMENDMENT NO. 2

On page 1, line 8, after "establishment;" and before "and to" insert "to provide for local regulation;"

AMENDMENT NO. 3

On page 1, line 10, change "40:5.5(C) and (D)" to "40:5.5(C), (D), and (E)"

AMENDMENT NO. 4

On page 2, line 12, change "include, but not be limited to," to "include but not be limited to"

AMENDMENT NO. 5

On page 2, at the end of line 15, add the following:

"The office shall approve training programs administered or approved by another state, a political subdivision, or other jurisdiction with standards that meet or exceed those established by this Subsection."

AMENDMENT NO. 6

On page 2, line 21, after "providing" and before "training" insert "approved"

AMENDMENT NO. 7

On page 3, line 2, delete "restaurant" and insert "food service establishment"

AMENDMENT NO. 8

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

"D. No parish or municipality shall adopt or enforce any ordinance or regulation requiring a food service establishment or any of its employees to complete a food safety training program or test."

AMENDMENT NO. 9

On page 3, at the beginning of line 5, change "D." to "E."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Pratt to Reengrossed Senate Bill No. 253 by Senator Hines

AMENDMENT NO. 1

On page 32, line 23, change "applicant" to "food service establishment"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Copelin to Reengrossed Senate Bill No. 253 by Senator Hines

AMENDMENT NO. 1

On page 3, line 3, after "less than" and before "thousand" delete "fifty" and insert "one hundred and twenty-five"

Senator Hines moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Branch  
Total—1

ABSENT

Mr. President  
Total—2

Bagneris

The Chair declared the amendments proposed by the House were rejected. Senator Hines moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 320—**

BY SENATORS LENTINI, SCHEDLER, BARHAM, BEAN, CAIN, CAMPBELL, CASANOVA, COX, DARDENNE, DEAN, DYESS, ELLINGTON, FIELDS, GREENE, GUIDRY, HAINKEL, HEITMEIER, HINES, HOLLIS, JONES, JORDAN, LAMBERT, LANDRY, MALONE, ROBICHAUX, ROMERO, SHORT, SMITH, TARVER, AND ULLO

A JOINT RESOLUTION

Proposing to amend Article VII, Section 18(A) and to add Article VII, Section 18(G) of the Constitution of Louisiana, relative to creating a special assessment level for homestead exempt property of persons sixty-five years of age or older; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Ways and Means to Reengrossed Senate Bill No. 320 by Senators Lentini, et al.

AMENDMENT NO. 1

On page 3, delete lines 8 and 9 in their entirety, and insert the following:

"(c) That owner or such surviving spouse continues to claim the special assessment level and does not notify the assessor otherwise."

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 320 by Senator Lentini

AMENDMENT NO. 1

On page 4, line 3, change "ceiling" to "limitation"

AMENDMENT NO. 2

On page 4, line 4, change "ceiling" to "limitation"

AMENDMENT NO. 3

On page 4, line 5, after "which" delete the remainder of the line and add "certain homeowners reach the"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 320 by Senator Lentini

AMENDMENT NO. 1

Delete House Committee Amendment No. 1 proposed by the House Committee on Ways and Means and adopted by the House on June 13, 1997.

AMENDMENT NO. 2

On page 2, line 21, after "Government," delete the remainder of the line and delete line 22 and insert the following:

"The income requirement to receive the special assessment level must be met annually by the person or persons

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receiving the special assessment level. An eligible owner shall annually apply for the special assessment level by filing a signed application establishing that the owner qualifies for the special assessment level with the"

Senator Lentini moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajorie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo. Total—37

NAYS

Total—0

ABSENT

Mr. President Bagneris
Total—2

The Chair declared the amendments proposed by the House were rejected. Senator Lentini moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 321—
BY SENATOR MALONE AND REPRESENTATIVE BRUN
A JOINT RESOLUTION

Proposing to amend Article I, Section 10 of the Constitution of Louisiana, relative to the right to vote; to prohibit convicted felons from seeking or holding public office; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 321 by Senator Malone

AMENDMENT NO. 1
On page 1, line 4, after "office" and before the semi-colon ";" insert "within a certain time period"

AMENDMENT NO. 2
On page 1, line 12, change "elected" to "elective"

AMENDMENT NO. 3
On page 2, line 4, after "candidate for" change "elected" to "elective"

AMENDMENT NO. 4
On page 2, at the beginning of line 5 delete "elected" insert "public elective"

AMENDMENT NO. 5
On page 2, at the beginning of line 6, change "(1) Those persons who have" to "(1) A person who has"

AMENDMENT NO. 6
On page 2, line 7, after "and who" and before "exhausted" change "have" to "has"

AMENDMENT NO. 7
On page 2, at the end of line 7 after "or who" change "have" to "has"

AMENDMENT NO. 8
On page 2, at the end of line 9 delete "and who" and delete lines 10 and 11 in their entirety and insert "which, if committed in this state, would be a felony and who has exhausted all legal remedies and has not afterwards been pardoned either by"

AMENDMENT NO. 9
On page 2, line 15, after "(2)" and before "actually" change "Those persons" to "A person"

AMENDMENT NO. 10
On page 2, delete lines 17 through 21 in their entirety and insert the following:

"(C) Exception. Notwithstanding the provisions of Paragraph (B) of this Section, a person who desires to qualify as a candidate for or hold an elective office, who has been convicted of a felony and who has served his sentence, but has not been pardoned for such felony, shall be permitted to qualify as a candidate for or hold such office if the date of his qualifying for such office is more than fifteen years after the date of the completion of his original sentence."

AMENDMENT NO. 11
On page 3, line 3, after "office" and before "and" insert "within fifteen years of completion of sentence"

AMENDMENT NO. 12
On page 3, at the beginning of line 4 delete "a gubernatorial"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 321 by Senator Malone

AMENDMENT NO. 1
In House Committee Amendment No. 9, proposed by the House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 321 by Senator Malone on line 24, at the end of the line delete "persons"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Green to Engrossed Senate Bill No. 321 by Senator Malone and Representative Brun

AMENDMENT NO. 1
In House Committee Amendment No. 10 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 13, 1997 on page 2, line 1, delete "Exception." and insert "Exceptions. (1)"

AMENDMENT NO. 2
In House Committee Amendment No. 10 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 13, 1997 on page 2, line 4, after "felony" and before "and who has" insert "for which the person was incarcerated"



AMENDMENT NO. 3

In House Committee Amendment No. 10 proposed by the House Committee on House and Governmental Affairs and adopted by the House of Representatives on June 13, 1997 on page 2, line 8, after "sentence," insert the following:

"(2) Notwithstanding the provisions of Paragraph (B) of this Section, a person who desires to qualify as a candidate for or hold an elective office, who has been convicted of a felony for which the person was not incarcerated but who received probation for such felony shall be permitted to qualify as a candidate for or hold such office after successful completion of the probation period."

Senator Malone moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members who voted 'YEAS' in three columns: Bajoi, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Total—32; Ellington, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan; Lambert, Lentini, Malone, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen.

NAYS

Table listing names of members who voted 'NAYS': Dyess, Landry, Total—4; Robichaux, Ullo.

ABSENT

Table listing names of members who were 'ABSENT': Mr. President, Total—3; Bagneris, Fields.

The Chair declared the amendments proposed by the House were concurred in. Senator Malone moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 361— BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 14:102.2 and 102.6 and to enact R.S. 15:436.2, relative to animals; to provide for the disposition of animals impounded as a result of animal cruelty cases; to provide for notice of seizure; to require persons claiming interest in seized animal to post bond for reasonable costs incurred in the boarding and treatment of such animal; to provide for use of photographs as evidence; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 361 by Senator Greene

AMENDMENT NO. 1

On page 1, line 16, after "shall" and before "of the provisions" delete "give notice" and insert "notify the owner of the seized animal"

AMENDMENT NO. 2

On page 2, line 1, after "Section" delete the remainder of the line and insert "by posting written notice at"

AMENDMENT NO. 3

On page 2, line 4, after "seizure," delete the remainder of the line and delete lines 5 and 6

AMENDMENT NO. 4

On page 2, line 7, after "animal" and before "and shall" insert "within fifteen days after posting of the notice of seizure"

AMENDMENT NO. 5

On page 2, line 15, after "fifteen" and before "after" change "days" to "consecutive days including weekends and holidays."

AMENDMENT NO. 6

On page 2, line 26, after "period" and before the period "." insert "commencing on the date of initial seizure"

AMENDMENT NO. 7

On page 3, line 11, after "department" and before "of the animal" change "or agency having custody" to "agency, humane society, or other custodian"

AMENDMENT NO. 8

On page 3, line 15, after the period "." and before "The amount" insert "In addition, such bond shall not prevent disposition of the animal for humane purposes at any time, in accordance with Subsection E of this Section."

AMENDMENT NO. 9

On page 3, line 16, after "determined by" delete the remainder of the line and insert "the department, agency, humane society or other custodian of the animal as"

AMENDMENT NO. 10

On page 3, line 24, after "sentence." and before "In the event" insert the following:

"The court may, in its discretion, order the payment of any reasonable or additional costs incurred in the boarding or veterinary treatment of any seized animal prior to its disposition, whether or not a bond was posted by the defendant."

AMENDMENT NO. 11

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

"E. Nothing in this Section shall prevent the euthanasia of any seized animal, at any time, whether or not any bond was posted, if a licensed veterinarian determines that the animal is not likely to survive and is suffering, as a result of any physical condition. In such instances, the court, in its discretion, may order the return of any bond posted, less reasonable costs, at the time of trial."

AMENDMENT NO. 12

On page 5, line 9, after "of a" and before "suitable" delete "licensed veterinarian or other"

AMENDMENT NO. 13

On page 5, line 12, after "The" and before "so named" delete "veterinarian" and insert "custodian"

AMENDMENT NO. 14

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

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"The court may also in its discretion, order the forfeiture of the bond posted, as well as payment of any reasonable or additional costs incurred in the boarding or veterinary treatment of any seized dog, as provided in R.S. 14:102.2."

AMENDMENT NO. 15
On page 7, delete lines 6 through 8

AMENDMENT NO. 16
On page 7, line 13, after "using" and before "photographs" delete "the animal or" and after "defense" change the period "." to a comma "," and add the following:
"nor shall the defendant be prohibited from using the animal as part of his defense, except if there has been a prior disposition of the animal as provided by R.S. 14:102.2 or 102.6."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Brun to Reengrossed Senate Bill No. 361 by Senator Greene

AMENDMENT NO. 1
On page 1, line 2, change "14:102.2" to "14:102.1(B)(1), 102.2,"

AMENDMENT NO. 2
On page 1, line 3, after "animals" and before "to provide" insert "to provide for the crime of aggravated cruelty to animals;"

AMENDMENT NO. 3
On page 1, line 10, change "14:102.2" to "14:102.1(B)(1), 102.2,"

AMENDMENT NO. 4
On page 1, between lines 11 and 12 insert the following:

"§102.1. Cruelty to animals; simple and aggravated

\* \* \*

B.(1) Any person who intentionally or with criminal negligence tortures, maims, or mutilates, or maliciously kills any living animal, whether belonging to himself or another, shall be guilty of aggravated cruelty to animals.

\* \* \*

Senator Greene moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Total—37; Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry; Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo

NAYS

Total—0

ABSENT

Mr. President Bagneris
Total—2

The Chair declared the amendments proposed by the House were concurred in. Senator Green moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 394—
BY SENATOR HEITMEIER
AN ACT

To enact R.S. 11:1921(C), relative to the Parochial Employees' Retirement System; to provide for optional membership for persons fifty-five years of age or older who have forty quarters credit in Social Security; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

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

AMENDMENT NO. 1
On page 1, line 2, between "To" and "enact" insert "amend and reenact R.S. 11:1921(A)(3)(b), and to"

AMENDMENT NO. 2
On page 1, at the end of line 4, add "provide an option for school board members to terminate participation; to provide regarding refunds; to"

AMENDMENT NO. 3
On page 1, line 8, between "Section 1." and "R.S. 11:1921(C)" insert "R.S. 11:1921(A)(3)(b) is hereby amended and reenacted and"

AMENDMENT NO. 4
On page 1, between line 9 and 10 insert:

"A. The membership of this system shall be composed of all employees not specifically excluded by the provisions of this Part, as follows:

(3) \* \* \*

(b)(i) Membership for members of school boards, who are not eligible for membership in any other public retirement system in this state, shall be optional, and they shall have one year after taking the oath of office to elect to become members, provided they are otherwise eligible. No credit shall be given for any prior school board service. Members of school boards shall be eligible to purchase prior service credit on an actuarial basis and subject to the provisions of R.S. 11:158.

(ii) From August 15, 1997, to January 15, 1998, any public school board member who is a member of this system shall have the option of terminating membership in this system. This option shall not be available after January 15, 1998. Each member who elects to terminate membership in this system shall provide thirty days written notice to the system of that election. Each person who elects to withdraw from this system shall receive a refund of the contributions paid by that member."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hill to Engrossed Senate Bill No. 394 by Senator Heitmeier

AMENDMENT NO. 1

In Amendment No. 4 proposed by the House Committee on Retirement and adopted by the House on June 10, 1997, on page 1, line 30, between "Each" and "who" change "person" to "school board member"

AMENDMENT NO. 2

In Amendment No. 4 proposed by the House Committee on Retirement and adopted by the House on June 10, 1997, on page 1, line 31, between "system" and "shall" add a comma "," and insert "and who remains in-service after such election shall, at the member's option and only upon attaining the earliest age and service eligibility requirements, receive either the benefits for which the member is eligible, if any, or"

AMENDMENT NO. 3

In Amendment No. 4 proposed by the House Committee on Retirement and adopted by the House on June 10, 1997, on page 1, at the end of line 32, add "Each school board member who makes such an election and who remains in-service and who receives a refund of contributions upon termination of employment, shall receive interest on such refunded funds for the period of time that the funds were maintained by the system after the election, equal to the overall portfolio earnings rate, reduced by one-half of one percent. Each school board member not eligible for retirement benefits who terminates employment at the time of the election shall be eligible to receive a refund of accumulated contributions, without interest."

Senator Heitmeier moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Bagneris
Total—2	

The Chair declared the amendments proposed by the House were rejected. Senator Heitmeier moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 425—**  
BY SENATOR HEITMEIER

AN ACT

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

to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 425 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 2, between "R.S. 11:181(A)" and the comma "," delete "and to repeal R.S. 11:182"

AMENDMENT NO. 2

On page 3, delete line 1 in its entirety, and on page 3, at the beginning of line 2, change "Section 3." to "Section 2."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Holden to Engrossed Senate Bill No. 425 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 11:181(A)," insert "and to enact R.S. 11:430,"

AMENDMENT NO. 2

On page 1, line 7, between the semi-colon ";" and "to" insert "to provide with respect to the purchase of service credit if member is covered by the settlement of "United States v. Louisiana Department of Transportation and Development, et al."; to provide with respect to employee and employer contributions relative thereto;"

AMENDMENT NO. 3

On page 1, line 11, between "reenacted" and "to" insert "and R.S. 11:430 is hereby enacted"

AMENDMENT NO. 4

On page 2, after line 27, add:

"§430. Credit for settlement of "United States v. Louisiana Department of Transportation and Development, et al."

A. Any member of the Louisiana State Employees' Retirement System who is reinstated to his job, or who receives a back pay award, or both, as a result of the settlement of the lawsuit entitled "United States v. Louisiana Department of Transportation and Development, et al.", bearing Docket Number C.A. 87-0331, of the United States District Court, Middle District of Louisiana, shall be entitled to purchase credit for service commensurate to such award and subject to the provisions set forth in this Section.

B. Any person covered by this Section may purchase such credit at any time prior to his application for retirement by submitting his request in writing and paying the actuarial value of the contributions that would have been made if he had not been terminated from employment in the manner that was made the subject of the referenced lawsuit subject to the provisions of R.S. 11:158.

C. If the consent decree that was approved by the court in the lawsuit referenced in Subsection A of this Section is modified or amended by the court, or if any subsequent court order is entered relative thereto, to provide that the employer shall pay all or any part of the contributions due for any plaintiff class member to receive retirement credit, then such contributions shall be deemed to be part of the employer portion of the normal cost of the applicable retirement system and such contributions, as specified in the decree or order, shall be made in accordance with Article X, Section 29(E) of the Louisiana Constitution. Notwithstanding the provisions of Subsection B

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of this Section, the plaintiff class member shall only be required to pay that actuarial portion of the contributions that are expressly required by the modified or amended consent decree or any subsequent court order entered relative thereto, if any, and the member shall receive credit commensurate to all contributions made on his behalf.

\* \* \*

Senator Heitmeier moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, Name. Includes Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Total—36.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, NAYS, Name. Includes Mr. President, Bagneris, Hollis, Total—3.

The Chair declared the amendments proposed by the House were rejected. Senator Heitmeier moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 426— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:2253(A)(1), relative to the Firefighters' Retirement System; to provide with respect to membership in the system; to establish a membership age limit; to provide for re-employment of a retiree without suspension of benefits; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 426 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, at the end of line 4, delete "re-", and on page 1, delete line 5 in its entirety

AMENDMENT NO. 2

On page 1, line 16, between the comma "," and "shall" insert "and who has not yet attained age fifty."

AMENDMENT NO. 3

On page 1, line 16, between "member" and "as" insert "of this system"

AMENDMENT NO. 4

On page 2, line 1, after "employment" change the comma "," to a period "." and delete the remainder of the line, and on page 2, delete lines 2 through 6 in their entirety, and add:

"However, no person who has attained age fifty or over shall become a member of the system, unless the person becomes a member by reason of a merger."

AMENDMENT NO. 5

On page 2, at the beginning of line 7, change "(c)" to "(b)"

Senator Heitmeier moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, YEAS, Name. Includes Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Total—36.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, ABSENT, Name. Includes Mr. President, Bagneris, Jordan, Total—3.

The Chair declared the amendments proposed by the House were concurred in. Senator Heitmeier moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 427— BY SENATOR HEITMEIER

AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 427 by Senator Heitmeier

AMENDMENT NO. 1

On page 2, delete lines 2 through 8 in their entirety, and insert "survivor's benefit. The annual supplemental monthly cost-of-living"

Senator Heitmeier moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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
Dyess	Jordan	Ullo
Ellington	Lambert	
Total—35		

**NAYS**

Landry  
Total—1

**ABSENT**

Mr. President                      Bagneris                      Dean  
Total—3

The Chair declared the amendments proposed by the House were concurred in. Senator Heitmeier moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 447—**  
BY SENATOR JORDAN

**AN ACT**

To amend and reenact Code of Criminal Procedure Art. 899(C), relative to suspended sentence and probation; to provide with respect to arrest or summons for violation of probation; to provide for bail; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Windhorst to Engrossed Senate Bill No. 447 by Senator Jordan

AMENDMENT NO. 1

On page 1, line 12, delete "considered aggravating under C.Cr.P. Art. 905.4" and insert in lieu thereof "involving the victim of a prior offense committed by the defendant"

Senator Jordan moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Ellington	Landry
Barham	Fields	Lentini
Bean	Greene	Malone
Branch	Guidry	Robichaux
Cain	Hainkel	Romero
Campbell	Heitmeier	Schedler
Casanova	Hines	Short
Cox	Hollis	Siracusa

Cravins  
Dardenne  
Dean  
Dyess  
Total—36

Irons  
Johnson  
Jordan  
Lambert

Smith  
Tarver  
Theunissen  
Ullo

**NAYS**

Total—0

**ABSENT**

Mr. President                      Bagneris                      Jones  
Total—3

The Chair declared the amendments proposed by the House were rejected. Senator Jordan moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 448—**  
BY SENATOR JORDAN

**AN ACT**

To enact Code of Criminal Procedure Art. 14.1, relative to general powers of courts; to provide with respect to the right of a person not to be compelled to give evidence against himself; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative McCain to Engrossed Senate Bill No. 448 by Senator Jordan

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "Code" delete "enact" and insert "amend and reenact" and after "Art." and before ", relative to" delete "14.1" and insert "644(A) and (B)"

AMENDMENT NO. 2

On page 1, line 3, after "respect to the" delete the remainder of the line and delete line 4, and insert "appointment of a sanity commission by the court in criminal proceedings; to provide for the composition and qualifications of members of a sanity commission; and to provide for related"

AMENDMENT NO. 3

On page 1, line 7, after "Art." and before "to" delete "14.1 is hereby enacted" and insert "644(A) and (B) are hereby amended and reenacted"

AMENDMENT NO. 4

On page 1, delete lines 9 through 13, and insert the following:

"Art. 644. Appointment of sanity commission; examination of defendant

A. Within seven days after a mental examination is ordered, the court shall appoint a sanity commission to examine and report upon the mental condition of the defendant. The sanity commission shall consist of ~~at least two and not more than three physicians who are three members, two of whom shall be licensed to practice medicine in Louisiana, who have been in the actual practice of medicine for not less than three consecutive years immediately preceding the appointment, and who are qualified by training or experience in forensic evaluations. No more than one member of the commission shall be the coroner or any one of his deputies. The court may appoint, in lieu of one physician,~~ One member of the sanity commission shall be a psychologist who is licensed to practice psychology in Louisiana, who has been engaged in the practice of clinical or counseling psychology for not less than three consecutive years immediately preceding the appointment, and who is qualified by

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training or experience in forensic evaluations. No more than one member of the sanity commission shall be the coroner or any one of his deputies.

B. The ~~physicians~~ members of the sanity commission appointed to make the examination shall have free access to the defendant at all reasonable times. The court shall subpoena witnesses to attend the examination at the request of the defendant, the commission, or any member thereof.

\* \* \*

Senator Jordan moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

	YEAS	
Bajoie	Ellington	Lambert
Barham	Fields	Landry
Bean	Greene	Lentini
Branch	Guidry	Malone
Cain	Hainkel	Robichaux
Campbell	Heitmeier	Romero
Casanova	Hines	Schedler
Cox	Hollis	Short
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones	Theunissen
Dyess	Jordan	Ullo
Total—36		
	NAYS	
Total—0		
	ABSENT	
Mr. President	Bagneris	Siracusa
Total—3		

The Chair declared the amendments proposed by the House were rejected. Senator Jordan moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 449—**  
BY SENATOR JORDAN

AN ACT

To enact R.S. 18:1472, relative to election offenses; to create the crime of "unauthorized opening of voting machines"; to provide for penalties; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 449 by Senator Jordan

AMENDMENT NO. 1

On page 1, line 2, after "create the" and before "of" delete "crime" and insert "offense"

AMENDMENT NO. 2

On page 1, line 10, insert a comma "," after "designee"

AMENDMENT NO. 3

On page 1, line 10, after "person" delete the comma ","

AMENDMENT NO. 4

On page 1, delete line 13 and insert "R.S. 18:573(A) unless ordered to do so by a court of competent jurisdiction."

AMENDMENT NO. 5

On page 1, line 15, after "imprisoned" delete the comma "," and delete the remainder of the line and at the beginning of line 16, delete "hard labor."

Senator Jordan moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

	YEAS	
Bajoie	Fields	Landry
Barham	Greene	Lentini
Bean	Guidry	Malone
Branch	Hainkel	Robichaux
Cain	Heitmeier	Romero
Campbell	Hines	Schedler
Cox	Hollis	Short
Cravins	Irons	Siracusa
Dardenne	Johnson	Smith
Dean	Jones	Tarver
Dyess	Jordan	Theunissen
Ellington	Lambert	Ullo
Total—36		
	NAYS	
Total—0		
	ABSENT	
Mr. President	Bagneris	Casanova
Total—3		

The Chair declared the amendments proposed by the House were rejected. Senator Jordan moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 512—**  
BY SENATOR COX

AN ACT

To enact R.S. 14:40.2(B)(6) and (D), relative to stalking; to specifically prohibit the stalking of a child; to provide elements, definitions and penalties; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Daniel to Engrossed Senate Bill No. 512 by Senator Cox

AMENDMENT NO. 1

On page 1, line 12, after "person" and before "who" insert "thirteen years of age or older"

Senator Cox moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

	YEAS	
Bajoie	Greene	Lentini

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

NAYS

Total—0

ABSENT

Mr. President	Bean
Bagneris	Cravins
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator Cox moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 529—**  
BY SENATOR GUIDRY

AN ACT

To amend and reenact R.S. 17:350.21(B), relative to funding of laboratory schools; to increase state funding for the university laboratory schools operated by Louisiana State University and Agricultural and Mechanical College and by Southern University and Agricultural and Mechanical College; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Scalise to Engrossed Senate Bill No. 529 by Senator Guidry

AMENDMENT NO. 1

On page 2, after line 6, insert the following:

"Section 2. This Act shall only become effective in the event that monies are specifically appropriated for this purpose in House Bill No. 1 of the 1997 Regular Session of the Legislature."

Senator Guidry moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Ellington	Landry
Total—34	NAYS

Hainkel	
Total—1	ABSENT

Mr. President	Bean
Bagneris	Siracusa
Total—4	

The Chair declared the amendments proposed by the House were rejected. Senator Guidry moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 751—**  
BY SENATORS GUIDRY AND DEAN  
AN ACT

To enact Chapter 4 of Code Title V of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2800.70 through 2800.83, and Civil Code Art. 2315.8, relative to liability for certain damages; to provide for the "Drug Dealer Liability Act"; to provide for definitions; to provide for civil liability; to provide for recovery of damages; to provide for limited recovery of damages; to provide for third party suits; to provide for the targeting of an illegal drug market; to provide for joinder of parties; to provide for comparative fault; to provide for contribution among and recovery from multiple defendants; to provide for a standard of proof; to provide for prejudgment attachment and execution of judgments; to provide for prescription; to provide for a stay of action; to provide for exemplary damages; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 751 by Senator Guidry

AMENDMENT NO. 1

On page 1, line 3, change "9:2800.70" to "9:2800.61"

AMENDMENT NO. 2

On page 1, delete line 4, and insert "through 2800.76, relative to liability for"

AMENDMENT NO. 3

On page 2, line 1, change "9:2800.70" to "9:2800.61"

AMENDMENT NO. 4

On page 2, line 2, change "2800.83 are" to "2800.76, is"

AMENDMENT NO. 5

On page 2, line 3, after "CHAPTER 4." and before "DRUG" insert "LOUISIANA"

AMENDMENT NO. 6

On page 2, delete lines 4 through 27, and delete pages 3 through 12, and on page 13, delete lines 1 through 19 and insert the following:

"§2800.61. Title: legislative intent

A. This Chapter shall be known and may be cited as the "Louisiana Drug Dealer Liability Act".

B. The purpose of this Chapter is to provide a civil remedy for damages to persons in a community injured by an individual's use of illegal controlled substances. It establishes a cause of action against drug dealers for damages for monetary, noneconomic, and physical losses incurred as a result of an

individual's use of an illegal controlled substance. This Chapter will shift the cost of the damage caused by the marketing of illegal drugs to those who illegally profit from that market, as well as deter others from entering the illegal drug market by subjecting them to substantial monetary loss. This Chapter will also provide an incentive for individual users to identify illegal drug marketers and recover from them the costs of their own drug treatment.

§2800.62. Definitions

As used in this Chapter, unless the context requires otherwise:

(1) "Controlled substance" means a controlled dangerous substance as defined and covered by the Uniform Controlled Dangerous Substances Law, R.S. 40:961 et seq.

(2) "Illegal controlled substance" means cocaine, phencyclidine, heroin, or methamphetamine and any other illegal controlled dangerous substance the possession or distribution of which is a violation of the Uniform Controlled Dangerous Substances Law, R.S. 40:961 et seq.

(3) "Individual user" means the individual whose use of an illegal controlled substance that is not obtained directly from or pursuant to a valid prescription or order of a licensed physician or practitioner is the basis of an action brought under this Chapter.

(4) "Level one offense" means the illegal possession with intent to distribute less than four ounces or the illegal distribution of less than one ounce of an illegal controlled substance.

(5) "Level two offense" means the illegal possession with intent to distribute four ounces or more but less than eight ounces, or the illegal distribution of one ounce or more, but less than two ounces, of an illegal controlled substance.

(6) "Level three offense" means the illegal possession with intent to distribute eight ounces or more but less than sixteen ounces, or the illegal distribution of two ounces or more, but less than four ounces, of an illegal controlled substance.

(7) "Level four offense" means the illegal possession with intent to distribute sixteen ounces or more, or the illegal distribution of four ounces or more, of an illegal controlled substance.

(8) "Marketing of an illegal controlled substance" means the possession with intent to distribute or distribution of a specified illegal controlled substance which is a violation of the Uniform Controlled Dangerous Substances Law, R.S. 40:961 et seq.

(9) "Participate in the marketing of an illegal controlled substance" means to transport, import into this state, possess with intent to distribute, distribute an illegal controlled substance or offer to transport, import into this state, possess with the intent to distribute, or distribute an illegal controlled substance. "Participate in the marketing of an illegal controlled substance" does not include the purchase or receipt of an illegal controlled substance for personal use only.

(10) "Period of illegal use" means, in relation to the individual user of an illegal controlled substance, the time from the individual's first illegal use of an illegal controlled substance to the accrual of the cause of action.

(11) "Person" means a natural person, governmental entity, or corporation, partnership, firm, trust, or incorporated or unincorporated association, existing under or authorized by the laws of this state, another state, or a foreign country.

(12) "Place of illegal activity" means, in relation to the individual user of an illegal controlled substance, each parish in which the individual illegally possesses or uses an illegal controlled substance during the period of the individual's use of an illegal controlled substance.

(13) "Place of participation" means, in relation to a defendant in an action brought under this Chapter, each parish in which the person participates in the marketing of illegal

controlled substances during the period of the person's participation in the marketing of illegal controlled substances.

§2800.63. Action for damages by persons other than the individual user

A. Any one or more of the following persons may bring an action for damages caused by an individual's use of an illegal controlled substance against those persons enumerated in Subsection B of this Section:

(1) A parent, legal custodian, child, spouse, or sibling of the individual user.

(2) An individual who was exposed to an illegal controlled substance in utero.

(3) An employer of the individual user.

(4) A medical facility, insurer, employer, governmental entity, or other legal entity that funds a drug treatment program or other employee assistance program for or that otherwise expends money on behalf of the individual user.

(5) A person injured as a result of the willful, reckless, or negligent actions of an individual user.

B. A person entitled to bring an action pursuant to Subsection A of this Section may seek damages from one or more of the following:

(1) A person who sold, administered, or furnished an illegal controlled substance to the individual user.

(2) A person who knowingly participated in the marketing of an illegal controlled substance, if all of the following apply:

(a) The place of illegal activity by the individual user is within the municipality, parish, or unincorporated area of the parish in which the defendant's place of participation is situated.

(b) The defendant's participation in the marketing of illegal controlled substances was connected with the same type of illegal controlled substance used by the individual user, and the defendant has been convicted of an offense for that type of specified illegal controlled substance, which he committed in the same parish as the individual user's place of use.

(c) The defendant participated in the marketing of illegal controlled substances at any time during the period in which the individual user used the illegal controlled substance.

C. As used in Paragraph B(2) of this Section, "knowingly participated in the marketing of an illegal controlled substance" means was convicted of possession with the intent to distribute or distribution of an illegal controlled substance in violation of the Uniform Controlled Dangerous Substances Law, R.S. 40:961 et seq.

D. A person entitled to bring an action under this Section may recover all of the following damages:

(1) Economic damages, including but not limited to the cost of treatment and rehabilitation, medical expenses, loss of economic or educational potential, loss of productivity, absenteeism, support expenses, accidents or injury, and any other pecuniary loss proximately caused by the use of an illegal controlled substance.

(2) Noneconomic damages, including but not limited to physical and emotional pain and suffering, physical impairment, emotional distress, medical anguish, disfigurement, loss of enjoyment, loss of companionship, services, and consortium, and other nonpecuniary losses proximately caused by an individual's use of an illegal controlled substance.

(3) Exemplary damages.

(4) Reasonable attorney fees.

(5) Costs of suit, including but not limited to reasonable expenses for expert testimony.

§2800.64. Action by individual users

A. An individual user is entitled to bring an action for damages caused by the use of an illegal controlled substance only if all of the following conditions are met:

(1) Not less than six months before filing the action, the individual personally discloses to narcotics enforcement authorities all of the information known to the individual



regarding the individual's sources of illegal controlled substances.

(2) The individual has not used an illegal controlled substance within thirty days before filing the action.

(3) The individual does not use an illegal controlled substance during the pendency of the action.

B. The individual user entitled to bring an action under this Section may recover only the following damages:

(1) Economic damages, including but not limited to the cost of treatment, rehabilitation, and medical expenses, loss of economic or educational potential, loss of productivity, absenteeism, accidents or injury, and any other pecuniary loss proximately caused by the person's use of an illegal controlled substance.

(2) Reasonable attorney fees.

(3) Costs of suit, including but not limited to reasonable expenses for expert testimony.

C. The individual user entitled to bring an action under this Section may seek damages only from a person who distributed or possessed with the intent to distribute the illegal controlled substance actually used by the individual user.

§2800.65. Third parties not liable; nonassignment of cause of action

A. A third party shall not pay damages awarded under this Chapter or provide a defense or the cost of a defense, on behalf of an insured under an obligation of insurance or indemnification.

B. A cause of action authorized by this Chapter shall not be assigned, either expressly, by subrogation, or by any other means, directly or indirectly, to any public or publicly funded agency or institution.

§2800.66. Level of offense; amount of liability

Any person, whose participation in the marketing of illegal controlled substances constitutes the following level of offense, shall be subject to a rebuttable presumption of responsibility in the following amounts:

(1) For a level one offense, twenty-five percent of the damages.

(2) For a level two offense, fifty percent of the damages.

(3) For a level three offense, seventy-five percent of the damages.

(4) For a level four offense, one hundred percent of the damages.

§2800.67. Joinder of actions

A. Two or more persons may join in one action under this Chapter as plaintiffs if their respective actions have at least one market for illegal controlled dangerous substances in common and if any portion of the period of use of an illegal controlled dangerous substance is concurrent with the period of use of an illegal controlled dangerous substance for every other plaintiff.

B. Two or more persons may be joined in one action under this Chapter as defendants, if those persons are liable to at least one plaintiff.

C. A plaintiff need not participate in obtaining and a defendant need not participate in defending against all of the relief demanded. Judgment may be given for one or more plaintiffs according to their respective rights to relief and against one or more defendants according to their respective liabilities.

§2800.68. Comparative fault

A. An action by an individual user pursuant to R.S. 9:2800.64 is governed by the application of comparative fault as provided in Civil Code Article 2323. Comparative fault attributable to the individual user shall not bar recovery but shall reduce the award of compensatory damages proportionally, according to the amount of fault attributable to the individual user.

B. The defendant shall have the burden of proving the comparative fault of the plaintiff, which shall be shown by clear and convincing evidence.

C. Comparative fault shall not be attributable to a plaintiff who is not an individual user, unless that plaintiff intentionally gave the individual user money for the purchase of the illegal controlled substance.

§2800.69. Contribution by tort-feasors

A person subject to liability under this Chapter has a right of action for contribution against another person subject to liability under this Chapter. Contribution may be enforced either in the original action or by a separate action brought for that purpose. A person may seek recovery in accordance with this Chapter and as otherwise provided by law against a person against whom a defendant has asserted a right of contribution.

§2800.70. Proof of liability

A. Proof of liability in an action brought pursuant to this Chapter shall be by clear and convincing evidence. Except as otherwise provided in this Chapter, other elements of the cause of action shall be shown by a preponderance of the evidence.

B.(1) A person against whom recovery is sought who has been convicted of the distribution of an illegal controlled dangerous substance under state law or under the Comprehensive Drug Abuse Prevention and Control Act of 1970, 21 U.S.C. 801 et seq., is precluded from denying participation in the marketing of an illegal controlled dangerous substance. Except as provided in Paragraph (2) of this Subsection, the provisions of this Subsection shall not affect a person's burden of proving the elements required by R.S. 9:2800.63(B)(2)(a) through (c).

(2) A conviction specified in Paragraph (1) of this Subsection shall also be prima facie evidence of the defendant's participation in the marketing of an illegal controlled substance used by the individual user, where the conviction was based upon the person's marketing of that same type of illegal controlled substance.

C. The absence of a criminal conviction of a person pursuant to Paragraph B(1) of this Section against whom recovery is sought does not bar an action against that person in an action pursuant to R.S. 9:2800.63(B)(1) or R.S. 9:2800.64.

§2800.71. Defense; exclusion

A. It is a defense to any action brought pursuant to this Chapter that the person who possessed with the intent to distribute or distributed a controlled substance did so under the authority of law as a licensed physician or practitioner, as an ultimate user of the controlled substance pursuant to a lawful prescription, or as a person otherwise authorized by law.

B. A law enforcement officer or agency, the state, or any person acting at the direction of a law enforcement officer or agency or the state is not liable for participating in the marketing of an illegal controlled substance, if the participation is in furtherance of an official investigation.

§2800.72. Writ of attachment

A person authorized to file an action under this Chapter may seek a writ of attachment pursuant to the provisions of Code of Civil Procedure Articles 3501 et seq. against all assets of a defendant sufficient to satisfy a potential award, except an asset named in or seized pursuant to a forfeiture action by the state or federal agency before a plaintiff commences an action pursuant to this Chapter, unless the asset is released by the agency that seized it.

§2800.73. Prescription

A. Except as otherwise provided in this Subsection, a cause of action prescribes in one year after a defendant furnishes the illegal substance. A cause of action accrues under this Chapter when a person who may recover has reason to know of the harm from the use of an illegal controlled substance that is

the basis for the cause of action and has reason to know that the use of an illegal controlled substance is the cause of the harm.

B. Prescription against a defendant is suspended until one year after the individual potential defendant is convicted of a criminal offense involving an illegal controlled dangerous substance or as otherwise provided by law.

§2800.74. Stay of action by governmental entity

A. On motion by a governmental entity involved in an investigation or prosecution involving an illegal controlled dangerous substance, an action brought under this Chapter shall be continued until the completion of the criminal investigation or prosecution that gave rise to the motion for a continuance of the action.

B. Discovery of investigative reports of the state or law enforcement agency shall be available only at the conclusion of the state's prosecution or action against any party in a criminal or civil proceeding, and thereafter only in accordance with R.S. 44:3 et seq.

C. No intelligence file or information regarding illegal drug activity accumulated by a law enforcement agency or the district attorney that does not result in an arrest and bill of information or indictment shall be subject to discovery pursuant to this Chapter.

§2800.75. Actions between spouses; exemption

The provisions of this Chapter are not intended to amend, supersede, or repeal the provisions of R.S. 9:291.

§2800.76. Exemplary damages

In addition to general and special damages that may be awarded under this Chapter, exemplary damages may be awarded upon proof that the sale or distribution of an illegal controlled substance or participation in the marketing of an illegal controlled substance was in wanton or reckless disregard for the rights, health, and safety of others.

Section 2. The provisions of this Act shall have prospective application only and shall apply only to a cause of action arising on and after its effective date."

Senator Guidry moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Landry  
Total—1

**ABSENT**

Mr. President      Bagneris  
Total—2

The Chair declared the amendments proposed by the House were concurred in. Senator Guidry moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 763—**

BY SENATOR SHORT

**AN ACT**

To enact Chapter 27-A of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9039.1 through 9039.4, relative to the East Florida Parishes Retirement District; to create the district; to provide for a board of directors to implement the powers, duties, functions, and responsibilities of the district; to authorize the district, with voter approval, to grant certain sales and use tax refunds; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 763 by Senator Short

AMENDMENT NO. 1

On page 4, line 14, after "district" and before "shall" delete "and the Department of Revenue and Taxation"

AMENDMENT NO. 2

On page 4, line 16, after "board" delete the remainder of the line and on line 17, delete "Department of Revenue and Taxation"

AMENDMENT NO. 3

On page 5, line 11, after "the" delete the remainder of the line and on line 12, delete "and Taxation and the"

Senator Short moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Mr. President      Bagneris      Dean  
Total—3

The Chair declared the amendments proposed by the House were concurred in. Senator Short moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 793—
BY SENATORS BAGNERIS AND HINES
AN ACT

To amend and reenact R.S. 40:1299.39(A)(1)(a)(iv)(aa), relative to medical malpractice liability; to provide definitions; to provide for effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 793 by Senator Bagneris

AMENDMENT NO. 1
On page 2, line 3, after "program," and before "who" delete "or"

AMENDMENT NO. 2
On page 2, line 13, after "program" insert a period "." and delete the remainder of the line

Senator Lentini moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

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

The Chair declared the amendments proposed by the House were concurred in. Senator Lentini moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 797—
BY SENATORS BAGNERIS AND GUIDRY
AN ACT

To enact R.S. 44:36(E), relative to public records; to provide for retention of certain records by prosecuting agencies; to provide for effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative McCain to Engrossed Senate Bill No. 797 by Senator Bagneris (Duplicate of H.B. No. 1749)

AMENDMENT NO. 1

On page 1, line 2, after "relative to" insert "the preservation of" and after "records;" delete the remainder of the line

AMENDMENT NO. 2

On page 1, delete line 3 in its entirety and insert "to require a prosecuting agency to retain records of criminal prosecutions for three years;"

AMENDMENT NO. 3

On page 1, at the end of line 10 and the beginning of line 11, delete "and of criminal indigent defense attorneys," and insert a comma ","

AMENDMENT NO. 4

On page 1, at the end of line 13, delete "the judgment" and delete lines 14 and 15 in their entirety and insert "on which a court of appeal affirms the conviction, the Louisiana Supreme Court denies writs, or the Louisiana Supreme Court makes its final ruling on the appeal, which occurs last."

Senator Hainkel moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Landry
Total—1

ABSENT

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

The Chair declared the amendments proposed by the House were concurred in. Senator Hainkel moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

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.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

June 20, 1997

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 828 by Senator Hainkel, et al.

AMENDMENT NO. 1

On page 1, line 2, delete "R.S. 39:291," and insert "R.S. 39:291(C)(8) and to enact R.S. 39:291(C)(11),"

AMENDMENT NO. 2

On page 1, delete lines 3 and 4, and insert the following:

"Commission; to add a member to the commission; to provide for the qualifications of a certain member; and to provide for"

AMENDMENT NO. 3

On page 1, delete line 7 and insert the following:

"Section 1. R.S. 39:291(C)(8) is hereby amended and reenacted and R.S. 39:291(C)(11) is hereby enacted to read as"

AMENDMENT NO. 4

On page 1, delete lines 10 through 14

AMENDMENT NO. 5

Delete page 2 and on page 3, delete lines 1 through 10 and insert the following:

"\* \* \*

AMENDMENT NO. 6

On page 3, delete lines 15 through 27 and on page 4, delete lines 1 through 8 and insert the following:

"\* \* \*

(11) The governor, or his designee."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 828 by Senator Hainkel

AMENDMENT NO. 1

On page 1, between lines 9 and 10, insert three asterisks "\*\*\*\*"

AMENDMENT NO. 2

On page 4, between lines 8 and 9, insert three asterisks "\*\*\*\*"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Engrossed Senate Bill No. 828 by Senator Hainkel

AMENDMENT NO. 1

In Amendment No. 1 proposed by the House Committee on House and Governmental Affairs and adopted by the House on June 10, 1997, on line 2, after "(C)" insert "(6) and" and after "(8)" insert "and (D)"

AMENDMENT NO. 2

In Amendment No. 3 proposed by the House Committee on House and Governmental Affairs and adopted by the House on June 10, 1997, on line 10, delete "(C)(8) is" and insert "(C)(6) and (8) and (D) are"

AMENDMENT NO. 3

In Amendment No. 5 proposed by the House Committee on House and Governmental Affairs and adopted by the House on June 10, 1997, between lines 16 and 17, insert the following:

"\* \* \*

(6) A member of the judiciary appointed by the The chief justice of the Louisiana Supreme Court or his designee."

AMENDMENT NO. 4

In Amendment No. 6 proposed by the House Committee on House and Governmental Affairs and adopted by the House on June 10, 1997, after line 22, insert the following:

"D. The commission shall select annually elect a chairman from its membership among members designated in Subsection C(1), (2), (3), or (6). The initial meeting of the commission shall be called by executive order of the governor and temporarily chaired by the governor or his designee until election of the chairman."

Senator Hainkel moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns listing names: Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Total—37; Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry; Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo

NAYS

Total—0

ABSENT

Table with 2 columns: Mr. President, Total—2; Bagneris

The Chair declared the amendments proposed by the House were concurred in. Senator Hainkel moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 908— BY SENATOR JORDAN

AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Engrossed Senate Bill No. 908 by Senator Jordan

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before the comma "," delete "R.S. 13:621.15" and insert in lieu thereof "R.S. 13:477(15) and 621.15"

AMENDMENT NO. 2

On page 1, line 7, after "Section 1." and before "hereby" delete "R.S. 13:621.15 is" and insert in lieu thereof "R.S. 13:477(15) and 621.15 are"

AMENDMENT NO. 3

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

"§477. Judicial districts

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

\* \* \*

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

\* \* \*

AMENDMENT NO. 4

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

AMENDMENT NO. 5

On page 2, line 1, after "Section 3." delete the remainder of the line in its entirety and delete lines 2 through 5 in their entirety and insert in lieu thereof the following:

"The individual to be elected to the additional judgeship created by this Act for the Fifteenth Judicial district shall be elected as provided by Article V, Section 22 of the Constitution of Louisiana, and shall serve a term which shall begin on January 1, 1998, and which shall expire at the same time as is provided by law for the other judges of the court. Thereafter, the successors to the judge provided for in this Act for the Fifteenth Judicial District shall be elected at the same time and in the same manner and shall serve the same term as is now or may be provided hereafter for other judges of the court."

HOUSE FLOOR AMENDMENTS

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

AMENDMENT NO. 1

On page 1, at the end of line 16, insert the following:

"The judgeships designated as Divisions B and D are assigned to election section one; the judgeship designated as Division E is assigned to election section two; the judgeships designated as Divisions H, I, K, and L are assigned to election section three; the judgeships designated as Divisions A, F, and J are assigned to election section four; and the judgeships designated as Divisions C and G are assigned to election section five of the Fifteenth Judicial District Court."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Thompson and Hammett to Reengrossed Senate Bill No. 908 by Senator Jordan

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 13:621.15" and before the comma "," insert "and to enact Part X of Chapter 7 of Title 13 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 13:2488.91 through R.S. 13:2488.99,"

AMENDMENT NO. 2

On page 1, line 2, after "courts" and before the semicolon ";" insert "and city courts"

AMENDMENT NO. 3

On page 1, line 5, after "compensation;" and before "and" insert "to create a city court of Tallulah; to provide for the jurisdiction of said court, its personnel, and the collection and disbursement of funds;"

AMENDMENT NO. 4

After line 19 in Amendment No. 5 proposed by the House Committee on Judiciary and adopted by the House on June 10, 1997, insert the following:

"Section 4. Part X of Chapter 7 of Title 13 of the Louisiana Revised Statutes of 1950, comprised of R.S. 13:2488.91 through R.S. 13:2488.99, is hereby enacted to read as follows:

PART X. TALLULAH

§2488.91. City Court of Tallulah; officials and employees; provisions governing

A. There is hereby created and established a court, to be styled the City Court of Tallulah, Louisiana, the territorial jurisdiction of which shall extend throughout the whole of the parish of Madison. The court shall be composed of a city judge, a marshal, and a clerk of said court. The offices of city judge and marshal shall be filled initially by appointment by the governor. The court shall be domiciled in the town of Tallulah, Madison Parish, Louisiana.

B. The city judge and marshal appointed by the governor shall serve until their successors are elected by the qualified electors of the parish of Madison, at a special election to be called by the governor, and their successors shall be elected every six years thereafter.

C. Unless inconsistent herewith and except as otherwise specifically provided herein, the general provisions of Subpart A of Part I of Chapter 7 of Title 13, of the Revised Statutes of Louisiana of 1950, consisting of R.S. 13:1871, et seq., shall be applicable to and shall govern and regulate the City Court of Tallulah, and its officers.

§2488.92. Rules for conduct of business

A. The city court may adopt and from time to time amend its rules for conduct of the judicial business before it.

B. The city court shall have such terms and sessions for the transaction of its judicial business as shall be fixed from time to time by the rules adopted by the court.

§2488.93. Qualifications and salary of judge

A. The judge of the city court shall be licensed to practice law in this state for at least five years previous to his election and be a resident elector of the territorial jurisdiction of the court on the date of qualifying for election to the office. The initial judge, to be appointed by the governor, shall be a resident elector of the territorial jurisdiction of the court on the date of his appointment.

B. In addition to the compensation paid by the state, as provided in R.S. 13:1874(E), the judge of the city court shall receive an annual salary as provided by law, payable monthly on his own warrant, one half to be paid by the town of Tallulah and one half by the parish of Madison.

§2488.94. Salary of marshal

The marshal of the city court shall receive annual salary as provided by law, payable monthly in equal proportions by the respective governing authorities of the town of Tallulah and the parish of Madison. The town and the parish, or either of them, may pay such additional salary to the marshal as it may deem proper.

§2488.95. Salary of clerk

The clerk shall receive a monthly salary as provided by law and payable in equal proportions by the respective governing authorities of the town of Tallulah and the parish of Madison. The town and the parish, or either of them, may pay such additional salary to the clerk as it may deem proper.

§2488.96. Courtroom and offices

The expenses of operation and maintenance of the courtroom and offices shall be paid by the town of Tallulah.

§2488.97. Collection of fines, forfeitures, penalties, and costs

The city judge, or any other officer of the city court designated by the city judge, shall collect all fines, forfeitures, penalties and costs, and all funds so collected, excluding costs, shall be paid into the treasury of the town of Tallulah when the prosecution is on behalf of the town, and into the parish treasury of the Madison Parish general fund when the prosecution is on behalf of the state or the parish.

§2488.98. Criminal matters: costs

A. In all criminal matters, including traffic violation cases, the city judge may assess, in addition to the fine or other penalty imposed, costs of court in an amount not to exceed forty dollars.

B. The proceeds derived from these costs shall be deposited in a special account which shall be subject to audit and shall be used for the operational expenses of the court, including but without limitation, the use from time to time for the costs of operating the court and for the employment by the judge of secretaries, accountants, stenographers, filing clerks, bookkeepers, reporters and other court employees, and for the purchase of stationery, books, office supplies and such other

equipment, all as may be useful or necessary for the proper conduct of the court's judicial business, and all as may be approved by the court. In addition, the proceeds derived from such costs in excess of that necessary for the proper conduct of the court's business may, with approval of the judge, be paid in equal proportions into the treasury of the town of Tallulah and into the treasury of the Madison Parish general fund.

§2488.99. Nonrefundable civil fee; assessment and disposition

A. Except as otherwise provided by law and subject to the Code of Civil Procedure Art. 5181 et seq., in addition to any other fees or costs provided by law, the clerk of the Tallulah City Court shall collect from each person filing any type of civil suit or proceeding, except in the small claims division, a nonrefundable fee in an amount determined by the judge, but not to exceed thirty dollars.

B. The clerk shall place all sums collected or received pursuant to this Section in the general fund of the court, special cost account, to be used to supplement the operational expenses of the court. The expenditure of funds shall be at the sole discretion of the judge of the court. All funds shall be subject to and included in the court's annual audit. A copy of the audit shall be filed with the legislative auditor who shall make it available for public inspection.

C. The assessment and disposition of any funds pursuant to this Section shall not affect the responsibilities of the city and parish governing authority provided by law for the financing of the Tallulah City Court."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to engrossed Senate Bill No. 908 by Senator Jordan

AMENDMENT NO. 5

On page 1, line 2, after "relative to" delete "district"

AMENDMENT NO. 6

On page 1, line 5, after "compensation;" insert "to provide with respect to the terms of office of certain persons elected to certain court of appeal judgeships;"

AMENDMENT NO. 7

On page 2, below line 5, add:

"Section 4. The term of office for the office of judge of the Court of Appeal for the First Circuit, Third District, Division D, for which a successor was elected at the congressional election in 1990 and began his term on January 1, 1992, shall expire on December 31, 2002. The successor to that office shall be elected at the congressional election to be held in 2002."

Senator Jordan moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields	Lentini
Barham	Greene	Malone
Bean	Guidry	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Short

Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Dyess	Lambert	
Ellington	Landry	
Total—37		

NAYS

Total—0

ABSENT

Mr. President  
Total—2

Bagneris

The Chair declared the amendments proposed by the House were rejected. Senator Jordan moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 914—**

BY SENATORS COX AND JOHNSON  
AN ACT

To amend and reenact R.S. 15:1204.2(B)(4) and 1204.4, to enact R.S. 14:107.2 and R.S. 40:2403(H), relative to offenses affecting the general peace and order; to provide for hate crimes; to provide for penalties; to provide for the training of law enforcement officers; to provide for record keeping and reporting; to provide for studies by the Louisiana Commission on Human Rights; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 914 by Senator Cox

AMENDMENT NO. 1

On page 2, line 6, after "actual" and before "perceived" insert "or"

AMENDMENT NO. 2

On page 3, line 7, after "assault" and before the semicolon ";" insert "with a firearm"

AMENDMENT NO. 3

On page 3, line 23, after "more than" and before the comma "," delete "one year" and insert "six months"

AMENDMENT NO. 4

On page 4, line 26, after "by" and before "governor" change "he" to "the"

Senator Cox moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie	Ellington	Landry
Barham	Fields	Lentini
Bean	Greene	Malone
Branch	Guidry	Robichaux
Cain	Hainkel	Romero
Campbell	Heitmeier	Short
Casanova	Hines	Siracusa
Cox	Hollis	Smith

Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Jordan	Ullo
Dyess	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Mr. President  
Bagneris  
Total—4

Jones  
Schedler

The Chair declared the amendments proposed by the House were concurred in. Senator Cox moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 916—**

BY SENATOR LANDRY

AN ACT

To amend and reenact R. S. 14:2(13), relative to criminal law; to provide for the definition of "crime of violence"; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 916 by Senator Landry

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 1, line 5, following "Section 1." and before "R.S." insert "The introductory paragraph of"

AMENDMENT NO. 3

On page 2, line 4, following "paragraph" and before the colon ":" delete "hereinabove"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Marionneaux to Engrossed Senate Bill No. 916 by Senator Landry

AMENDMENT NO. 1

On page 1, line 13, delete "or property"

AMENDMENT NO. 2

On page 1, line 14, delete the last word "or"

AMENDMENT NO. 3

On page 1, line 15, delete "property"

Senator Landry moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie	Ellington	Landry
Barham	Fields	Lentini
Bean	Greene	Malone

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Branch	Guidry	Robichaux
Cain	Hainkel	Romero
Campbell	Heitmeier	Schedler
Casanova	Hines	Short
Cox	Hollis	Siracusa
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jordan	Theunissen
Dyess	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Mr. President	Bagneris	Jones
Total—3		

The Chair declared the amendments proposed by the House were rejected. Senator Landry moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 956—**  
BY SENATORS BARHAM, DARDENNE, EWING AND HAINKEL  
AN ACT

To enact R.S. 47:1580(C) and to repeal R.S. 47:1580(A)(5), relative to suspension of prescription; to provide that the failure to file any return reporting any state tax, license, excise, interest, penalty, or other charge shall interrupt the running of prescription until the subsequent filing of that return; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Conforming Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 956 by Senator Barham (Duplicate of H.B. No. 1037)

AMENDMENT NO. 1  
On page 1, at the end of line 2 and the beginning of line 3, delete "relative to suspension of prescription;"

AMENDMENT NO. 2  
On page 1, line 4, after "state" insert "income" and after "tax" delete the comma "," and delete the remainder of the line

AMENDMENT NO. 3  
On page 1, line 6, after "return;" insert "to provide for applicability of these provisions;"

AMENDMENT NO. 4  
On page 1, line 12, after "state" insert "income" and after "tax" delete the comma "," and "license."

AMENDMENT NO. 5  
On page 1, line 13, delete "excise, interest, penalty, or other charge"

AMENDMENT NO. 6  
On page 2, line 3, after "the return," delete the remainder of the line and delete lines 4 through 9 in their entirety

AMENDMENT NO. 7  
On page 2, delete lines 13 through 18 in their entirety

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 956 by Senator Barham

AMENDMENT NO. 1  
On page 1, line 16, after "run, the" delete the remainder of the line and insert "state income tax"

AMENDMENT NO. 2  
On page 2, line 1, delete "interest, penalty, or other charge"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 956 by Senators Barham, Dardenne, Ewing and Hainkel

AMENDMENT NO. 1  
On page 1, line 4, after "state" delete the remainder of the line and insert "income or corporation franchise tax"

AMENDMENT NO. 2  
On page 1, line 6, change "that" to "such"

AMENDMENT NO. 3  
On page 1, line 12, after "state" delete the remainder of the line and insert "income or corporation franchise tax"

AMENDMENT NO. 4  
On page 1, delete line 13 in its entirety and insert in lieu thereof "required to be filed by this"

AMENDMENT NO. 5  
On page 1, line 15, after "of" change "that" to "such"

AMENDMENT NO. 6  
On page 1, line 16, after "the" delete the remainder of the line and insert in lieu thereof "state income or corporation franchise tax"

AMENDMENT NO. 7  
On page 2, at the beginning of line 1, delete "interest, penalty, or other charge"

AMENDMENT NO. 8  
On page 2, line 4, after "file a" and before "return" insert "state income or corporation franchise tax"

AMENDMENT NO. 9  
On page 2, at the beginning of line 5, delete "solely" and after "transaction," and before "or other" delete "use,"

AMENDMENT NO. 10  
On page 2, line 6, after "laws" and before "or" insert ", regulation,"

AMENDMENT NO. 11  
On page 2, line 7, after "transaction," and before "or other" delete "use,"

Senator Barham moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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  
Dardenne  
Dean  
Dyess  
Ellington  
Total—37

Johnson  
Jones  
Jordan  
Lambert  
Landry

Tarver  
Theunissen  
Ullo

NAYS

Total—0

ABSENT

Mr. President  
Total—2

Bagneris

The Chair declared the amendments proposed by the House were rejected. Senator Barham moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 1090—**  
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 35:323(A), (B), and (C)(1) and (3), 323.l(A) and (B), 327, 328, 331, 332, 334, 335, 336(A) and (B), 337, 337.1, and 338, and to enact R.S. 35:321(3), and to repeal R.S. 35:323(D) and (G) and 329, relative to notaries public and commissioners; to provide for the appointment of notaries; to provide for changes in the office of the custodian of notarial records for the parish of Orleans; to provide for the preservation of notarial records; to increase the fees to be charged by the custodian of notarial records; to provide for the use and separate location of microfilm records; to provide for the testing of sureties on bonds and for the giving of new bond; to provide for the revocation of a non-attorney's commission for failure to furnish bond; to provide for notice by the custodian of the bond expiration date; to provide sanction for act after expiration of bond or after surety canceled; to provide for the appointment of a deputy and an archivist; to provide for unbudgeted funds collected by the custodian of notarial records; to provide for the annual budget; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 1090 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 2, after "(C)(1)" and before the comma "," delete "and (3)"

AMENDMENT NO. 2

On page 1, line 3, delete "337.1,"

AMENDMENT NO. 3

On page 1, line 16, after the semicolon ";" and before "to" insert "to provide penalties for willful violations;"

AMENDMENT NO. 4

On page 2, line 4, after "(C)(1)" and before the comma "," delete "and (3)"

AMENDMENT NO. 5

On page 2, line 5, delete "337.1,"

AMENDMENT NO. 6

On page 5, delete lines 5 through 7 in their entirety

AMENDMENT NO. 7

On page 8, line 2, change "five" to "one"

AMENDMENT NO. 8

On page 9, delete lines 11 through 13 in their entirety and insert the following:

"\* \* \*

Senator Hainkel moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie  
Barham  
Bean  
Branch  
Cain  
Campbell  
Casanova  
Cox  
Cravins  
Dardenne  
Dean  
Dyess  
Ellington  
Total—37

Fields  
Greene  
Guidry  
Hainkel  
Heitmeier  
Hines  
Hollis  
Irons  
Johnson  
Jones  
Jordan  
Lambert  
Landry

Lentini  
Malone  
Robichaux  
Romero  
Schedler  
Short  
Siracusa  
Smith  
Tarver  
Theunissen  
Ullo

NAYS

Total—0

ABSENT

Mr. President  
Total—2

Bagneris

The Chair declared the amendments proposed by the House were concurred in. Senator Hainkel moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 1128—**

BY SENATOR ELLINGTON AND REPRESENTATIVE KENNEY  
AN ACT

To amend and reenact R.S. 9:305, relative to disavowal of paternity; to provide for the period in which child support payments are owed; to provide additional time for disavowal actions; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 1128 by Senator Ellington, et al.

AMENDMENT NO. 1

On page 2, delete lines 3 through 7 in their entirety and insert in lieu thereof the following:

"B. No provision of this Section shall affect any child support payment or arrears paid, due, or owing prior to an order of disavowal becoming final and definitive."

**HOUSE FLOOR AMENDMENTS**

June 20, 1997

Amendments proposed by Representative Kenney to Reengrossed Senate Bill No. 1128 by Senators Ellington and Representative Kenney

AMENDMENT NO. 1

Delete House Committee Amendment No. 1 proposed by the House Committee on Civil Law and Procedure and adopted by the House on June 11, 1997.

AMENDMENT NO. 2

On page 2, delete lines 3 through 7 in their entirety and insert in lieu thereof the following:

"B. No provision of this Section shall affect any child support payment or arrears paid, due, or owing prior to the filing of a disavowal action if an order of disavowal is subsequently obtained in such action."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Montgomery to Reengrossed Senate Bill No. 1128 by Senator Ellington and Representative Kenney

AMENDMENT NO. 1

On page 1, line 4, after "actions;" and before "and to" insert "to provide with respect to the status of a child in certain circumstances;"

AMENDMENT NO. 2

On page 2, after line 16, insert the following:

"Section 3. Notwithstanding any provision of law to the contrary, a minor is considered the child of both parties to a marriage if the child has been raised during the marriage as if he were the biological or legally adopted child of the parties, has been dependent upon the parties for his health, education, or welfare as evidenced by the child being named as a dependant on the federal and state tax returns of the parties for five consecutive years, and has been classified by a branch of the United States military as a dependent of either party. The provisions hereof shall apply both prospectively and retroactively, but shall only apply to those children born between July 1, 1986 and August 1, 1986; however, no provision hereof shall confer upon the child the status of forced heir or serve to involuntarily terminate parental rights."

Senator Ellington moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

- Table listing names of members who voted 'YEAS': Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Mr. President Bagneris Ellington
Total—3

The Chair declared the amendments proposed by the House were concurred in. Senator Ellington moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1155—

BY SENATORS BAGNERIS AND SCHEDLER
AN ACT

To amend and reenact Civil Code Arts. 394 and 405, Code of Civil Procedure Art. 4549, and to repeal Civil Code Arts. 400 and 401, relative to interdiction and curatorship; to provide for notice and hearing in a suit for the appointment of a provisional curator; to provide criteria for appointment of a provisional curator; to provide for the powers and duration of a provisional curator; and to provide for related matters.

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

SENATE BILL NO. 1198—

BY SENATOR ELLINGTON
AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

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

AMENDMENT NO. 1

On page 2, at the end of line 6, add the following:

"It is the intention of the legislature that graduation from a Louisiana public high school by a student with a vocational major shall in no way restrict the right of a student who is otherwise eligible to enter into a Louisiana public community college or institution of public higher education and the curriculum that is developed for the vocational major shall be designed to accomplish this purpose."

AMENDMENT NO. 2

On page 2, line 26, after "counselors" and before "others" change "and/or" to "or"

AMENDMENT NO. 3

On page 2, line 27, after "principal" and before "shall" insert a comma "," and add "or both."

AMENDMENT NO. 4

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

"(d) At least three social studies credits, not less than two courses of which shall have content equal to that of college preparatory social studies."

(e) At least two credits in health and physical education."

AMENDMENT NO. 5

On page 4, at the beginning of line 13, change "(d)" to "(f)"

AMENDMENT NO. 6

On page 4, at the beginning of line 15, change "(e)" to "(g)"

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1198 by Senator Ellington

AMENDMENT NO. 1

On page 3, line 18, following "core" and before "shall" insert "and"

AMENDMENT NO. 2

On page 5, line 22, following "designees" insert a comma ","

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative McDonald to Reengrossed Senate Bill No. 1198 by Senator Ellington

AMENDMENT NO. 1

On page 14, at the end of line 26, delete the period "." and insert "to the state Department of Education."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Brun to Reengrossed Senate Bill No. 1198 by Senator Ellington

AMENDMENT NO. 1

On page 1, at the end of line 20 of the House Committee Amendments proposed by the House Committee on Education and adopted by the House of Representatives on June 9, 1997, insert "Each student shall successfully complete a course in free enterprise, as provided in R.S. 17:274, and civics, as provided in R.S. 17:274.1."

AMENDMENT NO. 2

On page 4, line 20, after "requirements" insert "and all provisions of R.S. 17:261 through 279"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Pratt to Reengrossed Senate Bill No. 1198 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 3, delete "188," and insert "189,"

AMENDMENT NO. 2

On page 1, line 12, change "188," to "189,"

AMENDMENT NO. 3

On page 15, after line 3, add the following:

"§189. Exemption

The provisions of this Subpart shall not apply to any school system with a school to work program approved by the Board of Elementary and Secondary Education prior to the effective date of this Subpart."

Senator Ellington moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Branch	Fields	Landry
Total—3		

ABSENT

Bagneris	Guidry
Dyess	Siracusa
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator Ellington moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 1278—**

BY SENATORS HAINKEL, DARDENNE AND EWING  
AN ACT

To amend and reenact R.S. 25:2(A) and 3, relative to the board of commissioners of the State Library of Louisiana; to provide for the board's composition, duties, and functions; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 1278 by Senator Hainkel, et al.

AMENDMENT NO. 1

On page 1, line 2, after "R.S." change "25:2(A) and 3," to "25:2(A),"

AMENDMENT NO. 2

On page 1, at the beginning of line 4, delete "board's composition, duties, and function;" and insert "membership of the board;"

AMENDMENT NO. 3

On page 1, line 7, after "R.S." change "25:2(A) and 3 are" to "25:2(A) is"

AMENDMENT NO. 4

On page 1, line 12, after "composed of" delete the remainder of the line and at the beginning of line 13, delete "congressional district" and insert "seven members"

AMENDMENT NO. 5

On page 2, line 2, delete "Their successors shall each" and insert "Members of the board shall"

AMENDMENT NO. 6

June 20, 1997

On page 2, delete lines 6 through 15, and insert the following:

"Section 2. Each member of the board of commissioners of the State Library of Louisiana serving on August 15, 1997, shall serve for the remainder of the term to which he was appointed. The two additional members of the board of commissioners of the State Library of Louisiana as provided in this Act to be appointed in 1997, shall be appointed for five year terms."

Senator Hainkel moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Table with 2 columns: Mr. President, Robichaux; Bagneris, Romero; Total—4

The Chair declared the amendments proposed by the House were concurred in. Senator Hainkel moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1296— BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 11:721.1, relative to the Teachers' Retirement System of Louisiana; to provide for membership eligibility; to provide membership is optional in the system for certain persons employed by certain associations of persons involved in education; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 1296 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 12, after "have" and before "option" delete "the" and insert "a one-time irrevocable"

AMENDMENT NO. 2

On page 2, at the end of line 15, insert the following:

"Any employee who has retired from the Teachers' Retirement System of Louisiana shall be governed by all laws applicable to retirees returning to work."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Stelly to Engrossed Senate Bill No. 1296 by Senator Dardenne

AMENDMENT NO. 1

In the Amendments proposed by the House Committee on Retirement to Engrossed Senate Bill No. 1296 by Senator Dardenne and adopted by the House on July 10, 1997, on page 1, delete Amendment Nos. 1 and 2 in their entirety

Senator Dardenne moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Table with 2 columns: Mr. President, Bagneris; Total—2

The Chair declared the amendments proposed by the House were rejected. Senator Dardenne moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 1305— BY SENATOR COX

AN ACT

To amend and reenact R.S. 47:101(A)(1), relative to returns and payment of tax; to require all individuals required to file a federal tax return, to file a state tax return; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 1305 by Senator Cox

AMENDMENT NO. 1

On page 1, line 16, change "1998" to "1999"

Senator Cox moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Fields	Lambert
Barham	Greene	Landry
Branch	Guidry	Lentini
Cain	Hainkel	Malone
Campbell	Heitmeier	Robichaux
Casanova	Hines	Romero
Cox	Hollis	Short
Cravins	Irons	Smith
Dean	Johnson	Tarver
Dyess	Jones	Theuissen
Ellington	Jordan	Ullo
Total—33		

**NAYS**

Total—0

**ABSENT**

Mr. President	Bean	Schedler
Bagneris	Dardenne	Siracusa
Total—6		

The Chair declared the amendments proposed by the House were concurred in. Senator Cox moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 1343—**  
BY SENATOR BAGNERIS

**AN ACT**

To amend and reenact R.S. 9:334(A) and (E), relative to child custody dispute mediation; to establish qualifications of child custody dispute mediators who supervise co-mediation training; to provide regarding the authority to promulgate rules and regulations; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1343 by Senator Bagneris

AMENDMENT NO. 1

On page 2, lines 6, 10 and 14, change "Paragraph A" to "Paragraph"

Senator Irons moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Dean	Jordan	Ullo
Dyess	Lambert	
Ellington	Landry	
Total—37		

**NAYS**

Total—0

**ABSENT**

Mr. President	Bagneris
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Irons moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 1368—**  
BY SENATORS COX AND SCHEDLER  
**AN ACT**

To amend and reenact the heading of Chapter 3-B of Title 15 of the Louisiana Revised Statutes of 1950 and R.S. 15:540, 546, 547, and 548(H), and to enact R.S. 15:541 (9) through (16) and R.S. 15:542.1, relative to the registration of sex offenders; to provide for the registration of sexually violent predators and child predators; to provide definitions; to provide for an advisory panel; to provide for evaluation procedures; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 1368 by Senator Cox

AMENDMENT NO. 1

On page 2, lines 2, 5, 11, 18, and 25, and on page 3, lines 5, 8, and 11, and on page 13, line 8, following "predators" and before "and" insert a comma ","

AMENDMENT NO. 2

On page 3, line 8, following "local" and before "and" insert a comma ","

AMENDMENT NO. 3

On page 7, line 21, before "residence" change "established" to "establishes"

AMENDMENT NO. 4

On page 7, line 26, following "report" and before "under" delete the comma ","

AMENDMENT NO. 5

On page 13, line 22, following "or" and before "has" insert "who"

AMENDMENT NO. 6

On page 14, line 7, following "victim" and before "of" insert a comma ","

AMENDMENT NO. 7

On page 14, line 10, following "employee" and before "public" insert "or"

Senator Cox moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Bagneris	Siracusa
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Cox moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1371—  
BY SENATOR JOHNSON

AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Engrossed Senate Bill No. 1371 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 14, after "R.S. 47:301(14)(a)" delete the remainder of the line, delete lines 15 and 16, and on page 2, delete line 1 and insert in lieu thereof "in any"

AMENDMENT NO. 2

On page 2, line 10, after "Orleans" delete the remainder of the line and insert "Business and Industrial District and New Orleans Sports Foundation Fund".

AMENDMENT NO. 3

On page 2, delete lines 12 through 14 in their entirety and insert in lieu thereof the following:

"District and New Orleans Sports Foundation Fund shall be appropriated each year by the legislature. Except as otherwise provided in this Section, all monies in the fund shall be appropriated to the New Orleans Business and Industrial District for the purposes of the district. Ten percent of the monies in the fund shall be appropriated to the New Orleans Sports Foundation. One hundred fifty

thousand dollars annually shall be appropriated to the New Orleans East Visitor's Center, Inc. All"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Odinet to Engrossed Senate Bill No. 1371 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert the following:

"amend and reenact R.S. 33:4702(I)(1), Section 3(1)(A) of Act No. 541 of the 1976 Regular Session of the Louisiana Legislature, as amended by Act No. 499 of the 1978 Regular Session of the Louisiana Legislature, Act No. 449 of the 1980 Regular Session of the Louisiana Legislature, Act No. 927 of the 1981 Regular Session of the Louisiana Legislature, Act No. 476 of the 1984 Regular Session of the Louisiana Legislature, Act No. 259 of the 1989 Regular Session of the Louisiana Legislature, and Act No. 640 of the 1993 Regular Session of the Louisiana Legislature, and to"

AMENDMENT NO. 2

On page 1, line 2, after "relative to" delete the remainder of the line, and insert the following:

"providing for funding of economic development in"

AMENDMENT NO. 3

On page 1, at the end of line 3, insert the following:

"to dedicate a portion of the state sales tax on hotel occupancy in such parish;"

AMENDMENT NO. 4

On page 1, at the end of line 5, delete "and" and insert the following:

"to provide for the issuance of bonds and other evidences of indebtedness and for procedures and limitations thereon; and"

AMENDMENT NO. 5

On page 1, between lines 7 and 8, insert the following:

"Section 1. Section 3(1)(A) of Act No. 541 of the 1976 Regular Session of the Louisiana Legislature, as amended by Act No. 499 of the 1978 Regular Session of the Louisiana Legislature, Act No. 449 of the 1980 Regular Session of the Louisiana Legislature, Act No. 927 of the 1981 Regular Session of the Louisiana Legislature, Act No. 476 of the 1984 Regular Session of the Louisiana Legislature, Act No. 259 of the 1989 Regular Session of the Louisiana Legislature, and Act No. 640 of the 1993 Regular Session of the Louisiana Legislature are hereby amended and reenacted to read as follows:

Section 3. The board shall have the following duties, powers, functions, and responsibilities:

(1)(A) Subject to other provisions of this Act, the board, as the governing authority of the district, shall have those powers and duties vested in the district and the board by Article 14, Section 47 of the 1921 Louisiana Constitution continued as a statute pursuant to the provisions of Article XIV, Section 16 of the Louisiana Constitution, as amended, including the power to plan, acquire, finance, own, construct, operate, and maintain, recreational facilities, recreation centers, and other facilities to accommodate expositions, conventions, exhibitions, sports events, spectacles, and other public meetings and all facilities and properties incidental and necessary to a complex suitable for any or all types of sports and

recreation, and shall exercise them in the name and on behalf of the district. Notwithstanding any provision of law to the contrary, the board, as governing authority of the district, shall have the power and authority to enter into one or more cooperative endeavor agreements to assist in the planning and financing, specifically including the issuing of bonds or other evidences of indebtedness on behalf of the New Orleans Business and Industrial District, which relate to the Automotive Technology Center and Raceway; however, (1) any fees, charges, or other costs related to the issuance of such bonds or other evidences of indebtedness shall be approved in advance by the State Bond Commission and (2) the board shall take such actions as necessary to assure that the execution of any cooperative endeavor agreements in connection with such issuance be accomplished in the most efficient and expeditious manner as possible.

\* \* \*

Section 2. R.S. 33:4702(I)(1) is hereby amended and reenacted to read as follows:  
§4702. Board of commissioners; appointment and term; organization

\* \* \*

I.(1)(a) The board, by resolution adopted by a vote of a majority of the members of the board of the district, shall have power and is hereby authorized to incur indebtedness for and on behalf and for the sole and exclusive benefit of the district, and to issue at one time, or from time to time, negotiable bonds, notes and other evidence of indebtedness, herein referred to collectively as bonds, of the district, the principal of, premium if any, and interest on which shall be payable solely from the proceeds of the special tax authorized, levied, and collected pursuant to the provisions of this Section for the purpose of paying the cost of acquiring and constructing capital improvements, projects, and facilities within the district. Such bonds shall not constitute general obligations of the city of New Orleans, nor shall any property situated within the city other than property situated within the boundaries of the district be subject to taxation for the payment of the principal of, premium, if any, and interest on such bonds. Furthermore, any indebtedness incurred by the city of New Orleans for and on behalf and for the benefit of the district pursuant to the provisions of this Section, whether evidenced by bonds, notes or other evidences of indebtedness, or otherwise, shall be excluded in determining the power of the city of New Orleans to incur indebtedness and to issue its general obligation bonds. The principal amount of such bonds which may be outstanding and unpaid at any one time in the district shall never exceed the sum of fifty million dollars. All such bonds shall be sold by the board, and shall bear such rate or rates of interest, and shall, except as herein otherwise specifically provided, be in such form, terms, and denominations, be redeemable at such time or times at such price or prices, and payable at such times and places, within a period of not exceeding fifty years from the date thereof, as the board, shall determine.

(b) Notwithstanding any provision of this Part to the contrary, any bonds, notes, or other evidences of indebtedness which relate to the planning, acquisition, or construction of the Automotive Technology Center and Raceway shall only be issued on behalf of the New Orleans Business and Industrial District by the Louisiana Stadium and Exposition District through one or more cooperative endeavor agreements executed for that purpose. Any such cooperative endeavor agreement shall specify that any such bonds, notes, or other evidences of indebtedness shall be payable as to principal, interest, premium, and other related costs of issuance solely from revenues of the New Orleans Business and Industrial Development District and shall not

constitute a pledge of any revenues of the state of Louisiana or the Louisiana Stadium and Exposition District.

\* \* \*

AMENDMENT NO. 6

On page 1, at the beginning of line 8, change "Section 1." to "Section 3."

AMENDMENT NO. 7

On page 2, at the beginning of line 19, change "Section 2." to Section 4."

AMENDMENT NO. 8

In House Committee Amendment No. 3 proposed by the House Committee on Appropriations and adopted by the House on June 13, 1997, on page 1, line 17, change "One" to "Two"

Senator Johnson moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Bagneris	Dean
Total—3		

The Chair declared the amendments proposed by the House were rejected. Senator Johnson moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 1469—**

BY SENATOR HAINKEL

AN ACT

To enact R.S. 18:1505.2(M), relative to the Campaign Finance Disclosure Act; to prohibit contributions by foreign nationals; to provide for definitions; to provide for penalties; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 1469 by Senator Hainkel

AMENDMENT NO. 1

June 20, 1997

On page 2, line 15, after "country" and before the period "." insert a comma "," and insert "unless authorized and qualified to do business in Louisiana"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Engrossed Senate Bill No. 1469 by Senator Hainkel

AMENDMENT NO. 1

On page 2, line 5, after "individual" delete the remainder of the line and delete lines 6 through 12 in their entirety and insert a period "."

AMENDMENT NO. 2

On page 2, at the beginning of line 13, change "(c)" to "(b)"

AMENDMENT NO. 3

On page 2, delete lines 16 through 18

Senator Hainkel moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Total—37; Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry; Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo

NAYS

Total—0

ABSENT

Mr. President Bagneris Total—2

The Chair declared the amendments proposed by the House were rejected. Senator Hainkel moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 1474— BY SENATOR SCHEDLER

AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Thornhill to Reengrossed Senate Bill No. 1474 by Senator Schedler

AMENDMENT NO. 4

On page 1, line 14, delete "nine" and insert "thirteen"

AMENDMENT NO. 5

On page 3, delete lines 2 through 7 and insert in lieu thereof:

(7) Two members One member appointed by the state representative for District 90.

(8) Two members One member appointed by the state representative for District 76.

(9) Two members One member appointed by the state representative for District 74.

(10) One member appointed by the state senator for District 11.

Senator Schedler moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Branch, Cain, Casanova, Cox, Dardenne, Dean, Dyess, Ellington, Fields, Total—35; Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry; Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo

NAYS

Total—0

ABSENT

Mr. President Campbell Cravins Total—4

The Chair declared the amendments proposed by the House were concurred in. Senator Schedler moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1477— BY SENATOR ELLINGTON

AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS



Amendments proposed by Representative Barton to Engrossed Senate Bill No. 1477 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 2, between "To" and "enact" insert "amend and reenact Section 2(A) of Act No. 19 of the 1970 Regular Session of the Legislature, as amended by Act No. 623 of the 1974 Regular Session, Act No. 629 of the 1979 Regular Session, Act No. 465 of the 1990 Regular Session, and Act No. 303 of the 1993 Regular Session and to"

AMENDMENT NO. 2

On page 1, at the end of line 2, insert "certain local tourist commissions; to provide relative to the composition of the Shreveport-Bossier Convention and Tourist Commission; to establish limits on the terms a commissioner of such commission may serve; to provide relative to"

AMENDMENT NO. 3

On page 1, line 3, between "by" and "commissions" change "tourism" to "certain tourist"

AMENDMENT NO. 4

On page 2, after line 24, insert the following:

"Section 2. Section 2(A) of Act No. 19 of the 1970 Regular Session, as amended by Act No. 623 of the 1974 Regular Session, Act No. 629 of the 1979 Regular Session, Act No. 465 of the 1990 Regular Session, and Act No. 303 of the 1993 Regular Session, is hereby amended and reenacted to read as follows:

Section 2(A). The commission shall be composed of seventeen members, who shall be known as directors, to be appointed by the following persons or organizations: one by the Caddo Parish Commission; one by the Bossier Parish Police Jury; one by the mayor of Bossier City; one by the mayor of Shreveport; four by the Shreveport-Bossier Hotel Motel Association, two of whom shall have an ownership interest in a hotel within the jurisdiction of the commission and two of which whom shall be from Shreveport and two of which whom shall be from Bossier City; one by the Bossier Chamber of Commerce; one by the Shreveport Chamber of Commerce; one by the Shreveport Negro Chamber of Commerce; one by the Bossier Community Action Program, Inc.; one by the Northwest Chapter of the Louisiana Restaurant Association; one appointed by the mayors and the governing authorities of the municipalities in Caddo Parish that have a population of less than ten thousand persons; one appointed by the mayors and the governing authorities of the municipalities in Bossier Parish that have a population of less than ten thousand persons; and two by the Shreveport-Bossier Attractions Association, one of which whom shall be a representative from Louisiana Downs, and one of which whom shall be a representative from a Shreveport attraction. The terms of all appointees shall be for three years, except as provided below. The commission shall adopt bylaws which shall provide for the expiration dates of the terms of the directors, and may provide for shorter terms for some directors when necessary to prevent all terms from expiring at the same time. For the years 1990 and 1991, the bylaws may also provide for shorter terms in order to change the expiration date from that designated in Act 629 of 1979. Any vacancy in the office of any director caused by resignation or other reasons shall be filled for the remainder of the unexpired term by appointment in the same manner as the particular office was filled. No director appointed after January 1, 1994, shall serve more than two consecutive three-year terms."

Senator Ellington moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators voting 'YEAS' in three columns: Bajoie, Barham, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Total—36; Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert; Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Table listing names of senators voting 'ABSENT': Mr. President, Bagneris, Bean, Total—3

The Chair declared the amendments proposed by the House were concurred in. Senator Ellington moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1501— BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 11:1632(A)(2) and to enact R.S. 11:1631(B)(3), relative to the District Attorneys Retirement System; to authorize eligibility for certain retirement benefits at age sixty or older with ten years of creditable service; to provide relative to eligibility for certain benefits in such system; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 1501 by Senator Romero

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and add "R.S. 11:1631(B)(2) and 1632(A)(2)."

AMENDMENT NO. 2

On page 1, line 9, after "Section 1." delete the remainder of the line and delete line 10 in its entirety and insert "R.S. 11:1631(B)(2) and 1632(A)(2) are hereby amended and reenacted to read as follows:"

AMENDMENT NO. 3

On page 1, delete lines 15 and 16 in their entirety, and on page 2, delete lines 1 through 4 in their entirety, and add:

Table with 4 columns: §1631, Retirement requirements, benefits, application, eligibility. Row B shows asterisks in the last three columns.

(2) If the Public Retirement Systems' Actuarial Committee adopts a net direct employer contribution rate equal to or less than one and twenty-five hundredths percent (1.25%) applicable to this system for Fiscal Year 1998-1999 or Fiscal Year 1999-2000, then any ~~any~~ person who ~~was~~ is a member of the system prior to July 1, 1990, shall be eligible for and on the date such rate is adopted and who is eligible to receive benefits as specified in under R.S. 11:1632 shall be eligible for and receive benefits as specified in R.S. 11:1633 unless he notifies the board of trustees in writing of his election to receive benefits under R.S. ~~11:1633~~ R.S. 11:1632 prior to January 1, 1994 within ninety days of the adoption of such rate."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 1501 by Senator Romero

AMENDMENT NO. 1

On page 1, delete lines 11 through 14 in their entirety

Senator Romero moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

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

The Chair declared the amendments proposed by the House were concurred in. Senator Romero moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1508— BY SENATOR LENTINI

AN ACT

To enact Subpart E of Part III of Chapter 1 of Code Title V of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:355.1 through 355.17, relative to guidelines for moving a child's residence; to provide for definitions; to provide for notice; to provide for court sanctioned relocations; to provide for elements of proof; to provide for sanctions for unwarranted proposals to relocate a child; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 1508 by Senator Lentini

AMENDMENT NO. 1

On page 2, line 2, change "part:" to "Subpart:"

AMENDMENT NO. 2

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

"(1) "Equal physical custody" means that the parents share equal parental authority of the child absent a court order to the contrary."

AMENDMENT NO. 3

On page 2, at the beginning of line 3, change "A." to "(2)"

AMENDMENT NO. 4

On page 2, between lines 5 and 6 insert the following:

"(3) "Principal residence of a child" means: (a) The location designated by a court to be the primary residence of the child. (b) In the absence of a court order, the location at which the parties have expressly agreed that the child will primarily reside. (c) In the absence of a court order or an express agreement, the location, if any, at which the child has spent the majority of time during the prior six months."

AMENDMENT NO. 5

On page 2, at the beginning of line 6, change "B." to "(4)"

AMENDMENT NO. 6

On page 2, at the beginning of line 7, change "(1)" to "(a)"

AMENDMENT NO. 7

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

AMENDMENT NO. 8

On page 2, at the beginning of line 16, change "(3)" to "(c)"

AMENDMENT NO. 9

On page 2, delete lines 19 through 26 in their entirety

AMENDMENT NO. 10

On page 3, line 2, change "Section" to "Subpart"

AMENDMENT NO. 11

On page 3, line 4, delete "After the effective date of this Subpart." and insert in lieu thereof "On or after August 15, 1997."

AMENDMENT NO. 12

On page 3, line 6, delete "the effective date of this Subpart," and insert in lieu thereof "August 15, 1997."

AMENDMENT NO. 13

On page 3, line 10, after "when" insert a colon ":" and delete the remainder of the line and insert in lieu thereof the following:

"(1) The parents of a child have"

AMENDMENT NO. 14

On page 3, between lines 13 and 14 insert the following:

"(2) An order issued pursuant to Domestic Abuse Assistance, Part II of Chapter 28 of Title 46 or the Post-Separation Family Violence Relief Act or Injunctions and Incidental Orders, Parts IV and V of Chapter 1 of Code Title V of Code Book I of Title 9, all of the Louisiana

Revised Statutes of 1950, Domestic Abuse Assistance, Chapter 8 of Title XV of the Children's Code, or any other restraining order, preliminary injunction, permanent injunction, or any protective order prohibiting a spouse from harming or going near or in the proximity of the other spouse is in effect."

**AMENDMENT NO. 15**

On page 4, line 3, after "requested" and before "to" insert a comma ",."

**AMENDMENT NO. 16**

On page 4, line 7, after "relocation" delete "; or" and in lieu thereof insert a period "."

**AMENDMENT NO. 17**

On page 5, line 24, after "355.4" and before "unless" insert a comma ",."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Green to Reengrossed Senate Bill No. 1508 by Senator Lentini

**AMENDMENT NO. 1**

On page 4, line 3, delete "to be notified by the"

**AMENDMENT NO. 2**

On page 4, line 4, delete "filing of the notice or having it served on the other parent"

**AMENDMENT NO. 3**

On page 5, line 6, delete the period at the end of the line and insert "or unless there is a timely objection to the relocation filed pursuant to R.S. 9:355.8."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Scalise to Reengrossed Senate Bill No. 1508 by Senator Lentini

**AMENDMENT NO. 1**

On page 10, after line 1, insert the following:

"Section 2. No provision of Section 1 of this Act shall affect any case which is presently being litigated or appealed in or to any court of this state wherein the custody of a child is at issue due to the relocation of a party; however, any subsequent relocation by a party after final disposition of the present litigation shall be governed by the provisions of Section 1 of this Act."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative McCain to Reengrossed Senate Bill No. 1508 by Senator Lentini

**AMENDMENT NO. 1**

On page 8, line 25, delete "If" and insert "Unless the parties agree and"

Senator Lentini moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Ellington	Landry
Barham	Fields	Lentini

Bean	Greene	Malone
Branch	Guidry	Robichaux
Cain	Hainkel	Schedler
Campbell	Heitmeier	Short
Casanova	Hines	Smith
Cox	Hollis	Tarver
Cravins	Irons	Theunissen
Dardenne	Jones	Ullo
Dean	Jordan	
Dyess	Lambert	
Total—34		

**NAYS**

Total—0

**ABSENT**

Mr. President	Johnson	Siracusa
Bagneris	Romero	
Total—5		

The Chair declared the amendments proposed by the House were rejected. Senator Lentini moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 1519—**  
BY SENATORS SHORT AND SCHEDLER  
AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1519 by Senator Short

**AMENDMENT NO. 1**

On page 6, line 21, following "with Chapter" and before "of Title 33" change "10" to "11"

Senator Short moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

June 20, 1997

Mr. President Bagneris
Total—2

The Chair declared the amendments proposed by the House were concurred in. Senator Short moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1523—
BY SENATOR SCHEDLER

AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Reengrossed Senate Bill No. 1523 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 5, after "emergency" and before the semicolon ";," insert "and "special event""

AMENDMENT NO. 2

On page 1, line 11, after "emergency" and before "and" insert "or a special event"

AMENDMENT NO. 3

On page 1, line 14, after "emergency" and before the comma "," insert "or special event"

AMENDMENT NO. 4

On page 2, line 6, after "emergency" and before "the personnel" insert "or special event"

AMENDMENT NO. 5

On page 2, between lines 15 and 16, insert the following:

"(3) "Special event" means an actual or potential situation that poses or may pose a threat to life or property because of the number of people involved, and exceeds the capability of the requesting agency to counteract successfully."

AMENDMENT NO. 6

On page 3, line 3, after "incident" and before the comma "," insert "or special event"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Schneider and Martiny to Reengrossed Senate Bill No. 1523 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 10, after "equipment." delete the remainder of the line and delete lines 11 and 12 and insert:

"During the emergency, the responding agency shall be considered the agent of the requesting agency."

AMENDMENT NO. 2

On page 2, delete lines 16 through 23

AMENDMENT NO. 3

On page 2, line 24, delete "C." and insert "B."

AMENDMENT NO. 4

On page 3, delete lines 2 through 11 in their entirety

AMENDMENT NO. 5

On page 3, line 12, delete "E." and insert in lieu thereof "C."

AMENDMENT NO. 6

On page 3, line 14, delete "F." and insert in lieu thereof "D."

AMENDMENT NO. 7

On page 3, line 16, delete "G." and insert in lieu thereof "E."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Reengrossed Senate Bill No. 1523 by Senator Schedler

AMENDMENT NO. 1

On page 3, delete lines 16 through line 22 in their entirety.

Senator Schedler moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Table with 3 columns: Mr. President Bagneris Schedler; Total—3

The Chair declared the amendments proposed by the House were concurred in. Senator Schedler moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 319—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 47:806(C), relative to motor vehicles; to provide relative to required records for the purchase of certain fuels; to exempt certain motor vehicles of 2,000 pounds or less; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Engrossed Senate Bill No. 319 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 4, after "vehicles" change "of 2,000 pounds" to "rated as one ton"

AMENDMENT NO. 2

On page 2, line 4, after "truck-tractor" delete the remainder of the line and at the beginning of line 5, delete "thousand pounds" and insert "which is rated as one ton"

Senator Theunissen moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members who voted YEAS: Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Fields, Greene, Guidry, Haines, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Mr. President Bagneris Hainkel
Total—3

The Chair declared the amendments proposed by the House were concurred in. Senator Theunissen moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 6— BY SENATOR SCHEDLER

AN ACT

To amend and reenact Code of Criminal Procedure Art. 336(A), relative to release conditioned on participation in a pretrial drug testing program; to provide for a drug test of every person arrested for a violation of the Uniform Controlled Dangerous Substances Law or a crime of violence or misdemeanor prior to setting bond; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 6 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 6, after "bond;" and before "and to" insert "to provide that mandatory pretrial testing shall not take place without adequate funding;"

AMENDMENT NO. 2

On page 2, between lines 20 and 21, insert the following:

"(3) The provisions of this Paragraph requiring mandatory pretrial drug testing shall be contingent upon receipt of adequate funding to cover the costs of such testing, as provided in Paragraph E of this Article."

Senator Schedler moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members who voted YEAS: Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dyess, Ellington, Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Mr. President Bagneris Dean
Total—3

The Chair declared the amendments proposed by the House were concurred in. Senator Schedler moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 196— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:403(19) and (20) and 413(3), relative to Louisiana State Employees' Retirement System; to provide for eligibility and definitions of certain persons who may or may not be members or receive benefits from the system; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 196 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 2, after "(20)" delete the remainder of the line and insert ", 413(3) and 416(A)(1), relative to"

AMENDMENT NO. 2

On page 1, line 5, between "system;" and "and" insert "to further provide limitations on the applicability of certain laws regarding suspension or reduction of benefits for certain reemployed retirees; to provide an effective date;"

AMENDMENT NO. 3

On page 1, line 9, after "(20)" delete the remainder of the line and insert ", 413(3) and 416(A)(1) are hereby amended"

June 20, 1997

AMENDMENT NO. 4

On page 2, between lines 23 and 24, insert:

"§416. Employment of retirees

A. Regardless of age, if a retiree of this system is engaged or hereafter engages in employment which otherwise would render him eligible for membership in this system, he shall choose one of the following irrevocable options:

(1)(a) Option 1. Any person on regular retirement under the Louisiana State Employees' Retirement System may be employed in any position covered by this system during any fiscal year, provided that his earnings in such employment do not exceed fifty percent of his annual retirement benefit for such fiscal year. For the purposes of this Section, there shall be an annual cost-of-living adjustment to the annual retirement benefit figure used in these computations. This cost-of-living adjustment shall be based upon and directly reflect the annual percentage increase or decrease in the Consumer Price Index for the preceding year. The retiree may continue to receive his benefit until he earns more than fifty percent of his annual retirement benefit as defined herein, during any fiscal year, after which his retirement benefits shall be reduced so that the total reduction equals the amount earned in excess of fifty percent of his annual retirement benefit as adjusted under this Section. Retirees choosing this option shall not become contributing members of this system.

(b) Due to inconsistent interpretations arising from the passage of Act 610 of the 1995 Regular Session, which made the selection of Option 1 an irrevocable decision, the benefits of any retiree of the Department of Transportation and Development who chose Option 1 shall not be reduced or suspended as a consequence of any employment occurring during the period between July 1, 1995 and June 30, 1997.

\* \* \*

Senator Heitmeier moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS		
Bajoie	Fields	Landry
Barham	Greene	Lentini
Bean	Guidry	Malone
Branch	Hainkel	Robichaux
Cain	Heitmeier	Romero
Campbell	Hines	Schedler
Cox	Hollis	Short
Cravins	Irons	Siracusa
Dardenne	Johnson	Smith
Dean	Jones	Tarver
Dyess	Jordan	Theunissen
Ellington	Lambert	Ullo
Total—36		
NAYS		
Total—0		
ABSENT		
Mr. President	Bagneris	Casanova
Total—3		

The Chair declared the amendments proposed by the House were rejected. Senator Heitmeier moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 200—**  
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:728(B)(1) and (F), relative to the Teachers' Retirement System of Louisiana; to provide for establishing credit for certain teaching service; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 200 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 2, between the comma "," and "relative" insert "and to repeal R.S. 11:712,"

AMENDMENT NO. 2

On page 1, line 4, between the semi-colon ";" and "to" insert "to repeal certain provisions regarding the reemployment of retirees;"

AMENDMENT NO. 3

On page 3, line 20, after "Section 2." delete the remainder of the line and add:

"R.S. 11:712 is hereby repealed in its entirety.

Section 3. The provisions of Section 1 of this Act shall become effective on July 1, 1997. The provisions of Section 2 of this Act shall take effect and become operative if and when the Act which originated as Senate Bill 489 of this 1997 Regular Session of the Legislature is enacted and becomes law."

Senator Heitmeier moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS		
Bajoie	Fields	Landry
Barham	Greene	Lentini
Bean	Guidry	Malone
Branch	Hainkel	Robichaux
Cain	Heitmeier	Romero
Campbell	Hines	Schedler
Casanova	Hollis	Short
Cox	Irons	Siracusa
Cravins	Johnson	Smith
Dean	Jones	Tarver
Dyess	Jordan	Theunissen
Ellington	Lambert	Ullo
Total—36		
NAYS		
Total—0		
ABSENT		
Mr. President	Bagneris	Dardenne
Total—3		

The Chair declared the amendments proposed by the House were rejected. Senator Heitmeier moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 215—

BY SENATORS EWING AND LANDRY
A JOINT RESOLUTION

Proposing to amend Article VII, Section 14(B) of the Constitution of Louisiana, to authorize the use of public funds through state infrastructure banks; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative J. D. Smith to Engrossed Senate Bill No. 215 by Senator Ewing

AMENDMENT NO. 1

On page 2, line 26, change "primary" to "general"

Senator Ewing moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns listing names of representatives who voted 'YEAS' for Amendment No. 1.

NAYS

Total—0

ABSENT

Table with 3 columns listing names of representatives who were 'ABSENT'.

The Chair declared the amendments proposed by the House were rejected. Senator Ewing moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 268—

BY SENATOR ULLO
AN ACT

To amend and reenact R.S. 15:832.1(A) and (B), relative to work by inmates; to authorize the governor to use inmate labor in certain projects or maintenance or repair work at such facilities; to authorize the use of inmate labor for certain custodial services; to provide for the effective date and term of this Act and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Windhorst to Engrossed Senate Bill No. 268 by Senator Ullo

AMENDMENT NO. 1

On page 2, line 3, after "exceed" and before "hundred" delete "one" and insert "two"

Senator Ullo moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns listing names of representatives who voted 'YEAS' for Amendment No. 1.

NAYS

Total—0

ABSENT

Table with 3 columns listing names of representatives who were 'ABSENT'.

The Chair declared the amendments proposed by the House were concurred in. Senator Ullo moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 355—

BY SENATORS GREENE AND CRAVINS
AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 355 by Senator Greene and Cravins

AMENDMENT NO. 1

On page 3, at the end of line 2, delete "and"

AMENDMENT NO. 2

On page 3, line 3, delete "1-85" and insert "1-85, INDUSTRIAL COMPLEX, INDUSTRIAL COMPLEX A, and INDUSTRIAL COMPLEX B"

AMENDMENT NO. 3

On page 4, line 7, after "Parish;" and before "Precincts" insert "and"

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AMENDMENT NO. 4

On page 4, line 12, after "6-15," delete the remainder of the line and insert the following: "6-16, and 6-17, that portion of Precinct 2-5 which is East of Interstate 49, that portion of Precinct 3-1 which is West of State Highway 741, that portion of Precinct 4-4 which is South of the Missouri Pacific Railroad between Precincts 4-10 and 4-15, that portion of Precinct 4-11 which is West of Parish Road 4-50, and that portion of Precinct 4-12 Northwest of Parish Road 4-20 of"

AMENDMENT NO. 5

On page 4, line 27, after "6-4" and before "of" insert a comma "," and the following: "and that portion of Precinct 2-5 which is West of Interstate 49"

AMENDMENT NO. 6

On page 5, line 1, before "Vermilion" insert "and"

AMENDMENT NO. 7

On page 5, line 11, after "6-13A," insert "and"

AMENDMENT NO. 8

On page 5, line 12, after "6-14," delete the remainder of the line and insert the following: "that portion of Precinct 3-1 which is East of State Highway 741, that portion of Precinct 4-4 which is not contained within District 24, that portion of Precinct 4-11 which is East of Parish Road 4-50, and that portion of Precinct 4-12 which is South of Parish Road 4-20 of St. Landry Parish."

AMENDMENT NO. 9

On page 6, line 1, after "Lincoln Parish;" insert "and"

Senator Greene moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS and NAYS. YEAS list includes Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Total—32. NAYS list includes Bajouie, Fields, Total—5. ABSENT list includes Mr. President, Total—2.

The Chair declared the amendments proposed by the House were concurred in. Senator Greene moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 399—

BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:462, relative to Louisiana State Employees' Retirement System; to provide for an optional disability enhancement benefit program and rehabilitation program; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 399 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 3, after "for" delete the remainder of the line, and on page 1, at the beginning of line 4, delete "program and" and add "a disability"

AMENDMENT NO. 2

On page 1, line 8, after "\$462." delete the remainder of the line and add "Disability rehabilitation program"

AMENDMENT NO. 3

On page 1, delete lines 10 through 12 in their entirety, and on page 1, at the beginning of line 13, change "B." to "A."

AMENDMENT NO. 4

On page 2, at the beginning of line 6, change "C." to "B."

AMENDMENT NO. 5

On page 2, line 7, between "the" and "program" change "disability" to "rehabilitation"

Senator Heitmeier moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS and NAYS. YEAS list includes Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Total—37. NAYS list includes Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry, Total—0. ABSENT list includes Mr. President, Total—2.

The Chair declared the amendments proposed by the House were concurred in. Senator Heitmeier moved to reconsider the vote by



which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 404—**

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 15:1177 and R.S. 49:964(A), relative to administrative remedy procedures; to provide that offenders aggrieved by a decision rendered either by the Department of Public Safety and Corrections or a private prison facility may seek judicial review of said decision only in the Nineteenth Judicial District Court; to provide for a procedure for review of said decision; to provide for remand of case; to provide for additional evidence; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 404 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 8, after "district court" delete the remainder of the line

AMENDMENT NO. 2

On page 2, at the beginning of line 9, delete "agency is located"

Senator Dardenne moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Bagneris	Dean
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Dardenne moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 457—**

BY SENATOR HINES AND REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 49:951(5) and 964(C), relative to the Administrative Procedure Act; to provide that the definition of "person" include "agency"; to provide for an exception to a stay ex parte; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 457 by Senator Hines

AMENDMENT NO. 1

On page 1, line 4, after "'agency'" and before the semi-colon ";," insert "for certain purposes"

AMENDMENT NO. 2

On page 1, delete line 14 and insert the following: "of any character other than an agency, except that an agency is a "person" for the purpose of appealing an administrative ruling in a disciplinary action brought pursuant to Title 37 of the Louisiana Revised Statutes of 1950 prior to the final adjudication of such disciplinary action."

AMENDMENT NO. 3

On page 2, line 5, after "provided by" delete "law." and insert "Title 37 of the Louisiana Revised Statutes of 1950, relative to professions and occupations."

Senator Hines moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Casanova
Bagneris	Cravins
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator Hines moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

June 20, 1997

SENATE BILL NO. 491—  
BY SENATORS HEITMEIER AND SCHEDLER  
AN ACT

To amend and reenact R.S. 11:181(B), (D), and (F), 1651(B)(1), and 2225(A)(2)(a), relative to the statewide public retirement systems, funds, or plans; to provide for the composition of the governing boards of the systems; to provide that the chairman of the Senate Committee on Retirement serve as ex officio member of certain boards; to provide for per diem paid for board members to attend meetings; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Reengrossed Senate Bill No. 491 by Senators Heitmeier and Schedler

AMENDMENT NO. 1

On page 1, line 2, between "To" and "amend" and insert "enact R.S. 11:165 and to"

AMENDMENT NO. 2

On page 1, line 3, between "the" and "statewide" insert "state and"

AMENDMENT NO. 3

On page 1, line 4, between the semi-colon ";" and "to" insert "to provide for disqualification of felons from eligibility to participate in or receive credit from public retirement systems; to provide for such disqualification as a condition of employment; to provide with respect to contributions and the refund thereof; to provide with respect to restoration of rights if conviction is reversed on appeal;"

AMENDMENT NO. 4

On page 1, line 12, between "reenacted" and "to" insert "and R.S. 11:165 is hereby enacted"

AMENDMENT NO. 5

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

"§165. Felony conviction: benefit and eligibility disqualification

A. Any public employee who is employed after December 31, 1997, shall agree to be subject to the following conditions of employment:

(1) That if he is convicted of a felony offense as listed in Subsection B of this Section, where such conviction arose from his service as a public employee, then he shall by operation of law be automatically disqualified from eligibility to participate in, or to receive his share of benefits from the state or statewide public retirement system of which he is a member.

(2) The employee contributions that were made to fund the convicted employee's participation in the plan shall be refunded, without interest. No further employee or employer contributions shall be made on behalf of the convicted employee. Any further service by the convicted employee shall not be applied as credit to the retirement system.

(3)(i) Notwithstanding the provisions of Paragraph 2 of this Subsection, the employee's contributions shall be retained by the plan to the extent necessary to fund the actuarial cost of retirement benefits of the convicted employee's spouse and children in an amount proportionate to the spouse's community interest and the children's interest in the plan, if any.

(ii) The spouse shall receive retirement benefits in an amount proportionate to the community interest that enured to the spouse, based on the service credited to the employee's account prior to conviction.

(iii) The children shall receive benefits in an amount proportionate to their interest as established by law.

(4)(i) If the conviction is reversed on appeal, the public employee shall be made whole by the restoration of his eligibility to participate in the retirement system and to receive benefits therefrom, including any credit or benefits that he may have been deprived of during the time between conviction and restoration.

(ii) Prior to such restoration, any refunded employee contributions received by the employee pursuant to Paragraph 2 of this Subsection shall be repaid to the system in one lump sum or in such installments as approved by the board of trustees thereof. Any employee contributions that would have been made during the period shall be made in such installments as approved by the board of trustees, provided that all such contributions shall be paid prior to applying for retirement.

(iii) The employer contributions that would have been made during the period shall be included in the employer contribution to the system in the fiscal year following the employee's repayment of contributions.

B. The provisions of this Section shall only be applicable where the employee is convicted of any of the following offenses.

- (1) Public bribery (R.S. 14:118).
- (2) Bribery of voters (R.S. 14:119).
- (3) Corrupt influencing (R.S. 14:120).
- (4) Malfeasance in office (R.S. 14:134).
- (5) Public salary deduction (R.S. 14:135).
- (6) Public salary extortion (R.S. 14:136).
- (7) Public payroll fraud (R.S. 14:138).
- (8) Political payroll padding (R.S. 14:139).
- (9) Public contract fraud (R.S. 14:140).

C. The provisions of this Section shall be applicable only where the felonious conduct is committed with specific intent or general criminal intent as those terms are defined in R.S. 14:10, or where the felony is committed through criminal negligence as that term is defined in R.S. 14:12."

Senator Heitmeier moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Bagneris	Casanova
Total—3		

The Chair declared the amendments proposed by the House were rejected. Senator Heitmeier moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 498—  
BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:791(A)(4) and (5), relative to Teachers' Retirement System of Louisiana; to provide for reemployment of retirees who participated in the Deferred Retirement Option Plan; to authorize part-time reemployment as teachers in certain adult education programs and in certain programs for students failing to meet certain proficiency levels; to provide for such reemployment without suspension of retirement benefits; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 498 by Senator Heitmeier

AMENDMENT NO. 1

On page 2, line 19, delete "or the equivalent of eighty hours"

AMENDMENT NO. 2

On page 2, at the end of line 20, delete "or the", and on page 2, at the beginning of line 21, delete "equivalent of eighty hours"

Senator Heitmeier moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Bagneris
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Heitmeier moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 538—  
BY SENATORS DARDENNE, HAINKEL AND EWING  
AN ACT

To enact R.S. 18:1300.22, relative to gaming elections; to specify that certain referendum elections required by the constitution may be called only by law; to provide that certain such elections may be

called by the parish governing authority; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to engrossed Senate Bill No. 538 by Senator Dardenne

AMENDMENT NO. 1

On page 2, at the end of line 5 insert the following: "The election authorized by this Subsection shall only apply to those parishes in which a majority of the electors of the parish voted to permit riverboat gaming in the election authorized in R.S. 18:1300.21, and conducted at the 1996 congressional general election."

Senator Dardenne moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Lambert
Bagneris	Short
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator Dardenne moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 584—  
BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS  
AN ACT

To amend and reenact R.S. 9:311(C) relative to child support; to provide for periodic review and adjustment of child support awards in cases enforced through the Department of Social Services; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

June 20, 1997

Amendments proposed by House Committee on Civil Law and Procedure to Engrossed Senate Bill No. 584 by Senator Hainkel, et al.

AMENDMENT NO. 1

On page 2, line 10, after "appropriate," and before "adjust" insert "the court may"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hunter to Engrossed Senate Bill No. 584 by Senator Hainkel

AMENDMENT NO. 1

On page 2, at the end of line 21, insert the following: "However, the provisions hereof shall never take effect unless the secretary of the United States Department of Health and Human Services, Administration for Children and Families, determines that the provisions hereof are required for compliance with the provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996."

Senator Hainkel moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

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

The Chair declared the amendments proposed by the House were concurred in. Senator Hainkel moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

HOUSE BILL NO. 587—

BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS AN ACT

To amend and reenact Civil Code Article 3533, relative to conflict of laws as to the succession of immovables situated in this state; to provide when the law of forced heirship does not apply; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 587 by Senator Hainkel, et al.

AMENDMENT NO. 1

On page 2, line 9, change "seven" to "thirty"

AMENDMENT NO. 2

On page 2, line 23, after "penalties" and before "for" insert "not to exceed twenty-five dollars"

AMENDMENT NO. 3

On page 3, delete lines 3 through 7 in their entirety

AMENDMENT NO. 4

On page 3, line 8, change "(3)" to "(2)"

AMENDMENT NO. 5

On page 3, line 13, change "(4)" to "(3)"

AMENDMENT NO. 6

On page 3, line 27, delete "Records" and insert in lieu thereof "With court approval, records"

AMENDMENT NO. 7

On page 4, at the beginning of line 10, insert "(1)"

AMENDMENT NO. 8

On page 4, at the beginning of line 13, change "(1)" to "(a)"

AMENDMENT NO. 9

On page 4, at the end of line 17, insert the following: "The provisions of R.S. 13:3881 providing general exemptions from seizure are applicable to the provisions of this Subparagraph."

AMENDMENT NO. 10

On page 4, at the beginning of line 18, change "(2)" to "(b)"

AMENDMENT NO. 11

On page 4, line 19, after "liens and" and before "to" insert ", with prior approval of the court."

AMENDMENT NO. 12

On page 4, at the beginning of line 20, change "(3)" to "(c)"

AMENDMENT NO. 13

On page 4, line 21, change "fifteen" to "thirty"

AMENDMENT NO. 14

On page 4, line 25, change "fifteen" to "thirty" and delete "have the" and insert in lieu thereof "petition the court"

AMENDMENT NO. 15

On page 4, line 26, delete "administrative authority"

AMENDMENT NO. 16

On page 4, between lines 26 and 27, insert the following:

"(2) No provision of this Subsection shall grant administrative authority to the agency to intercept, encumber, freeze, seize, or sell licensed or titled motor vehicles."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hunter to Reengrossed Senate Bill No. 587 by Senator Hainkel

AMENDMENT NO. 1

On page 5, at the end of line 7, change the period "." to a semicolon ";" and insert the following: "if vetoed by the governor and

subsequently approved by the legislature, this Act shall become effective on July 1, 1997, or on the day following such approval by the legislature, whichever is later. However, the provisions hereof shall never take effect unless the secretary of the United States Department of Health and Human Services, Administration for Children and Families, determines that the provisions hereof are required for compliance with the provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996."

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Reengrossed Senate Bill No. 587 by Senators Hainkel, et al.

##### AMENDMENT NO. 1

Delete Amendment No. 16 proposed by the House Committee on Civil Law and Procedure and adopted by the House on June 5, 1997.

##### AMENDMENT NO. 2

On page 4, at the end of line 26, insert the following: "No provision of this Subsection shall grant administrative authority to the agency to place a lien, privilege, or legal mortgage, on any licensed or titled motor vehicle."

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Reengrossed Senate Bill No. 587 by Senator Hainkel

##### AMENDMENT NO. 1

On page 3, line 27, change "entities" to "employers"

##### AMENDMENT NO. 2

On page 4, line 11, after "notice" and before "has" insert "of such arrearage"

##### AMENDMENT NO. 3

On page 4, line 18, delete "shall have the administrative authority to" and insert in lieu thereof "may"

##### AMENDMENT NO. 4

On page 4, delete line 19 and insert in lieu thereof "liens, force the sale of property, and distribute proceeds in accordance with state law."

##### AMENDMENT NO. 5

On page 4, line 25, delete "shall have the" and insert in lieu thereof "may institute proceedings through"

##### AMENDMENT NO. 6

On page 4, line 26, change "authority" to "process" and after "property" delete the period "." and add "in accordance with state law."

##### AMENDMENT NO. 7

In Amendment No. 1 proposed by the House Committee on Civil Law and Procedure and adopted by the House on June 5, 1997 on line 2, change "thirty" to "twenty"

##### AMENDMENT NO. 8

In Amendment No. 14 proposed by the House Committee on Civil Law and Procedure and adopted by the House on June 5, 1997 on line 9 after "thirty" delete the remainder of the line and delete line 10 in its entirety

##### AMENDMENT NO. 9

In Amendment No. 16 proposed by the House Committee on Civil Law and Procedure and adopted by the House on June 5, 1997 on lines 16 and 17 delete "intercept, encumber, freeze, seize, or sell" and

insert in lieu thereof "place a lien, privilege, or legal mortgage on any"

##### AMENDMENT NO. 10

Delete Amendments Nos. 6, 11, and 15 proposed by the House Committee on Civil Law and Procedure and adopted by the House on June 5, 1997

#### HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Reengrossed Senate Bill No. 587 by Senator Hainkel

##### AMENDMENT NO. 1

On page 1, line 9, change "Administrative" to "Limited administrative"

##### AMENDMENT NO. 2

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

"(6) The department shall take no action against an alleged father who fails or refuses to submit to genetic testing under the provisions of this Subsection."

##### AMENDMENT NO. 3

On page 2, line 21, delete "any financial or other"

##### AMENDMENT NO. 4

On page 3, line 1, change "fifteen" to "thirty"

##### AMENDMENT NO. 5

On page 3, line 2, delete "appropriate court" and insert in lieu thereof "agency"

##### AMENDMENT NO. 6

On page 3, delete lines 3 through 17 in their entirety

##### AMENDMENT NO. 7

On page 3, line 19, change "shall" to "may" and delete the comma ","

##### AMENDMENT NO. 8

On page 3, line 20, after "records" and before the colon ":" insert "in accordance with state law"

##### AMENDMENT NO. 9

On page 3, delete line 27 in its entirety

##### AMENDMENT NO. 10

On page 4, delete lines 1 through 8 in their entirety

##### AMENDMENT NO. 11

On page 4, line 11, after "notice" and before "has" insert "of such arrearage"

##### AMENDMENT NO. 12

On page 4, line 18, delete "shall have the administrative authority to" and insert in lieu thereof "may"

##### AMENDMENT NO. 13

On page 4, delete line 19 in its entirety and insert in lieu thereof "liens, force the sale of property, and distribute proceeds in accordance with state law."

##### AMENDMENT NO. 14

On page 4, at the end of line 26, delete the period "." and insert "in accordance with state law."

##### AMENDMENT NO. 15

In Amendment No. 1 proposed by the House Committee on Civil Law and Procedure and adopted by the House on June 5, 1997, on line 2, change "thirty" to "twenty"

June 20, 1997

AMENDMENT NO. 16

In Amendment No. 14 proposed by the House Committee on Civil Law and Procedure and adopted by the House on June 5, 1997, on line 9, change "have the" to "shall have the" and on line 10, change "petition the court" to "may institute proceedings"

AMENDMENT NO. 17

In Amendment No. 16 proposed by the House Committee on Civil Law and Procedure and adopted by the House on June 5, 1997, on line 16, delete "intercept, encumber," and on line 17, delete "freeze, seize, or sell" and insert in lieu thereof "place a lien, privilege, or mortgage on any"

AMENDMENT NO. 18

Delete Amendment Nos. 3, 6, and 11 proposed by the House Committee on Civil Law and Procedure and adopted by the House on June 5, 1997

Senator Hainkel moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

ABSENT

Mr. President Bagneris Hines Total—3

The Chair declared the amendments proposed by the House were rejected. Senator Hainkel moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 628—

BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT AN ACT

To enact R.S. 30:2089, relative to fees for the office of water resources within the Department of Environmental Quality; to provide for an increase in fees charged by the office of water resources; to provide for limitations on the amount of fee increases; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Downer to Engrossed Senate Bill No. 628 Senator Hainkel

AMENDMENT NO. 1

On page 2, at the end of line 4, delete "The" and delete lines 5 through 8 in their entirety

Senator Hainkel moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President Bagneris Total—2

The Chair declared the amendments proposed by the House were rejected. Senator Hainkel moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 660—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R. S. 14:70.2(C) and to enact R.S. 14:70.2(D), relative to refund or access device application fraud; to provide for graded penalties based on the value of the taking; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McMains to Engrossed Senate Bill No. 660 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 4, after taking delete the semi colon ";" and insert "for the crime of access device application fraud;"

AMENDMENT NO. 2

On page 1, line 10, after "refund" delete the remainder of the line and on line 11, delete "application fraud" and insert "shall be fined not more than five hundred dollars or imprisoned for not more than six months, or both."

AMENDMENT NO. 3

On page 1, line 12, delete "when the" and insert the following:

"(2) Whoever commits the crime of access device application fraud when the"

AMENDMENT NO. 4

On page 2, at the beginning of line 2, change "(2)" to "(3)" and on line 7 change "(3)" to "(4)"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 660 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 16, following "aggregate" and before the end of the line change "of the amount" to "amount of the"

AMENDMENT NO. 2

On page 2, line 17, following "the" and before "or" change "misappropriations" to "misappropriation"

Senator Dardenne moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dyess, Ellington, Total—34; Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Lambert, Landry; Lentini, Malone, Robichaux, Romero, Schedler, Siracusa, Smith, Tarver, Theunissen, Ullo

NAYS

Total—0

ABSENT

Table with 3 columns: Mr. President, Dean, Short; Bagneris, Jordan; Total—5

The Chair declared the amendments proposed by the House were rejected. Senator Dardenne moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 695— BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 15:570, relative to execution of sentence; to provide with respect to capital cases; to provide for officials and witnesses present at execution; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 695 by Senator Cain

AMENDMENT NO. 1

On page 1, line 4, after "execution;" and before "and to" insert "to provide for the time when executions must be carried out;"

AMENDMENT NO. 2

On page 2, at the end of line 22, insert the following: "Notwithstanding any other provision of law to the contrary, every execution of the death sentence shall take place between the hours of 6:00 p.m. and 11:59 p.m."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Travis to Engrossed Senate Bill No. 695 by Senator Cain

AMENDMENT NO. 1

In Amendment No. 1 proposed by the House Committee on Administration of Criminal Justice and adopted by the House on June 16, 1997, on page 1, at the end of line 3, insert the following "to provide for the location of the execution;"

AMENDMENT NO. 2

In Amendment No. 2 proposed by the House Committee on Administration of Criminal Justice and adopted by the House on June 16, 1997, on page 1, at the end of line 8, insert the following: "and shall take place at the state prison nearest to the location where the crime was committed, provided that the crime was committed in the state of Louisiana."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Deville to Reengrossed Senate Bill No.695 by Senator Cain

AMENDMENT NO. 1

Delete House Floor Amendments proposed by Representative Travis and adopted by the House on June 18, 1997.

Senator Cain moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Total—37; Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry; Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo

NAYS

Total—0

ABSENT

Table with 2 columns: Mr. President, Bagneris; Total—2

The Chair declared the amendments proposed by the House were concurred in. Senator Cain moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 779— BY SENATOR SIRACUSA

AN ACT

To amend and reenact R.S. 11:1938(A), relative to the Parochial Employees' Retirement System; to remove the one-year waiting period prior to entering the Deferred Retirement Option Plan; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 779 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 4, after "Plan;" and before "and" insert the following: "to provide for an effective date;"

AMENDMENT NO. 2

On page 2, after line 3, add the following: "Section 2. This Act shall become effective on July 1, 1998."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Stelly to Engrossed Senate Bill No. 779 by Senator Siracusa

AMENDMENT NO. 1

On page 1, line 2, between "R.S. 11:1938(A)" and the comma ", " insert "and 2144(A)"

AMENDMENT NO. 2

On page 1, at the beginning of line 3, add "Retirement System and the Registrars of Voters Employees"

AMENDMENT NO. 3

On page 1, at the beginning of line 5, add "an effective date; and to provide for"

AMENDMENT NO. 4

On page 1, line 8, between "R.S. 11:1938(A)" and "hereby" delete "is" and insert "and 2144(A) are"

AMENDMENT NO. 5

On page 2, after line 3, add:

"§2144. Deferred Retirement Option Plan

A. In lieu of terminating employment and accepting a service retirement allowance pursuant to this Section, any member who has ~~eleven or more years of creditable service at sixty-one years of age, twenty-one or more years of creditable service at fifty-six years of age, or thirty-one or more years of creditable service at any age who is eligible to receive retirement benefits as provided for in R.S. 11:2071~~ may elect to participate in the Deferred Retirement Option Plan and defer the receipt of benefits in accordance with the provisions of this Section.

\* \* \*

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

Senator Siracusa moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

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

The Chair declared the amendments proposed by the House were concurred in. Senator Siracusa moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 818—

BY SENATOR HAINKEL AND REPRESENTATIVE DEWITT AN ACT

To amend and reenact R.S. 18:443.2(4) and (6), relative to state central committees; to provide for annual meetings of a state central committee; to provide for vote of committee; to provide for ramification of certain members; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 818 by Senator Hainkel and Representative Dewitt

AMENDMENT NO. 1

On page 1, line 3, delete "annual"

AMENDMENT NO. 2

On page 1, delete lines 4 and 5 and insert the following: "committee; to provide relative to the filling of vacancies; and to provide for related matters."

AMENDMENT NO. 3

On page 2, line 7, after "call a" and before "meeting" insert "special"

AMENDMENT NO. 4

On page 2, delete lines 15 through 21 and insert the following: "shall be filled for the remainder of the unexpired term by a member appointed by the state central committee by a majority vote of the members present in person or by proxy of the state central committee."



Senator Hainkel moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Mr. President                      Bagneris  
Total—2

The Chair declared the amendments proposed by the House were rejected. Senator Hainkel moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 856—**  
BY SENATOR BRANCH

**AN ACT**

To amend and reenact R.S. 15:893, relative to prisons and correctional institutions; to provide for additional facilities; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 856 by Senator Branch

**AMENDMENT NO. 1**

On page 1, line 11, following "create" and before "maintain" change "and establish and operate and" to ", establish, operate, and "

Senator Branch moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Fields	Lentini
Barham	Greene	Malone
Bean	Guidry	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Short

Casanova  
Cox  
Cravins  
Dardenne  
Dean  
Dyess  
Ellington  
Total—37

Hollis  
Irons  
Johnson  
Jones  
Jordan  
Lambert  
Landry

Siracusa  
Smith  
Tarver  
Theunissen  
Ullo

**NAYS**

Total—0

**ABSENT**

Mr. President                      Bagneris  
Total—2

The Chair declared the amendments proposed by the House were concurred in. Senator Branch moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 857—**

BY SENATORS BRANCH, BARHAM, CAIN, CAMPBELL, CASANOVA, DARDENNE, DEAN, DYESS, GREENE, GUIDRY, HAINKEL, HOLLIS, LENTINI, SCHEDLER, SHORT, SIRACUSA, SMITH, THEUNISSEN AND ULLO

**AN ACT**

To amend and reenact R.S. 15:574.12(G), relative to confidentiality of certain information obtained by the boards of pardon and parole; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Landrieu to Reengrossed Senate Bill No. 857 by Senator Branch and others

**AMENDMENT NO. 1**

On page 1, line 2 after "(G)" insert "and to enact R.S. 15:574.12(I)"

**AMENDMENT NO. 2**

On page 1, line 3, after "parole;" and before "and" insert "to provide certain penalties;"

**AMENDMENT NO. 3**

On page 2, after line 8, insert the following:

"(I) It shall be a misdemeanor, punishable by a fine of not more than two thousand dollars or imprisonment for not more than one year, or both, for any member of the boards or pardon and parole or their employees to make public any confidential information."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative McCain to Engrossed Senate Bill No. 857 by Senator Branch, et al

**AMENDMENT NO. 1**

On page 2, line 1, after "of," and before "the" insert "or in opposition to,"

**AMENDMENT NO. 2**

On page 2, line 6, after "support of," and before "the" insert "or in opposition to,"

**AMENDMENT NO. 3**

On page 1, line 16, after "correspondence" insert "by a public official"

**HOUSE FLOOR AMENDMENTS**

June 20, 1997

Amendments proposed by Representative Daniel to Reengrossed Senate Bill No. 857 by Senator Branch, et al.

AMENDMENT NO. 1

On page 1, line 3, after "parole;" insert "to require such boards to maintain a register of certain correspondence;"

AMENDMENT NO. 2

On page 2, at the end of line 3, after "request." insert the following: "Each piece of correspondence by a public official which requests, or may be determined to be in support of, or in opposition to, the pardon or parole of an individual shall be recorded in a central register by the board which received the correspondence. The register shall contain the name of the individual whose pardon or parole is the subject of the letter, the name of the public official who is the author of the letter, and the date the letter was received by the board."

Senator Branch moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Total—36

NAYS

Total—0

ABSENT

Table with 3 columns of names: Mr. President, Bagneris, Smith, Total—3

The Chair declared the amendments proposed by the House were concurred in. Senator Branch moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 868— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:2173(A)(1) and (6) and 2178(K), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to the composition of the board of trustees; to provide with respect to election procedures for such board members and terms of office related thereto; to provide with respect to cost-of-living adjustments; to provide for the payment of cost-of-living adjustments on the current benefit being received; to establish maximum and minimum allowable cost-of-living adjustments; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Reengrossed House Bill No. SB 868 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, delete line 2 in its entirety and insert: "To amend and reenact R.S. 11:246(B), 2173(A)(1) and (6) and 2178(K), relative to the"

AMENDMENT NO. 2

On page 1, line 6, after "cost-of-living adjustments;" insert the following: "to provide with respect to supplemental cost-of-living adjustments for retirees and beneficiaries over age 65;"

AMENDMENT NO. 3

On page 1, delete line 12 in its entirety and insert the following:

"Section 1. R.S. 11:246(B), 2173(A)(1) and (6) and 2178(K) are hereby"

AMENDMENT NO. 4

On page 1, between lines 13 and 14 insert the following:

"§246. Additional cost-of-living adjustments; retirees and beneficiaries over age 65

\* \* \*

B. In addition to any other cost-of-living increases which the systems and funds enumerated in Subsection A are authorized by law to provide, the board of trustees may provide, on July 1, 1981 and thereafter, from interest income from investments, a supplemental cost-of-living adjustment to all retirees and beneficiaries who are sixty-five years of age or over, which shall consist of an amount equal to two percent of the benefit being received on October 1, 1977 or on the date the benefit is originally received if retirement commenced after October 1, 1977. No board shall provide such additional increases unless the board has received a rate of return in excess of six percent on investments the valuation interest rate based on the actuarial value of assets for the current fiscal year and the cost-of-living increase provided therein shall be payable only from the income over and above the six percent interest earnings investment income in excess of that determined by the application of the valuation interest rate to the actuarial value of assets."

AMENDMENT NO. 5

On page 2, line 27, after "members and" delete the remainder of the line and on page 3, delete line 1 in its entirety and insert the following: "survivors who have been receiving benefits from the fund for one full calendar year prior to the granting of the cost-of-living increase, as follows:"

Senator Heitmeier moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Ellington, Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jordan, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo

Dyess Lambert  
 Total—35  
 NAYS

Total—0  
 ABSENT

Mr. President Jones  
 Bagneris Landry  
 Total—4

The Chair declared the amendments proposed by the House were concurred in. Senator Heitmeier moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 870—**  
BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:441(F), relative to Louisiana State Employees' Retirement System; to provide for retirement eligibility at any age after twenty-five years of service for employees of the bridge police section of the Crescent City Connection Division of the Department of Transportation and Development; to provide for an effective date; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Retirement to Reengrossed Senate Bill No. 870 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 2, after "enact" and before "relative" delete "R.S. 11:441(F), and insert "R.S. 11:62(5)(f) and 441(F),"

AMENDMENT NO. 2

On page 1, line 10, after "Section 1." delete "R.S. 11:441(F) is " and insert "R.S. 11: 62(5)(f) and 441(F) are"

AMENDMENT NO. 3

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

"§62. Employees contributions established

Employee contributions to state and statewide public retirement systems shall be as follows:

\* \* \*

(5) Louisiana State Employees' Retirement System:

\* \* \*

(f) Bridge Police- 8.5% for those employees eligible for the benefit provided by R.S. 11:441(F).

\* \* \* "

AMENDMENT NO. 4

On page 2, at the end of line 3, insert the following:

"This retirement option shall only be available to employees hired after July 1, 1997, and the employee contribution rate shall be 8.5% for these employees."

Senator Heitmeier moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Total—36

NAYS

Total—0

ABSENT

Mr. President	Bagneris	Smith
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Heitmeier moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 876—**

BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS

AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 876 by Senator Hainkel

AMENDMENT NO. 1

On page 4, at the end of line 14, add "for any disclosure of information made in accordance with this Section, or"

AMENDMENT NO. 2

On page 5, line 5, after "any" and before "knowingly," delete "person" and insert in lieu thereof "state employee or any person working under a contract with the state"

AMENDMENT NO. 3

On page 5, at the beginning of line 7, change "Subsubparagraph (iii)" to "Item (vii)"

AMENDMENT NO. 4

On page 5, line 13, after "this" and before "shall" change "Subsubparagraph" to "Item"

AMENDMENT NO. 5

June 20, 1997

On page 5, line 15, after "under" and before "of" change "Subsubparagraph (iv)" to "Item (iv)"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Reengrossed Senate Bill No. 876 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 4, delete "certain financial data" and insert in lieu thereof "data match information"

AMENDMENT NO. 2

On page 2, line 11, delete "financial" and on line 12, delete "records of" and insert in lieu thereof "data match information on"

AMENDMENT NO. 3

On page 2, at the end of line 15, insert the following:

"Such disclosure to the department shall be limited to the name, record, address, and social security or taxpayer identification number of a noncustodial parent who maintains an account at such institution and who owes past-due support as identified by the state by name and social security or taxpayer identification number."

AMENDMENT NO. 4

On page 3, delete lines 23 through 27 in their entirety

AMENDMENT NO. 5

On page 4, delete lines 1 through 4 in their entirety

AMENDMENT NO. 6

On page 4, at the beginning of line 5, change "(v)" to "(iii)"

AMENDMENT NO. 7

On page 4, at the beginning of line 9, change "(vi)" to "(iv)"

AMENDMENT NO. 8

On page 4, at the beginning of line 12, change "(vii)" to "(v)"

AMENDMENT NO. 9

On page 4, at the beginning of line 26, change "(viii)" to "(vi)"

AMENDMENT NO. 10

On page 4, line 27, delete "a financial record of" and insert in lieu thereof "data match information on"

AMENDMENT NO. 11

On page 5, line 2, delete "financial record" and insert in lieu thereof "data match information"

AMENDMENT NO. 12

On page 5, at the beginning of line 5, change "(ix)" to "(vii)"

AMENDMENT NO. 13

On page 5, line 6, delete "a financial record" and insert in lieu thereof "data match information"

AMENDMENT NO. 14

On page 5, line 7, delete "Subsubparagraph (iii)" and insert in lieu thereof "any provision"

AMENDMENT NO. 15

On page 5, at the beginning of line 10, change "(x)" to "(viii)"

AMENDMENT NO. 16

On page 5, at the beginning of line 15, change "(xi)" to "(ix)"

AMENDMENT NO. 17

On page 5, line 19, delete "a financial record" and insert in lieu thereof "data match information"

AMENDMENT NO. 18

Delete Amendment No. 3 proposed by the House Committee on Commerce and adopted by the House on June 04, 1997

AMENDMENT NO. 19

In Amendment No. 5 proposed by the House Committee on Commerce and adopted by the House on June 04, 1997, on line 16, change "(ix)" to "(vii)"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hunter to Reengrossed Senate Bill No. 876 by Senator Hainkel, et al.

AMENDMENT NO. 1

On page 6, at the end of line 2, insert the following:

"However, the provisions hereof shall never take effect unless the secretary of the United States Department of Health and Human Services, Administration for Children and Families, determines that the provisions hereof are required for compliance with the provisions of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996."

Senator Hainkel moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Tarver, Theunissen, Ullo. Total—35

NAYS

Total—0

ABSENT

Table with 2 columns: Mr. President, Bagneris, Jordan, Smith. Total—4

The Chair declared the amendments proposed by the House were concurred in. Senator Hainkel moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 882— BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 42:1113(D) and 1114(D), and to enact R.S. 42:1113(D)(2)(f) and 1114(E), relative to ethics; to prohibit certain contractual relationships between certain persons and

certain governmental entities; to prohibit renewal of certain contracts between certain persons and certain governmental entities; to provide for the renewals and extensions of employment contracts with educational institutions; to require disclosure by certain persons of contracts and subcontracts; and to provide for related matters.

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

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.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 896 by Senator Jordan

AMENDMENT NO. 1

On page 1, line 2, after "amend and reenact" delete the remainder of the line and insert the following:

"R.S. 24:31, 31.1(A) and (C)(1), 31.5, 502, 503, 504, 506, and 507 and to enact R.S. 24:651(E), relative to the legislature; to provide for the compensation of members of the legislature; to provide for the salary of members of the legislature; to provide for the salaries of certain officers of the legislature; to provide relative to the salaries of certain officers of the Joint Legislative Committee on the Budget; to change the per diem payments to members of the legislature; to change the mileage allowance to members of the legislature; to"

AMENDMENT NO. 2

On page 1, line 6, delete "R.S. 24:31.5 is hereby amended and reenacted" and insert the following:

"R.S. 24:31, 31.1(A) and (C)(1), 31.5, 502, 503, 504, 506, and 507 are hereby amended and reenacted and R.S. 24:651(E) is hereby enacted"

AMENDMENT NO. 3

On page 1, between lines 7 and 8, insert the following:

"§31. Compensation of members; election for salary and per diem compensation

A. Effective April 21, 1980 the The compensation of the members of the legislature shall be seventy-five dollars per day during their attendance on that body; equal to the rate allowable for per diem deduction under Section 162(h)(1)(B)(ii) of Title 26 of the United States Code for the location of the state capital.

B. Any member of the legislature or any member-elect may elect to receive per diem compensation and salary as provided by law in effect on January 1, 1997. Such election shall be filed with the clerk of the House or the secretary of the Senate, as applicable. Such election may be filed at any time after the certification of the election of the member-elect or at any time during the member's legislative service.

§31.1. Salary for members; mileage allowance

A. In addition to the per diem and all other allowances provided by law for members of the Legislature of Louisiana, each member of the legislature, except the president and the president pro tempore of the Senate and the speaker and the speaker pro tempore of the House of Representatives, shall be paid a salary in the full sum of sixteen thousand eight hundred twenty-nine thousand five hundred dollars per annum, payable monthly.

\* \* \*

C.(1) In addition to the per diem and salary and all other allowances provided by law for members of the Legislature of Louisiana, each member, except the president of the Senate and the speaker of the House, shall be paid a mileage allowance for trips to and from the capitol during sessions of the legislature, regardless of the method of transportation, equal to the rate established for travel by automobile of state officers and employees on official state business as the standard mileage rate for business travel for purposes of Section 162(a) of Title 26 of the United States Code. Such mileage allowance shall be paid for a number of trips not to exceed the number of calendar weeks, or fraction thereof, of the session.

\* \* \*

AMENDMENT NO. 4

On page 1, delete lines 14 through 17 and on page 2, delete lines 1 through 9 and insert the following:

STEP	MONTHLY SALARY
Base	\$ 2,000
First	\$ 2,083
Second	\$ 2,169
Third	\$ 2,259
Fourth	\$ 2,352
Fifth	\$ 2,450
Sixth	\$ 2,551
Seventh	\$ 2,657
Eighth	\$ 2,767
Ninth	\$ 2,881
Maximum	\$ 3,000

On and after July 1, 1998, any legislator who has the maximum salary step available to him for his legislative assistants shall have available a step increase of four percent per year for the salary available for his legislative assistants."

AMENDMENT NO. 5

On page 2, delete line 16 and insert the following:

"exceed one thousand five hundred two thousand dollars per month plus the"

AMENDMENT NO. 6

On page 2, delete line 22, and insert the following:

"the total salary shall not exceed one thousand five hundred two thousand"

AMENDMENT NO. 7

On page 4, delete line 7 and insert the following:

\* \* \*

June 20, 1997

§502. Speaker of the House of Representatives; salary; expenses

A. The salary of the speaker of the House of Representatives shall be ~~thirty-two~~ sixty thousand dollars per annum, such salary to be payable ~~monthly~~ on his own warrant and drawn on the general fund of the state. This salary shall be compensation to the speaker for service to the House of Representatives, including that rendered during regular and extraordinary sessions of the legislature and during the interim between sessions. The speaker of the House of Representatives shall be entitled to receive per diem compensation only during sessions of the legislature in the amount provided in R.S. 24:31 for his service to the House of Representatives.

B. ~~In addition to the days for which he is authorized a per diem as provided in R.S. 24:31 or for attendance at meetings of legislative and other committees or commissions during the interim between sessions, the speaker shall be paid the per diem authorized in R.S. 24:31 for each day spent in the state capitol in the conduct of the business of his office, upon filing of a voucher for each such day with the clerk of the House.~~

§503. Expenses

The president of the Senate and the speaker of the House of Representatives shall be entitled to be reimbursed for actual expenses, in an amount not to exceed ten thousand dollars per annum, to be paid monthly on their own warrants and drawn on the general fund of the state upon filing an itemized statement of expenses and appropriate invoices or receipts supporting the same with the chief clerical officer of their respective house of the legislature, including but not limited. Such reimbursable expenses shall include but not be limited to travel, lodging expenses, and for attendance at meetings, conferences, and appearances in connection with their official duties, in an amount not to exceed ten thousand dollars per annum, to be paid monthly on their own warrants and drawn on the general fund of the state.

§504. Speaker pro tempore; assumption of duties of speaker; salary

A. The speaker pro tempore of the House of Representatives shall, upon the death of the speaker of the House of Representatives, assume the powers, duties, responsibilities, and emoluments of the speaker of the House until the first regular or special session of the legislature thereafter, at which time a new speaker shall be elected. The speaker pro tempore, in the event of the disability or absence of the speaker of the House of Representatives as certified by the speaker of the House or a majority of the members of the House of Representatives by roll call vote or mail ballot, shall assume the powers, duties, and responsibilities of the speaker until the termination of such disability or absence, and the House of Representatives shall make appropriate financial recompense for such service.

B. The salary of the speaker pro tempore of the House of Representatives shall be forty-two thousand five hundred dollars per annum. This salary shall be compensation to the speaker pro tempore for service to the House of Representatives, including that rendered during regular and extraordinary sessions of the legislature and during the interim between sessions. The salary provided for in this Section shall be payable in the same manner as provided in R.S. 24:31.1(B). The speaker pro tempore shall be entitled to the per diem and all other allowances

provided by law for members of the Legislature of Louisiana.

\* \* \*

§506. President of the Senate; salary; expenses

A. The salary of the president of the Senate shall be ~~thirty-two~~ sixty thousand dollars per annum, such salary to be payable ~~monthly~~ on his own warrant and drawn on the general fund of the state. This salary shall be compensation to the president for service to the Senate, including that rendered during regular and extraordinary sessions of the legislature and during the interim between sessions. The president of the Senate shall be entitled to receive per diem compensation only during sessions of the legislature in the amount provided in R.S. 24:31 for his service to the Senate.

B. ~~In addition to the days for which he is authorized a per diem as provided in R.S. 24:31 or for attendance at meetings of legislative and other committees or commissions during the interim between sessions, the president shall be paid the per diem authorized in R.S. 24:31 for each day spent in the state capitol in the conduct of the business of his office, upon filing of a voucher for each such day with the secretary of the Senate.~~

§507. President pro tempore; assumption of duties of president; salary

A. The president pro tempore of the Senate shall, upon the death of the president of the Senate, assume the powers, duties, responsibilities, and emoluments of the president of the Senate until the first regular or extraordinary session of the legislature thereafter, at which time a new president shall be elected. The president pro tempore, in the event of the disability or absence of the president of the Senate as certified by the president of the Senate or by a majority of the members of the Senate by roll call vote or mail ballot, shall assume the powers, duties, and responsibilities of the president until the termination of such disability or absence, and the Senate shall make appropriate financial recompense for such service.

B. The salary of the president pro tempore of the Senate shall be forty-two thousand five hundred dollars per annum. This salary shall be compensation to the president pro tempore for service to the Senate, including that rendered during regular and extraordinary sessions of the legislature and during the interim between sessions. The salary provided for in this Section shall be payable in the same manner as provided in R.S. 24:31.1(B). The president pro tempore shall be entitled to the per diem and all other allowances provided by law for members of the Legislature of Louisiana.

\* \* \*

§651. Committee created; membership and composition

\* \* \*

E. The committee by majority vote may set additional compensation for the chairman and vice chairman of the committee for service on the committee, except that the amount of such additional compensation shall not cause the total compensation of such officers to exceed the compensation of the speaker of the House of Representatives or the president of the Senate. In addition, if such officers receive additional compensation as

provided in this Subsection, such officers shall not be entitled to receive per diem as provided in Subsection D of this Section for the performance of their duties for the committee.

Section 2. In addition to the emoluments established by law for members of the Legislature of Louisiana, either house of the legislature by resolution may establish additional allowances, supplements, or other compensation for its members.

Section 3. Any additional compensation paid to the officers of the Joint Legislative Committee on the Budget prior to July 1, 1997, authorized pursuant to Act No. 538 of 1976 or any other provision of law is hereby ratified, validated, and confirmed.

Section 4. Any member of the legislature in office on the effective date of this Act may elect to receive per diem compensation and salary as provided by law in effect on January 1, 1997. Such election shall be filed with the clerk of the House or the secretary of the Senate, as applicable. Such election may be filed any time after adjournment sine die of the 1997 Regular Session of the Legislature of Louisiana and prior to July 10, 1997.

Section 5. Sections 2, 3, 4, and 5 of this Act shall become effective upon adjournment sine die of the 1997 Regular Session of the Legislature of Louisiana. Section 1 of this Act shall become effective on July 1, 1997; if vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on July 1, 1997, or on the day following such approval by the legislature, whichever is later."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Bruneau to Engrossed Senate Bill No. 896 by Senator Jordan

AMENDMENT NO. 1

Delete House Committee Amendments Nos. 1, 2, 3, and 7 proposed by the Committee on House and Governmental Affairs and adopted by the House of Representatives on June 17, 1997

Senator Jordan moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

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

Total—3	ABSENT	
Mr. President	Bagneris	Greene
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Jordan moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 947—**

BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 42:1102(18), relative to the code of governmental ethics; to provide for the definition of a public employee; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Reengrossed Senate Bill No. 947 by Senator Romero

AMENDMENT NO. 1

On page 1, line 2, after "To" delete "amend and reenact R.S. 42:1102(18)," and insert "enact R.S. 42:1123(24),"

AMENDMENT NO. 2

On page 1, delete line 3 and insert "ethics; to provide an exception for certain persons serving on certain advisory boards, commissions, or committees; and to"

AMENDMENT NO. 3

On page 1, delete lines 6 through 16 in their entirety and on page 2, delete lines 1 through 18 in their entirety and insert the following:

"Section 1. R.S. 42:1123(24) is hereby enacted to read as follows:

§1123. Exceptions

This Part shall not preclude:

\* \* \*

(24) An industry or group representative from serving as a member of an advisory board, commission, or committee related to environmental matters, provided such member is not entitled to compensation, is uncompensated, and serves in a volunteer capacity, and provided that any recommendations or advice of such board, commission, or committee affects all members of the industry or group equally or does not provide a direct economic interest of greater benefit to the member, his employer, or the person he represents. For the purposes of this Paragraph, "industry or group representative" shall mean a member or employee of an industry or group or a person who represents such industry or group."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Fontenot to Reengrossed Senate Bill No. 947 by Senator Romero

AMENDMENT NO. 1

In House Committee Amendment No. 3 proposed by the House Committee on House and Governmental Affairs and adopted by the House on June 17, 1997, on page 1, line 17, between "enviromental" and "matters" insert "or energy"

Senator Romero moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

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

The Chair declared the amendments proposed by the House were rejected. Senator Romero moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 959— BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS AN ACT

To amend and reenact R.S. 15:587(A)(2) and R.S. 46:282(A), relative to access to criminal history information; to authorize the Department of Social Services, office of community services to access all criminal history record information maintained by the Louisiana Bureau of Criminal Identification and Information on foster and adoptive parent applicants and adult members of foster and adoptive parent households and to obtain and use Federal Bureau of Investigation criminal history records for screening those individuals; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Engrossed Senate Bill No. 959 by Senator Hainkel

AMENDMENT NO. 1

On page 3, delete line 4 and insert the following:

"applies for a contract to care for foster children. to be a foster or adoptive parent of a child in foster care. The investigation"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Daniel to Engrossed Senate Bill No. 959 by Senator Hainkel, et al

AMENDMENT NO. 1

On page 3, at the end of line 12, delete "The"

AMENDMENT NO. 2

On page 3, delete lines 13 through 17 in their entirety

AMENDMENT NO. 3

On page 3, line 18, delete "criminal history record check."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Wilkerson to Engrossed Senate Bill No. 959 by Senators Hainkel, et al.

AMENDMENT NO. 1

On page 3, line 2, after "services" delete the remainder of the line and at the beginning of line 3, delete "it contracts"

AMENDMENT NO. 2

On page 3, line 8, after "office" and before "shall" delete "or contracting agency"

AMENDMENT NO. 3

On page 3, line 13, after "department" and before "shall" delete "or contracting agency"

Senator Hainkel moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoi, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Total—37; Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry; Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Table with 2 columns: Mr. President, Bagneris, Total—2

The Chair declared the amendments proposed by the House were concurred in. Senator Hainkel moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 965—

BY SENATORS THEUNISSEN, CASANOVA, CRAVINS, JORDAN AND ROMERO AND REPRESENTATIVES FLAVIN, FRITH, FRUGE, GAUTREAUX, HEBERT, HUDSON, JOHNS, MICHOT, MORRISH, PIERRE, PINAC AND JACK SMITH

AN ACT

To enact Part II-A of Chapter 8 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1970.1 through 1970.9, relative to the Louis Armstrong High School for the



Arts; to establish the school; to provide for the location, governance, and affiliation of the school; to provide for the creation and membership of a school board to manage the school; to provide for the terms, compensation, voting requirements, powers, and duties of the school board members; to provide relative to the programs and operations of the school; to provide relative to the eligibility and admission of students; to provide relative to funding of the school; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 965 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 16, following "PART" and before the period "." change "II" to "II-A"

AMENDMENT NO. 2

On page 3, line 20, following "powers" and before "and" insert a comma ","

AMENDMENT NO. 3

On page 5, line 16, following "laws" and before the period "." insert "of this state"

AMENDMENT NO. 4

On page 9, line 15, following "Subparagraph" and before "(2)" change "(C)" to "(D)"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Long to Reengrossed Senate Bill No. 965 by Senators Theunissen et al.

AMENDMENT NO. 1

On page 2, line 12, after "sciences." and before "Beyond" insert the following:

"Provided, however, there shall be no duplication of programs already offered by the Louisiana School for Math, Science and the Arts in Natchitoches."

AMENDMENT NO. 2

On page 3, line 13, after "1999" and before "The school" delete the period "." and insert the following:

"only if all capital construction needs for the first ten years have been met or funding for such construction has been secured."

AMENDMENT NO. 3

On page 12, at the end of line 14, add the following:

"No appropriation made under the provisions of this Section shall exceed on a per-student basis any amount appropriated in the same fiscal year to the Louisiana School for Math, Science and the Arts in Natchitoches."

Senator Theunissen moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Bagneris
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Theunissen moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 972—**  
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 56:325.1(A)(2), the introductory paragraph of R.S. 56:325.1(B), 325.1(B)(2), (C)(1) and (C)(2)(a) and (c), and to enact R.S. 56:325.1(A)(3), relative to recreational saltwater finfish; to allow recreational fishermen to have a two-day bag limit of red drum and spotted sea trout in possession under certain conditions; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Natural Resources to Reengrossed Senate Bill No. 972 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 4, after "(A)(3)" and before the comma "," insert "and 326(H)"

AMENDMENT NO. 2

On page 1, line 5, after "drum" insert a comma "," and "southern flounder,"

AMENDMENT NO. 3

On page 1, line 11, change "is" to and 326(H) are"

AMENDMENT NO. 4

On page 1, line 15, after "drum" insert a comma "," and "southern flounder."

AMENDMENT NO. 5

On page 2, line 1, delete "two"

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AMENDMENT NO. 6

On page 2, between lines 5 and 6, insert the following:

"(c) Southern flounder -- ten fish for each consecutive day on the water."

AMENDMENT NO. 7

On page 2, line 10, after "water" change the period to a comma "," and add the following:

"unless such recreational saltwater fisherman is aboard a trawler engaged in commercial fishing for a consecutive period of longer than twenty-five hours."

AMENDMENT NO. 8

On page 2, lines 13, 16, 20, and 22 after "drum" insert a comma "," and "southern flounder."

AMENDMENT NO. 9

On page 4, after line 1, add the following:

"§326. Size and possession limits; commercial fish

\* \* \*

H. The possession limit for the commercial taking of southern flounder shall be ten fish for each licensed fisherman for each consecutive day on the water."

Senator Hainkel moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Bagneris
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Hainkel moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

HOUSE BILL NO. 992—

BY REPRESENTATIVE MCMAINS  
AN ACT

To enact R.S. 9:2800.11, relative to offenses and quasi offenses; to limit the liability of public entities for damages attributable to criminal activities; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Landrieu and Forster to Engrossed Senate Bill No. 992 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 2, delete "and 1102(A)," and insert in lieu thereof "1102(A), and 1103(C),"

AMENDMENT NO. 2

On page 1, line 8, after "officer;" insert "to provide with respect to legal fees and costs in the recovery of a lien;"

AMENDMENT NO. 3

On page 1, line 11, delete "and 1102(A)" and insert in lieu thereof "1102(A), and 1103(C)"

AMENDMENT NO. 4

On page 3, between lines 1 and 2, insert the following:

"C.(1) The claim against the third party is a cause of action owned jointly by the employee and the employer and is thus governed by the laws pertaining to ownership in indivision except where these laws may be modified by this Chapter.

(2) The co-owners of this cause of action may, by written agreement, determine how the cause of action shall be preserved or settled and distribution of any award, settlement, costs or legal fees.

(3) Absent such a written agreement, as co-owners the employee and the employer may, without the concurrence of the other take the necessary steps to preserve the cause of action including the filing of suit against the third party and the prosecution of the suit as the plaintiff.

(4) If either the employer or employee intervenes in the third party suit filed by the other, the intervenor shall only be responsible for a share of the reasonable legal fees and costs incurred by the attorney retained by the plaintiff. Such reasonable legal fees which portion shall not exceed one third of the intervenor's recovery for pre-judgment payments or pre-judgment damages. The amount of the portion of attorney fees shall be determined by the district court based on the proportionate services of the attorneys which benefitted or augmented the recovery from the third party. The employee as intervenor shall not be responsible for the employer's attorney fees attributable to post-judgment damages nor will the employer as intervenor be responsible for the attorney fees attributable to the credit given to the employer under Paragraph A of this Section. Costs shall include taxable court costs as well as the fees of experts retained by the plaintiff. The pro-rata share of the intervenor's costs shall be based on intervenor's recovery of pre-judgment payments or pre-judgment damages.

\* \* \*

Senator Ellington moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Fields	Lentini
Barham	Greene	Malone
Bean	Guidry	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Dyess	Lambert	
Ellington	Landry	
Total—37		
	NAYS	
Total—0		
	ABSENT	
Mr. President	Bagneris	
Total—2		

The Chair declared the amendments proposed by the House were rejected. Senator Ellington moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 1047—**  
BY SENATOR ELLINGTON AND REPRESENTATIVE FORSTER  
AN ACT

To amend and reenact R.S. 23:1397(A) and (C), 1404(B), 1405, and 1411(C), relative to the Louisiana Workers' Compensation Corporation; to transfer to the board of directors the authority to approve capitalization debt; to require the corporation to seek United States Department of Labor approval to write USL&H coverage without the full faith and credit guarantee; to provide for the disposition of assets upon dissolution of the corporation; to correlate the restrictions on the permitted types of corporate investments to the Louisiana Insurance Code; to remove the authority of the legislative auditor to audit the corporation after the full faith and credit guarantee has expired; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Labor and Industrial Relations to Reengrossed Senate Bill No. 1047 by Senator Ellington

AMENDMENT NO. 1  
On page 1, line 2, after "R.S." change "23:1397(A)" to "23:1393(A), 1397(A)"

AMENDMENT NO. 2  
On page 1, line 3, after "Corporation;" and before "to" insert "to require the consent of the legislature for the sale of the corporation;"

AMENDMENT NO. 3  
On page 1, line 14, after "R.S." change "23:1397(A)" to "23:1393(A), 1397(A)"

AMENDMENT NO. 4  
On page 1, between lines 15 and 16, insert the following:

"§1393. Creation of Louisiana Workers' Compensation Corporation  
A.(1) The Louisiana Workers' Compensation Corporation is hereby created as a private, nonprofit corporation to operate as a domestic mutual insurer to

provide workers' compensation insurance, a residual market, and related services to Louisiana employers as provided in this Part. The corporation shall not be sold and ownership and control shall not be transferred without the prior consent of the Legislature.  
\* \* \*

AMENDMENT NO. 5  
On page 2, line 9, after "effect" and before "and" insert a comma ",."

AMENDMENT NO. 6  
On page 3, at the beginning of line 2, change "from" to "of"

AMENDMENT NO. 7  
On page 4, line 8, after "effect" and before "and" insert a comma ",."

AMENDMENT NO. 8  
On page 5, line 3, after "effect" and before "and" insert a comma ",."

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1047 by Senator Ellington

AMENDMENT NO. 1  
On page 4, line 7, following "of" and before "(A)(1)" change "Subsection" to "Paragraphs"

Senator Ellington moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS		
Bajoie	Fields	Lentini
Barham	Greene	Malone
Bean	Guidry	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Casanova	Hines	Short
Cox	Hollis	Siracusa
Cravins	Johnson	Smith
Dardenne	Jones	Tarver
Dean	Jordan	Theunissen
Dyess	Lambert	Ullo
Ellington	Landry	
Total—35		
NAYS		
Campbell		
Total—1		
ABSENT		
Mr. President	Bagneris	Irons
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Ellington moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

June 20, 1997

SENATE BILL NO. 1076—  
BY SENATOR JOHNSON

AN ACT

To enact R.S. 14:97.1, relative to criminal offenses; to provide for the offense of solicitation on an interstate highway; to provide for penalties; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McCain to Reengrossed Senate Bill No. 1076 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 13, after "highway," insert "Provided, however, the provisions of this Section do not apply to hitchhiking."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Wilkerson to Reengrossed Senate Bill No. 1076 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 12, after "highway," delete the comma "," and insert a period "." and delete the remainder of the line and delete line 13

Senator Johnson moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Bagneris
Total—2	

The Chair declared the amendments proposed by the House were rejected. Senator Johnson moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 1082—  
BY SENATOR JOHNSON

AN ACT

To enact R.S. 33:4753.1, relative to the authority of the city of New Orleans to adopt certain ordinances relative to property which endangers the public health, welfare or safety or is unsanitary; to authorize the city of New Orleans to require that community service be performed by persons who allow weeds, grass or other noxious growths to accumulate on their property in disregard of the health and safety of others; to provide for penalties; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 1082 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 2, after "enact" change "R.S. 33:4753.1," to "R.S. 33:2740.35 and 4753.1,"

AMENDMENT NO. 2

On page 1, line 2, after "relative to" delete the remainder of the line, delete lines 3 through 8 in their entirety and insert in lieu thereof the following:

"the promotion and beautification of municipal areas for economic development; to authorize the creation of special taxing districts in municipalities having a population in excess of four hundred and seventy-five thousand persons and provide for the powers, duties, functions, and responsibilities of such districts including the promotion and marketing of municipal areas for economic development activities; to provide for imposition of certain taxes upon approval of the municipal governing authority to assist in funding the activities of the district; to authorize the city of New Orleans to adopt certain ordinances regarding property that endangers the public health, welfare, and safety; to provide for imposition of penalties of community service activities by owners of property which is detrimental to the public health, welfare, and safety of municipal residents; to provide penalties for violations of such ordinances; and to provide for related matters."

AMENDMENT NO. 3

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

"Section 1. R.S. 33:2740.35 is hereby enacted to read as follows:

§2740.35. Economic development districts; creation, composition, and powers; preparation of plans; levy of ad valorem taxes and issuance of bonds

A.(1) There shall be, and there hereby is, created a special taxing district within any municipality with a population of four hundred and seventy-five thousand or more persons comprised of the territory located within the boundary of Almonaster Avenue, one mile north of Hayne Boulevard/Lake Pontchartrain, the Industrial Canal, and the St. Tammany-Orleans Parish line.

(2) The special taxing district shall be known as, and is hereby designated "The New Orleans East Development

District" hereinafter referred to as the "district", said creation to be effective January 1, 1998.

B. The governing authority exercising the legislative powers of the city hereinafter referred to, collectively, as the "city council," shall have such power and control over, and responsibility for, the functions, affairs and administration of the district as are prescribed.

C. In order to provide for the orderly planning, development, acquisition, construction, and effectuation of the services, improvements, and facilities to be furnished by the district, and to provide for the representation in the affairs of the district of those persons and interests immediately concerned with and affected by the purposes and development of the district, there is hereby created a board of commissioners for the district hereinafter referred to as the "board".

D.(1) The board shall be composed of eleven members who shall have their principal place of business in or own property in the New Orleans East Development District. Such members shall be appointed as follows:

(a) Three members shall be appointed by the New Orleans East Economic Development Foundation, or its successor.

(b) Three members shall be appointed by the New Orleans East Business Association, or its successor.

(c) Two members shall be appointed by the New Orleans and River Region Chamber of Commerce ---- East Division, or its successor.

(d) One member shall be appointed by All Congregations Together, New Orleans East Churches.

(e) One member shall be appointed by the UNITE organization.

(f) One member shall be appointed by the Louisiana Business League, New Orleans Metro Chapter.

(2) The members of the board initially appointed shall be appointed as follows: three members for one year each, three members for two years each, three members for three years each, and two members for four years each, the length of the term for each individual appointed to be determined by lot. They shall serve until their successors have been appointed and qualified. The members of the board thereafter appointed upon the expiration of the respective terms of the initial appointees shall be selected and appointed in accordance with the procedures herein prescribed for the selection and appointment of the original members for the term of three years. However, vacancies shall be filled from nominations submitted by the nominating agencies and officials.

(3) As soon as practicable after their appointment, the board shall meet and elect from their number a chairman, a vice chairman, a treasurer, and such other officers as it may deem appropriate. A secretary of the board may be selected from among the members or may be otherwise selected or employed by the board. The duties of the said officers shall be fixed by bylaws adopted by the board. The board shall adopt such rules and regulations as it deems necessary or advisable for conducting its business and affairs, and shall engage such assistants and employees as are needed to assist the board in the performance of its

duties. It shall hold regular meetings as shall be provided by its bylaws and may hold special meetings at such time and places within or without the district as may be prescribed in its rules or regulations. A majority of the members of the board shall constitute a quorum for the transaction of business. The board shall keep minutes of all regular and special meetings and shall make them available to the public in conformance with law. The members of the board shall serve without compensation; however, they shall receive travel allowance as reimbursement for expenses incurred while attending to the business of the district.

E.(1) The board shall prepare, or cause to be prepared, a plan or plans, such plan or plans, and the plan provided for in Subsection F of this Section, being hereinafter referred to, collectively, as the plan, specifying the public improvements, facilities, and services proposed to be furnished, constructed or acquired for the district, and it shall conduct such public hearings, publish such notice with respect thereto and disseminate such information as it in the exercise of its sound discretion may deem to be appropriate or advisable and in the public interest. Any plan prepared by the board shall include provisions for marketing the district as an area for economic development incentives, providing for security of persons and property in the district, and a plan for the general beautification of the district as a whole.

(2) Any plan shall include an estimate of the annual and aggregate cost of providing the services, improvements, or facilities set forth therein.

(3) The board shall also submit the plan to the planning commission of the city. The planning commission shall review and consider the plan in order to determine whether or not it is consistent with the comprehensive plan for the city, and shall within thirty days following receipt thereof submit to the city council its written opinion as to whether or not the plan or any portion or detail thereof is inconsistent with the comprehensive plan for the city, together with its written comments and recommendations with respect thereto.

F. The city council, in addition to all other taxes which it is now or hereafter may be authorized by law to levy and collect, is hereby authorized to levy and collect as hereinafter specifically provided for a term not to exceed fifteen years from and after the date the first tax is levied pursuant to the provisions of this Section, in the same manner and at the same time as all other ad valorem taxes on property subject to taxation by the city are levied and collected, a special ad valorem tax upon all taxable commercial real property situated within the boundaries of the district. The number of mills hereby authorized shall not exceed ten mills. No such tax shall be levied until a plan requiring or requesting the levy of a tax is finally and conclusively adopted in accordance with the procedures prescribed in this Section. The proceeds of said tax shall be used solely and exclusively for the purposes and benefit of the district. Said proceeds shall be collected by the city of New Orleans and deposited in a separate account. Said tax proceeds shall be paid out by the city of New Orleans solely for the purposes herein provided upon warrants or drafts drawn on the district.

G. Notwithstanding any other provision of this Section to the contrary, no tax authorized herein shall be levied unless and until the maximum amount of the tax has

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been approved by a majority of the electors voting thereon in the district in an election called for that purpose.

H. The district shall have the power to acquire, to lease, to insure, and to sell real property within its boundaries in accordance with its plans."

**AMENDMENT NO. 4**

On page 1, line 11, change "Section 1." to "Section 2."

**AMENDMENT NO. 5**

On page 2, below line 25, add the following:

"Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

Senator Johnson moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Landry  
Total—1

**ABSENT**

Mr. President	Bagneris	Irons
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Johnson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 1087—  
BY SENATOR HAINKEL**

**AN ACT**

To enact R.S. 12:96, relative to prescriptive and peremptive periods for actions against officers and directors of business corporations; to provide with respect to liability of directors and officers of business corporations; to provide with respect to prescriptive and peremptive periods for actions against directors and officers; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative McCallum to Reengrossed Senate Bill No. 1087 by Senator Hainkel

**AMENDMENT NO. 1**

On page 1, line 2, after "prescriptive" and before "periods" delete "and peremptive"

**AMENDMENT NO. 2**

On page 1, at the end of line 5, delete "and peremptive"

**AMENDMENT NO. 3**

On page 1, at the end of line 12, delete "for" and delete lines 13 and 14, and insert "for breach of his duty as a director or"

**AMENDMENT NO. 4**

On page 2, line 5, after "discovered," delete the remainder of the line and delete lines 6 through 8 in their entirety

**AMENDMENT NO. 5**

On page 2, line 16, after "been discovered" delete the semicolon ";" and insert a period "." and delete the remainder of the line and delete lines 17 through 24 in their entirety

**AMENDMENT NO. 6**

On page 2, at the beginning of line 25, delete "D. This" and insert "C. With respect to claims for which suit has not been filed, this"

Senator Hainkel moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Mr. President	Bagneris
Total—2	

The Chair declared the amendments proposed by the House were concurred in. Senator Hainkel moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1097—  
BY SENATOR LANDRY

AN ACT

To amend and reenact Children's Code Art. 603(3), relative to children in need of care; to redefine the term "caretaker"; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 1097 by Senator Landry

AMENDMENT NO. 1

On page 1, delete lines 11 through 15 in their entirety and insert in lieu thereof the following:

"(3) "Caretaker" means ~~any person legally obligated to provide or secure adequate care for a child, including a~~

(1) A parent, tutor, guardian, legal custodian, or foster home parent;

(2) ~~an~~ An employee of a public or private day care center;

(3) A person who cohabits with the parent of the child.

(4) A person who is involved in an interpersonal relationship with the parent of the child and who supervises the child in the parent's absence.

(5) Any or other person providing a residence for the child."

AMENDMENT NO. 2

On page 2, delete line 1 in its entirety

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative McCain to Reengrossed Senate Bill No. 1097 by Senator Landry

AMENDMENT NO. 1

On page 1, line 2, change "Art. 603(3)," to "Art. 610(E),"

AMENDMENT NO. 2

On page 1, line 3, delete "to redefine the term "caretaker";" and insert in lieu thereof "to provide with respect to reporting procedures;"

AMENDMENT NO. 3

On page 1, line 6, change "Art. 603(3)" to "Art. 610(E)"

AMENDMENT NO. 4

On page 1, delete lines 8 through 15 in their entirety and insert in lieu thereof the following:

"Art. 610. Reporting Procedure  
\* \* \*

E. All reports received by any local or state law enforcement agency involving abuse or neglect in which the child's parent or caretaker is believed responsible shall be referred to the local child protection unit of the department. A local child protection unit shall refer abuse or neglect cases not involving a parent, or caretaker, or occupant of the household to the appropriate law enforcement agency and also shall report all cases of child death which involve a suspicion of abuse or neglect as a contributing factor in the child's death to the local and state

law enforcement agencies, the office of the district attorney, and the coroner.  
\* \* \*

AMENDMENT NO. 5

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

AMENDMENT NO. 6

Delete all Amendments proposed by the House Committee on Civil Law and Procedure and adopted by the House on May 27, 1997

Senator Landry moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—37

NAYS

Total—0

ABSENT

Mr. President

Bagneris

Total—2

The Chair declared the amendments proposed by the House were rejected. Senator Landry moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 1098—  
BY SENATORS ROBICHAUX AND LANDRY  
AN ACT

To enact R.S. 23:967, relative to interference with individual rights; to provide with respect to employment; to prohibit acts by an employer against an employee for intended or actual disclosure of an activity, policy or practice in violation of law; to provide penalties for employers who engage in reprisal; to provide for damages; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Labor and Industrial Relations to Reengrossed Senate Bill No. 1098 by Senator Robichaux

AMENDMENT NO. 1

On page 1, line 4, delete "an activity, policy" and insert in lieu thereof "a workplace act"

AMENDMENT NO. 2

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On page 1, line 13, delete "act in a retaliatory manner or"

AMENDMENT NO. 3

On page 1, line 14, after "faith" and before the colon ":" insert a comma "," and insert "and after advising the employer of the violation of law"

AMENDMENT NO. 4

On page 1, line 15, delete "an activity, policy," and insert in lieu thereof "a workplace act"

AMENDMENT NO. 5

On page 1, line 16, after "violation of" insert "state"

AMENDMENT NO. 6

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

AMENDMENT NO. 7

On page 2, line 4, delete "activity, policy" and insert in lieu thereof "employment act"

AMENDMENT NO. 8

On page 2, line 5, after "that" delete "the employee reasonable believes"

AMENDMENT NO. 9

On page 2, at the beginning of line 7, delete "of appropriate venue" and insert in lieu thereof "where the violation occurred"

AMENDMENT NO. 10

On page 2, at the beginning of line 10, change "employee" to "plaintiff" and after "employer" delete the remainder of the line and delete lines 11, 12, and 13 in their entirety and insert in lieu thereof "damages, reasonable attorney fees, and court costs."

AMENDMENT NO. 11

On page 2, line 16, after "layoff," delete the remainder of the line and delete lines 17, 18, 19, and 20 in their entirety and insert in lieu thereof "loss of benefits, or any discriminatory action the court finds was taken as a result of an action by the employee that is protected under Subsection A of this Section; however, nothing in this Section shall prohibit an employer from enforcing an established employment policy, procedure, or practice or exempt an employee from compliance with such."

AMENDMENT NO. 12

On page 2, line 21, after "(2) "Damages" delete the remainder of the line and delete lines 22, 23, 24 and 25 in their entirety and insert in lieu thereof "include compensatory damages, back pay, benefits, reinstatement, reasonable attorney fees, and court costs resulting from the reprisal."

AMENDMENT NO. 13

On page 2, after line 25, insert the following:

"D. If suit or complaint is brought in bad faith or if it should be determined by a court that the employer's act or practice was not in violation of the law, the employer may be entitled to reasonable attorney fees and court costs from the employee."

Senator Robichaux moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Mr. President	Bagneris	Bajoie
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Robichaux moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 1104—**  
BY SENATORS ROBICHAUX AND CAMPBELL  
AN ACT

To amend and reenact R.S. 37:1731(A), relative to the Good Samaritan Law; to provide immunity from liability for certain professional medical or limited liability corporations; to provide for qualified immunity from liability for emergency care rendered at a licensed public or private hospital or other health care facility; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Donelon to Reengrossed Senate Bill No. 1104 by Senators Robichaux and Campbell

AMENDMENT NO. 1

On page 1, at the end of line 3, after "medical" insert "corporation"

AMENDMENT NO. 2

On page 1, line 4, after "liability" insert "companies"

AMENDMENT NO. 3

On page 2, at the beginning of line 1, delete "corporation" and insert in lieu thereof "company"

AMENDMENT NO. 4

On page 2, line 12, after "medical" insert "corporation"

AMENDMENT NO. 5

On page 2, line 13, delete "corporation" and insert in lieu thereof "company"

AMENDMENT NO. 6

On page 3, line 1, after "medical" insert "corporation"



AMENDMENT NO. 7

On page 3, line 1, after "limited liability" delete "corporation" and insert in lieu thereof "company"

Senator Robichaux moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

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

The Chair declared the amendments proposed by the House were concurred in. Senator Robichaux moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1110— BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 42:1123(10)(b), relative to the Code of Governmental Ethics; to provide relative to certain exceptions; to expand the types of contracts permissible between higher education institutions and faculty or staff members or legal entities in which such employees have a substantial economic interest; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Engrossed Senate Bill No. 1110 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 5, after "faculty or" and before "staff" insert "certain"

AMENDMENT NO. 2

On page 1, line 16, after "faculty" delete "or staff" and insert a comma ", " and insert "research staff, or athletic coaching staff"

AMENDMENT NO. 3

On page 2, line 5, after "from the" and before "or" delete "professional" and insert "athletic coaching"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Lancaster to Engrossed Senate Bill No. 1110 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, after "1123" and before "(10)" insert "(9)(b) and"

AMENDMENT NO. 2

On page 1, line 3, between "exceptions;" and "to" insert "to provide for continued performance of certain services by faculty or staff members of higher education institutions after termination of public service;"

AMENDMENT NO. 3

On page 1, line 9, delete "R.S. 42:1123(10)(b) is" and insert "R.S. 42:1123(9)(b) and 10(b) are"

AMENDMENT NO. 4

On page 1, between lines 13 and 14, insert the following:

"(9) \* \* \*

(b) The performance of services for compensation for any person, by faculty or staff members of a public higher education institution, provided the services consist of consulting related to the academic discipline or expertise of said public employee, or the continued performance of such services by former faculty or staff members of a public higher education institution subsequent to the termination of their public service and notwithstanding contrary provisions of R.S. 42:1121, and provided the services have been approved in writing by the chief administrative officer of the public employee's institution in accordance with rules and procedures established by the management board of the institution, which rules and procedures have been approved by the Board of Regents and the Board of Ethics.

\* \* \*

Senator Dardenne moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo. Total—33

NAYS

Table with 2 columns: Fields, Landry. Total—2

ABSENT

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Mr. President Casanova
Bagneris Guidry
Total—4

The Chair declared the amendments proposed by the House were concurred in. Senator Dardenne moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1118—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact Subpart C of Part IV of Chapter 1 of Subtitle II of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:471 through 478; relative to survivor benefits of members of Louisiana State Employees' Retirement Systems; to provide for benefits for the surviving spouse of a member who dies while performing his official duties; to provide for benefits payable for certain employees killed in the line of duty; to provide for the right of the surviving spouse to the member's deferred retirement option plan account; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Retirement to Engrossed Senate Bill No. 1118 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 4, between "through" and "relative" change "478;" to "477;"

AMENDMENT NO. 2

One page 3, line 12, after "member" change the comma "," to a period "." and delete the remainder of the line, and on page 3, delete lines 13 and 14 in their entirety, and on page 3, at the beginning of line 15, delete "membership in this system."

AMENDMENT NO. 3

On page 9, delete lines 11 through 27 in their entirety, and on page 10, delete lines 1 through 18 in their entirety

Senator Heitmeier moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0
ABSENT

Mr. President Bagneris
Total—2

The Chair declared the amendments proposed by the House were concurred in. Senator Heitmeier moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Motion To Consider

Senator Landry moved the adoption of a motion to consider House Bill No. 916 on third reading and final passage, subject to call after the 55th legislative day.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Lentini
Bajoie Fields Malone
Barham Greene Robichaux
Bean Heitmeier Schedler
Branch Hines Short
Cain Hollis Siracusa
Campbell Johnson Smith
Casanova Jones Tarver
Dardenne Jordan Theunissen
Dean Lambert Ullo
Dyess Landry
Total—32

NAYS

Guidry Hainkel Irons
Total—3

ABSENT

Bagneris Cravins
Cox Romero
Total—4

The Chair declared that the motion to consider House Bill No. 916 after the 55th legislative day was adopted and asked the House concur in the same.

Senate Bills and Joint Resolutions
Returned from the House
of Representatives with Amendments, Resumed

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

SENATE BILL NO. 1119—

BY SENATORS JOHNSON, BARHAM, BEAN, BRANCH, CAIN, COX, CRAVINS, ELLINGTON, FIELDS, GREENE, HAINKEL, HINES, HOLLIS, IRONS, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SHORT, SMITH, TARVER, THEUNISSEN AND ULLO

AN ACT

To enact R.S. 15:574.2(C)(11), relative to the board of parole; to provide relative to parole hearings; to provide for written notification; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 1119 by Senator Johnson

AMENDMENT NO. 1

On page 2, line 1, after "victim" and before "at least" insert "at his last known address"

Senator Johnson moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

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

The Chair declared the amendments proposed by the House were concurred in. Senator Johnson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

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

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Environment to Reengrossed Senate Bill No. 1132 by Senator Bean

AMENDMENT NO. 1

On page 1, line 12, at the end of the line after "issues" insert the following:

" , as set out in the case of Save Ourselves v. Louisiana Environmental Control Commission, 452 So2d 1152 (La. 1984) and subsequent cases."

AMENDMENT NO. 2

On page 1, delete line 16 and insert in lieu thereof the following:

"B. The applicant and any person who may become a party to an administrative or judicial proceeding to review the secretary's decision on an application must raise all reasonably ascertainable issues and submit all reasonably available evidence supporting his position on the permit application prior to the issuance of the final decision by the department so that the evidence may be made a part of the administrative record for the application."

AMENDMENT NO. 3

On page 2, delete lines 1 through 6 in their entirety

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative DeWitt to Reengrossed Senate Bill No. 1132 by Senator Bean

AMENDMENT NO. 1

Delete Amendment No. 1 proposed by the House Committee on the Environment and adopted by the House on June 17, 1997.

AMENDMENT NO. 2

On page 1, at the end of line 12 after "issues", insert the following:

" , as provided in Article IX, Section 1 of the Constitution of Louisiana and by the Supreme Court of Louisiana in the case of Save Ourselves, Inc. v Louisiana Environmental Control Commission, 452 So2d 1152 (La. 1984). Subsequent case law and laws interpreting said decisions and the rules and regulations adopted by the department in accordance with those decisions may be used to implement the public trustee issues."

Senator Bean moved to concur in the amendments proposed by the House.

Motion

Senator Guidry moved as a substitute motion that the amendments proposed by the House be rejected.

Senator Bean objected.

ROLL CALL

The roll was called on the substitute motion with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Casanova, Cravins, Fields, Total—13; Greene, Guidry, Irons, Jones, Landry; Robichaux, Romero, Schedler

NAYS

Table with 3 columns of names: Bean, Branch; Ellington, Hainkel; Malone, Short

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Cain	Heitmeier	Siracusa
Cox	Hines	Smith
Dardenne	Hollis	Tarver
Dean	Jordan	Theunissen
Dyess	Lentini	Ullo
Total—21		

ABSENT

Mr. President	Campbell	Lambert
Bagneris	Johnson	
Total—5		

The Chair declared the Senate refused to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called on the original motion to concur in the House amendments with the following result:

**YEAS**

Bajoie	Hollis	Schedler
Barham	Johnson	Short
Bean	Jones	Siracusa
Dardenne	Jordan	Smith
Dean	Landry	Tarver
Dyess	Lentini	Theunissen
Hainkel	Malone	Ullo
Heitmeier	Robichaux	
Hines	Romero	
Total—25		

**NAYS**

Branch	Cox	Guidry
Cain	Cravins	Irons
Campbell	Fields	
Casanova	Greene	
Total—10		

ABSENT

Mr. President	Ellington
Bagneris	Lambert
Total—4	

The Chair declared the amendments proposed by the House were concurred in. Senator Bean moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 1141—**

BY SENATOR HEITMEIER AND REPRESENTATIVE DEWITT  
AN ACT

To amend and reenact R.S. 15:834 and 857 and to repeal R.S. 15:858, relative to the authority of certain corrections officials; to provide with regard to the leasing of lands; to provide with regard to transferring certain functions to a nonprofit corporation; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to engrossed Senate Bill No. 1141 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and insert "enact R.S. 15:859, relative"

AMENDMENT NO. 2

On page 1, line 7, after "Section 1." delete the remainder of the line and insert "R.S. 15:859 is hereby enacted to"

AMENDMENT NO. 3

On page 1, delete lines 9 through 15 in their entirety and delete page 2 in its entirety and on page 3 delete lines 1 through 8 in their entirety and insert in lieu thereof the following:

"§859. Inmate spiritual and guidance services; leasing of property

A. Notwithstanding any other provision of law to the contrary, the secretary of the Department of Public Safety and Corrections may lease land owned by the state and under the control of the department to a nonprofit corporation, on which land the lessee may construct a facility to be used for the purpose of providing spiritual and guidance services to inmates, subject to the rules and regulations of the department.

B. The lease shall be for a period not to exceed ninety-nine years and be subject to any such terms and conditions that the secretary deems appropriate and in accord with the rules and regulations of the department. The value of the facilities constructed shall be good and sufficient consideration for the lease granted by the department.

C. Contracts entered into by any such lessee for the performance of work or the erection, construction, or maintenance of improvements on the leased premises shall not constitute public works contracts.

D. The provisions of R.S. 39:1643 and Part I of Chapter 10 of Title 41 of the Louisiana Revised Statutes of 1950 shall not be applicable to leases authorized by this Section."

AMENDMENT NO. 4

On page 3, line 9, change "Section 3." to "Section 2."

Senator Heitmeier moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

ABSENT

Mr. President                      Bagneris                      Dean  
Total—3

The Chair declared the amendments proposed by the House were concurred in. Senator Heitmeier moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 1167—**

BY SENATORS HAINKEL, DARDENNE, EWING AND ROMERO  
AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Re-reengrossed Senate Bill No. 1167 by Senator Hainkel

AMENDMENT NO. 1

On page 5, line 17, after "marshal" and before "may" insert "or the facility planning and control section of the division of administration"

AMENDMENT NO. 2

On page 6, line 13, after "C." and before "enforcement" delete "Statewide" and insert in lieu thereof "With the exception of state owned facilities, statewide"

AMENDMENT NO. 3

On page 6, between lines 18 and 19, insert the following:

"D. For state owned facilities, statewide enforcement of the provisions of this Part shall be the responsibility of the facility planning and control section of the division of administration.

(1) No construction shall commence on any new state owned facility unless the facility planning and control section of the division of administration has determined that the building plans, specifications and energy code compliance documents therefor are in compliance with the Commercial Building Energy Conservation Code.

(2) No alterations or repairs to any existing state owned facility shall commence unless the facility planning and control section of the division of administration has determined that the building plans, specifications and energy code compliance documents for that portion being altered or repaired are in compliance with the applicable part of the Commercial Building Energy Conservation Code."

AMENDMENT NO. 4

On page 6, at the beginning of line 19, change "D." to "E."

AMENDMENT NO. 5

On page 6, at the beginning of line 24, change "E." to "F."

AMENDMENT NO. 6

On page 7, at the beginning of line 3, change "F." to "G."

AMENDMENT NO. 7

On page 7, at the beginning of line 11, change "G." to "H."

AMENDMENT NO. 8

On page 7, at the beginning of line 18, change "H." to "I."

AMENDMENT NO. 9

On page 7, at the beginning of line 21, change "I." to "J."

AMENDMENT NO. 10

On page 7, at the beginning of line 24, change "J." to "K."

AMENDMENT NO. 11

On page 8, at the beginning of line 1, change "K." to "L." and after "marshal" and before "shall" insert "and the facility planning and control section of the division of administration"

AMENDMENT NO. 12

On page 8, at the beginning of line 3, change "L." to "M."

AMENDMENT NO. 13

On page 8, at the beginning of line 9, change "M." to "N."

AMENDMENT NO. 14

On page 8, line 12, after "with" and before "the" insert "the facility planning and control section of the division of administration and"

AMENDMENT NO. 15

On page 8, line 20, after "marshal" and before "and" insert ", the facility planning and control section of the division of administration."

AMENDMENT NO. 16

On page 10, line 9, after "with" and before "the" insert "the facility planning and control section of the division of administration and"

AMENDMENT NO. 17

On page 11, line 3, after "with" and before "the" insert "the facility planning and control section of the division of administration and"

AMENDMENT NO. 18

On page 11, at the beginning of line 9, insert "A." and at the beginning of line 19, insert "B."

AMENDMENT NO. 19

On page 11, line 13, after "1999." and before "This" insert "For state owned facilities compliance with the applicable provisions of this Part shall become optional from July 1, 1997, until the effective date of January 1, 1999."

AMENDMENT NO. 20

On page 11, at the beginning of line 23, before "The" insert "A."

AMENDMENT NO. 21

On page 12, at the end of line 6, after "project." insert "The provisions of this Section shall not apply to state owned facilities."

AMENDMENT NO. 22

On page 12, at the beginning of line 7, before "The" insert "B."

AMENDMENT NO. 23

On page 13, line 2, after "marshal" and before the period "." insert "and the facility planning and control section of the division of administration"

AMENDMENT NO. 24

On page 13, line 6, after "process" and before the period "." insert ", or by the facility planning and control section of the division of administration"

**LEGISLATIVE BUREAU AMENDMENTS**

June 20, 1997

Amendments proposed by Legislative Bureau to Re-reengrossed Senate Bill No. 1167 by Senator Hainkel

AMENDMENT NO. 1

On page 12, line 4, following "40:1730.26" and before "shall" change "(G)" to "(H)"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Re-reengrossed Senate Bill No. 1167 by Senators Hainkel, et al.

AMENDMENT NO. 1

On page 8, between lines 14 and 15, insert the following:

"N. The Department of Natural Resources shall provide the American Institute of Architects with a computer, computer software, and any other equipment necessary to aid in the submission of plans as required for compliance with the Commercial Building Energy Conservation Code."

Senator Hainkel moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing YEAS: Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dyess, Ellington, Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ulló. Total—35

NAYS

Landry
Total—1

ABSENT

Mr. President Bagneris Dean
Total—3

The Chair declared the amendments proposed by the House were concurred in. Senator Hainkel moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1179—

BY SENATOR BAGNERIS

AN ACT

To amend and reenact Louisiana Code of Civil Procedure Art. 5183(A)(1) and (B), relative to the determination of poverty and lack of means for court costs; to provide a uniform standard; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1179 by Senator Bagneris

AMENDMENT NO. 1

On page 2, line 11, following "to" and before "of" change "125%" to "one hundred twenty-five percent"

Senator Guidry moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing YEAS: Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Fields, Greene, Guidry, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ulló. Total—36

NAYS

Total—0

ABSENT

Mr. President Bagneris Hainkel
Total—3

The Chair declared the amendments proposed by the House were concurred in. Senator Guidry moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1194—

BY SENATOR GUIDRY

AN ACT

To amend and reenact R.S. 23:1006(D), relative to discrimination in employment; to provide with respect to the suspension of the prescriptive period for a cause of action pending an administrative review or investigation; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Labor and Industrial Relations to Engrossed Senate Bill No. 1194 by Senator Guidry

AMENDMENT NO. 1

On page 2, after line 8, insert the following:

"Section 2. In the event the Act which originated as House Bill No. 1453 becomes law, the Louisiana State Law Institute shall redesignate R.S. 23:1006(D)(2) as provided in this Act as R.S. 23:333(C)."

Senator Guidry moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Mr. President Bagneris  
Total—2

The Chair declared the amendments proposed by the House were concurred in. Senator Guidry moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 1252—**  
BY SENATOR BAGNERIS

**AN ACT**

To enact Chapter 18 of Title VIII of the Louisiana Children's Code, to be comprised of Arts. 917 through 922, relative to the motion, procedure, and grounds for expungement of court or agency records concerning juvenile activity; to provide an age limit for eligibility for expungement; to provide a framework of time requirements for eligibility; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 1252 by Senator Bagneris

**AMENDMENT NO. 1**

On page 2, line 12, after "not for" delete the remainder of the line and delete line 13, and insert "a felony which is a crime of violence under R.S. 14:2(13)."

Senator Heitmeier moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Mr. President Bagneris  
Total—3  
Malone

The Chair declared the amendments proposed by the House were rejected. Senator Heitmeier moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 1256—**  
BY SENATOR SCHEDLER

**AN ACT**

To amend and reenact R.S. 27:270(A)(3), to enact R.S. 39:91(B)(3), and to repeal R.S. 27:270(B), relative to casino gaming proceeds; to dedicate net gaming revenue to the Revenue Stabilization/Mineral Trust Fund; to eliminate the Casino Gaming Proceeds Fund; and to provide for related matters.

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

**SENATE BILL NO. 1304—**  
BY SENATORS COX, SCHEDLER AND SMITH

**AN ACT**

To amend and reenact R.S. 15:542(B), relative to registration of sex offenders; to provide time period for registration; to require notification of school principals; to provide time period for notification; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 1304 by Senator Cox

**AMENDMENT NO. 1**

On page 2, at the end of line 11, delete "the" and insert "located within a one-mile radius of the address where the offender will reside and may notify the principals of other schools as he deems appropriate."

**AMENDMENT NO. 2**

On page 2, delete lines 12 through 15, and insert "The principal of any such school"

**AMENDMENT NO. 3**

On page 2, line 18, after "Failure" and before "to comply" insert "of the superintendent or principal"

**AMENDMENT NO. 4**

On page 2, at the beginning of line 21, change "(d)" to "(c)"

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AMENDMENT NO. 5

On page 2, line 25, after "sentencing" and before "or within" insert "or release from confinement"

AMENDMENT NO. 6

On page 3, line 1, after "within" delete the remainder of the line and insert "the applicable period provided for herein."

AMENDMENT NO. 7

On page 3, at the beginning of line 2, delete "period,"

Senator Cox moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members voting YEAS: Bajoie, Barham, Bean, Branch, Cain, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Landry, Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Mr. President Bagneris Campbell
Total—3

The Chair declared the amendments proposed by the House were concurred in. Senator Cox moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1306— BY SENATOR COX

AN ACT

To amend and reenact Children's Code Article 857(A), relative to transfers for criminal prosecution; to provide for transfer of criminal prosecution of forcible rape when the rape is committed upon a child at least two years younger than the rapist; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 1306 by Senator Cox

AMENDMENT NO. 1

On page 2, delete line 12

Senator Cox moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members voting YEAS: Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo. Total—37

NAYS

Total—0

ABSENT

Mr. President Bagneris
Total—2

The Chair declared the amendments proposed by the House were concurred in. Senator Cox moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1315— BY SENATOR CRAVINS

AN ACT

To enact R.S. 27:65(B)(16), relative to riverboat gaming; to express the intent of the legislature regarding the provision of complimentary food service by riverboat casinos; to express the intent of the legislature regarding competition of riverboat casinos with the restaurant industry; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Reengrossed Senate Bill No. 1315 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 2, after "To" and before "enact" insert "amend and reenact R.S. 27:243(C)(1) and to" and on the same line after "relative to" and before "gaming" delete "riverboat"

AMENDMENT NO. 2

On page 1, line 5, after "industry;" and before "and" insert "to provide for the definition of a food service facility in certain gaming establishments;"

AMENDMENT NO. 3

On page 1, line 8, after "Section 1." and before "R.S." insert "R.S. 27:243(C)(1) is hereby amended and reenacted and"

AMENDMENT NO. 4

On page 2, line 1, change "complementary" to "complimentary"

AMENDMENT NO. 5



On page 2, at the beginning of line 2, delete "on certain special occasions and on an infrequent basis" and insert in lieu thereof the following:

"to selected patrons, as is customary in the gaming industry, including but not limited to providing such complimentary services based upon level of play, frequency of visits, high-end play, and to patrons at special events, tour and travel events, and to targeted marketing of individuals or groups."

AMENDMENT NO. 6

On page 2, line 4, after "food" and before "or" insert the following:

"to the general public in order to induce the public to come to the riverboat gaming facility"

AMENDMENT NO. 7

On page 2, line 5, change "patrons" to "the general public" and change "below-market costs" to "below market cost"

AMENDMENT NO. 8

On page 2, line 7, after "use" and before "gambling" delete the comma "," and "and have in fact used."

AMENDMENT NO. 9

On page 2, line 8, after "practices," delete the remainder of the line in its entirety and delete line 9 in its entirety and insert in lieu thereof the following:

"(b) No food shall be given away to the general public"

AMENDMENT NO. 10

On page 2, line 10, after "sold at" and before "on" delete "cost" and insert the following:

"below cost to the general public"

AMENDMENT NO. 11

On page 2, line 11, after "riverboat" change the period "." to a semicolon ";" and add the following:

"however, a licensee may extend complimentary food services to selected patrons as is customary in the industry, including but not limited to providing such complimentary services based upon level of play, frequency of visits, high-end play, and to patrons at special events, tour and travel events, and to targeted marketing of individuals or groups."

AMENDMENT NO. 12

On page 2, at the beginning of line 12, change "(b)" to "(c)"

AMENDMENT NO. 13

On page 2, between lines 15 and 16, insert the following:

§243. Requirements for casino operating contract

C. The casino gaming operator shall not:

(1) Offer seated restaurant facilities with table food service for patrons, but may offer limited cafeteria style food services for employees and patrons as provided by rule of the corporation. However, no food shall be given away or subsidized within the official gaming establishment by the casino operator or any licensee. No facility for food service shall exceed seating for two hundred fifty persons. The corporation may by rule and regulation provide for a system or concession whereby area restaurant owners and food preparers may elect or offer to provide for service, in the official gaming

establishment food services area, food prepared and offered at their restaurants accompanied by identification of the restaurant providing the food. As used herein, "facility" includes all parts of any connecting structure or building.

\* \* \*

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Windhorst to Reengrossed Senate Bill No. 1315 by Senator Cravins

AMENDMENT NO. 1

Delete Amendments Nos. 1 through 12 proposed by the House Committee on Administration of Criminal Justice and adopted by the House on June 17, 1997.

AMENDMENT NO. 2

On page 1, line 2, after "To" delete the remainder of the line and delete lines 3 through 5 in their entirety and insert in lieu thereof the following:

"amend and reenact R.S. 27:243(C)(1), relative to gaming; to provide for the definition of a food service facility in certain gaming establishments; and to"

AMENDMENT NO. 3

On page 1, delete lines 8 through 13 in their entirety and insert in lieu thereof

"Section 1. R.S. 27:243(C)(1) is hereby amended and reenacted to read as follows:"

AMENDMENT NO. 4

In Amendment No. 13 proposed by the House Committee on Administration of Criminal Justice and adopted by the House on June 17, 1997 delete line 23 in its entirety and insert "On page 1, delete lines 14 through 16 in their entirety and on page 2, delete lines 1 through 15 in their entirety and insert in lieu thereof the following:"

Senator Cravins moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—35

NAYS

Total—0

ABSENT

Table with 2 columns: Mr. President, Bagneris; Lambert, Schedler

June 20, 1997

Total—4

The Chair declared the amendments proposed by the House were concurred in. Senator Cravins moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

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

To amend and reenact R.S. 15:147(A) and to enact R. S. 15:151 through 151.4 and R.S. 36:4(D), relative to the right to counsel in criminal cases; to provide for the determination of indigency and for compliance with indigency determination procedure by the judge; to create the Indigent Defense Assistance Board in the office of the governor and to provide with respect to the appointment of its members and officers; to provide with respect to the board's powers, duties, functions, rulemaking authority, compensation, and expenses; to provide for the conditions for awarding supplemental assistance to judicial district indigent defender boards; to provide for reporting requirements; to provide for an effective date and for the transition of funds and staff; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1369 by Senator Jordan

AMENDMENT NO. 1

On page 1, line 2, following "R.S. 15:147(A)" and before "and" insert "(1)" and after "to enact" change "R.S. 15:151 through 151.4" to "R.S. 15:147(A)(3), 151 through 151.4,"

AMENDMENT NO. 2

On page 1, line 15, following "R.S. 15:147(A)" and before "is" insert "(1)" and following "and R.S." insert "15:147(A)(3)" and on line 16, change "15:151 through 151.4" to "and 151 through 151.4"

AMENDMENT NO. 3

On page 1, line 16, following "151.4" and before "are" delete "and R.S. 36:4(D)" and on page 8, between lines 4 and 5, insert "Section 2. R.S. 36:4(D) is hereby enacted to read as follows:"

AMENDMENT NO. 4

On page 4, line 3, following "Lawyers" and on line 4, following "Association" change the semi-colon ";" to a period "." and on line 5, following "Association" change ";" and " to a period "."

AMENDMENT NO. 5

On page 5, line 13, following "in" and before "D" insert "Paragraph"

AMENDMENT NO. 6

On page 7, line 1, following "for" and before "which" change "Judicial District Indigent Defender Boards" to "judicial district indigent defender boards"

AMENDMENT NO. 7

On page 8, line 13, following "Section" and before "All" change "4." to "3." and on line 19 following "Section" change "5." to "4."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Martiny to Reengrossed Senate Bill No. 1369 by Senator Jordan

AMENDMENT NO. 1

On Amendment No.1 proposed by the Legislative Bureau and adopted by the House on June 16, 1997, on page 1, line 4, change "151.4," to "151.4, and 152,"

AMENDMENT NO. 2

On Amendment No. 2 proposed by the Legislative Bureau and adopted by the House on June 16, 1997, on page 1, line 6, after "(1)" delete the remainder of the line and delete lines 7 and 8

AMENDMENT NO. 3

On page 1, line 16, delete "15:151 through 151.4" and insert "15:147(A)(3), 151 through 151.4, and 152"

AMENDMENT NO. 4

On page 8, between lines 4 and 5, insert the following:

"§152. Costs for Prosecution of Indigent Cases

In all criminal cases over which the district attorney's office has jurisdiction, there shall be taxed as costs against every defendant who is convicted after trial, or who pleads guilty or nolo contendere, or whose bond is forfeited, a nonrefundable sum of ten dollars in each case, which shall be in addition to all other fines, costs, or forfeitures lawfully imposed. The sums collected under this Section shall be remitted monthly by the sheriff to the Indigent Defense Assistance Board to be used at its discretion in defraying expenses incurred in the prosecution of indigent cases throughout the state."

Senator Jordan moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members voting 'YEAS': Bajoje, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Fields, Greene, Guidry, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

Total—36

NAYS

Total—0

ABSENT

Table listing names of members who were 'ABSENT': Mr. President, Bagneris, Hainkel.

Total—3

The Chair declared the amendments proposed by the House were rejected. Senator Jordan moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

SENATE BILL NO. 1376—  
BY SENATOR COX

AN ACT

To amend and reenact Code of Criminal Procedure Art. 895(H)(2) and R.S. 15:542(B)(2) and 574.4(H)(2)(b), relative to notices required to be published by certain sexual offenders; to provide that the appropriate court, parole board, or sheriff or police department shall require that such notice be published in a newspaper with a smaller circulation than the official journal; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Engrossed Senate Bill No. 1376 by Senator Cox

AMENDMENT NO. 1

On page 1, line 6, after "with a" and before "circulation" delete "smaller" and insert "larger"

AMENDMENT NO. 2

On page 2, line 14, after "newspaper" and before "as an official" delete "qualified" and insert "which meets the requirements of R.S. 43:140(3) for qualification"

AMENDMENT NO. 3

On page 2, at the beginning of line 15, delete "smaller" and insert "larger"

AMENDMENT NO. 4

On page 3, line 19, after "newspaper" and before "as an official" delete "qualified" and insert "which meets the requirements of R.S. 43:140(3) for qualification"

AMENDMENT NO. 5

On page 3, at the beginning of line 20, delete "smaller" and insert "larger"

AMENDMENT NO. 6

On page 5, line 1, after "newspaper" and before "as an official" delete "qualified" and insert "which meets the requirements of R.S. 43:140(3) for qualification"

AMENDMENT NO. 7

On page 5, at the beginning of line 2, delete "smaller" and insert "larger"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed Senate Bill No. 1376 by Senator Cox

AMENDMENT NO. 1

Delete Committee Amendments Nos. 1 through 7 proposed by the House Committee on Administration of Criminal Justice and adopted by the House on June 16, 1997

AMENDMENT NO. 2

On page 2, at the end of line 13, delete "if ordered" and delete lines 14 through 16 and insert:

"in a newspaper which meets the requirements of R.S. 43:140(3) for qualification as an official journal and which has a larger or smaller circulation in the parish than the official journal. This notice"

AMENDMENT NO. 3

On page 2, line 20, delete "or" and insert in lieu thereof "and"

AMENDMENT NO. 4

On page 3, at the end of line 18, delete "if ordered by the sheriff or police" and delete lines 19 through 21 and insert:

"in a newspaper which meets the requirements of R.S. 43:140(3) for qualification as an official journal and which has a larger or smaller circulation in the parish than the official journal."

AMENDMENT NO. 5

On page 4, line 27, delete "if ordered"

AMENDMENT NO. 6

On page 5, delete lines 1 through 3 and insert in lieu thereof:

"in a newspaper which meets the requirements of R.S. 43:140(3) for qualification as an official journal and which has a larger or smaller circulation in the parish than the official journal. This notice"

AMENDMENT NO. 7

On page 5, line 6, delete "or" and insert "and"

Senator Cox moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

	YEAS	
Bajoie	Ellington	Lambert
Barham	Fields	Landry
Bean	Greene	Lentini
Branch	Guidry	Malone
Cain	Hainkel	Robichaux
Campbell	Heitmeier	Romero
Casanova	Hines	Schedler
Cox	Hollis	Short
Cravins	Irons	Siracusa
Dardenne	Johnson	Smith
Dean	Jones	Theunissen
Dyess	Jordan	Ullo
Total—36		
	NAYS	
Total—0		
	ABSENT	
Mr. President	Bagneris	Tarver
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Cox moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1387—

BY SENATORS HAINKEL, BAGNERIS, BARHAM, CASANOVA, DARDENNE, GREENE, GUIDRY, HOLLIS, JOHNSON, ULLO, AND SCHEDLER

AN ACT

To amend and reenact R.S. 39:24(A) and (F), 34, 38, 54, 75(C), 94, and 95, to enact R.S. 39:33.1, 52.1, and 87, and to repeal R.S. 39:91, 92 and 93, relative to stabilization funds; to create the Louisiana Stabilization Fund in statute; to provide for deposit of money into the fund; to provide for the investment and use of the fund; to revise budget processes in regard to a deficit in the

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budget; to establish and revise budget processes for the determination of the expenditure limit and money available for appropriation in excess of this limit; to provide a ballot process for polling the legislature on certain budget propositions when the legislature is not in session; to abolish the Revenue Stabilization/Mineral Trust Fund in statute if and when a constitutional amendment is approved to abolish this fund in the constitution; to provide for effective dates; to provide for a designation of statutes into Subparts; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Downer to Reengrossed Senate Bill No. 1387 by Senator Hainkel (Duplicate of H.B. No. 1535)

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and delete lines 3 through 10 in their entirety and insert the following:

"the heading to Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, R.S. 39:54(B), 91, 92(A), and 93 and to enact R.S. 39:91(B)(3), relative to the expenditure of state funds; to provide for certain allowable uses of nonrecurring revenues; to restructure and rename the "Revenue Stabilization/Mineral Trust Fund" within the state treasury; to establish certain accounts within the fund; to provide for deposit of certain monies into the fund; to provide for allowable uses of monies in the fund; to provide for effective dates; and to provide for related matters."

AMENDMENT NO. 2

Delete pages 2 through 16 in their entirety and on page 17, delete lines 1 through 13 in their entirety and insert the following:

Section 1. R.S. 39:91(B)(3) is hereby enacted to read as follows:

§91. Revenue Stabilization/Mineral Trust Fund

\* \* \*

B. Monies shall be deposited in the fund as follows:

\* \* \*

(3) Any money appropriated to the fund by the legislature shall be deposited to the fund.

\* \* \*

Section 2. The heading of Part II-A of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950 and R.S. 39:54(B), 91, 92(A), and 93 are hereby amended and reenacted to read as follows:

§54. Use of official forecast

\* \* \*

B. Except as otherwise provided in the Constitution of Louisiana, appropriation of any money designated in the official forecast as nonrecurring shall be made only for capital outlay, for the purpose of retiring or defeasing bonds in advance and in addition to the existing

~~amortization requirements of the state, or for expenses determined by the legislature to be extraordinary and nonrecurring in nature. the following purposes:~~

(1)(a) Retiring or defeasance of bonds in advance and in addition to the existing amortization requirements of the state.

(b) Providing for payments against the unfunded accrued liability of the public retirement systems which are in addition to any payments required for the annual amortization of the unfunded accrued liability of the public retirement systems, as required by Article X, Section 29(E)(2)(c) of the Constitution of Louisiana; however, any such payments to the public retirement systems shall not be used, directly or indirectly, to fund cost-of-living increases for such systems.

(c) Providing funding for capital outlay projects in the comprehensive state capital budget.

(d) Providing for allocation or appropriation for deposit into the Budget Stabilization Fund established in Article VII, Section 10.3 of the Constitution of Louisiana.

\* \* \*

~~PART II-A. REVENUE STABILIZATION/MINERAL TRUST FUND~~ SPECIAL FUNDS; EXPENDITURE LIMIT

§91. ~~Revenue Budget~~ Stabilization /~~Mineral Trust~~ Fund

A. There is hereby created in the state treasury a special fund to be designated as the ~~Revenue Budget~~ Stabilization /~~Mineral Trust~~ Fund, hereafter referred to in this Part as the "fund".

B. Monies shall be deposited in the fund as follows:

(1) All money available for appropriation from the state general fund and dedicated funds in excess of the expenditure limit as established in this Part, except funds allocated by Article VII, Section 4, Paragraphs (D) and (E) of the Constitution of Louisiana, shall be deposited in the fund.

(2)(a) All mineral revenues received in each fiscal year by the state in excess of seven hundred fifty million dollars, referred to in this Part as the "base", shall be deposited in the fund. Mineral revenues shall be those revenues received by the state as a result of the production of or exploration for minerals, including severance taxes, royalty payments, bonus payments, or rentals, and excluding such revenues received by the state as a result of grants or donations when the terms or conditions thereof require otherwise and revenues derived from any tax on the transportation of minerals. Such mineral revenues shall be deposited in the fund after the following allocations of said mineral revenues have been made:

~~(a)~~ (i) To the Bond Security and Redemption Fund as provided by Article VII, Section 9(B) of the Constitution of Louisiana.

~~(b)~~ (ii) To the political subdivisions of the state as provided in Article VII, Section 4, Paragraphs (D) and (E) of the Constitution of Louisiana.

(e) (iii) As provided by the requirements of Article VII, Section 10-A and 10.1 of the Constitution of Louisiana.

D. (b) The base of the fund may be increased every ten years for the ensuing fiscal year beginning in the year 2000 by a law enacted by two-thirds of the elected members of each house of the legislature. Any such increase shall not exceed fifty percent in the aggregate of the increase in the Consumer Price Index For All Urban Consumers for the immediately preceding ten years.

(3) Twenty-five percent of any money designated in the official forecast as nonrecurring as provided in Article VII, Section 10(D)(2) of the Constitution of Louisiana shall be deposited in and credited to the fund.

(4) Out of the funds remaining in the Bond Security and Redemption Fund after a sufficient amount is allocated from that fund to pay all obligations secured by the full faith and credit of the state which become due and payable within any fiscal year as required by Article VII, Section 9(B) of the Constitution of Louisiana, the treasurer shall deposit in the fund one-half of the net revenues received by the state in each fiscal year from gaming activities conducted at the official gaming establishment as defined by law until such time as one hundred fifty million dollars of such net revenues in the aggregate have been deposited in the fund; thereafter all of such net revenues received by the state shall be deposited in the fund.

(5) Any money appropriated to the fund by the legislature including any appropriation to the fund from money designated in the official forecast as provided in Article VII, Section 10(D)(2) of the Constitution of Louisiana shall be deposited in the fund.

C. Money in the fund shall be used solely as provided for in R.S. 39:92 and 93. All monies in the fund shall be invested by the state treasurer as provided by law. Earnings realized in each fiscal year on the investment of monies in the fund shall be credited to the fund. All unexpended and unencumbered monies in the fund at the end of the fiscal year shall remain in the fund.

D.(1) There shall be established within the fund the Revenue Reserve Account and the Fiscal Responsibility Account. Money deposited in the fund shall be credited to the accounts as provided in this Subsection.

(2) Deposits made to the fund shall be credited to the Revenue Reserve Account until the balance in the account is equal to seven percent of the official forecast for the previous fiscal year. The balance in the account shall not at any time exceed seven percent of the official forecast for the previous fiscal year. If the balance in the account becomes less than seven percent of the official forecast for the previous fiscal year, deposits to the fund shall commence to be credited to the account as provided in this Paragraph.

(3) Deposits made to the fund which are not credited to the Revenue Reserve Account as provided in this Subsection shall be credited to the Fiscal Responsibility Account.

(4) If the balance in the Revenue Reserve Account at the beginning of a fiscal year is less than seven percent of the official forecast for the preceding fiscal year, unencumbered monies in the Fiscal Responsibility Account

shall be credited to the Revenue Reserve Account until the balance in the Revenue Reserve Account is equal to seven percent of the official forecast for the preceding fiscal year.

§92. ~~Use of the fund; procedure~~ Revenue Reserve Account

A. The monies in the ~~fund~~ Revenue Reserve Account shall not be available for appropriation or use except under the following conditions:

(1) If the official forecast of recurring money for the next fiscal year is less than ~~revenues received by the state~~ the official forecast of recurring money for the preceding current fiscal year, the difference, which shall not exceed one-third of the ~~fund~~ may account shall be incorporated into the official forecast. The amount of the ~~fund~~ account to be incorporated into the official forecast shall be determined by the Revenue Estimating Conference and shall be incorporated into the official forecast only after the consent of two-thirds of the elected members of each house of the legislature. If the legislature is not in session, the two-thirds consent requirement may be obtained as provided in Subsection B of this Section.

(2) If a deficit for the current fiscal year is projected due to a decrease in the official forecast, an amount equal to one-third of the ~~fund~~ account, not to exceed the projected deficit, may be appropriated from the ~~fund~~ account to the state general fund. For purposes of this Paragraph, a projected deficit shall mean a projected deficit determined as provided in R.S. 39:75, occur when an official forecast minus the cash flow reserve is less than appropriated revenues. For purposes of this Paragraph, the following terms shall have the meaning given to them:

(a) "Cash flow reserve" means the difference between the official forecast on August fifteenth of any calendar year and total appropriations from the state general fund and dedicated funds as of that date.

(b) "Appropriated revenues" means the difference between the official forecast on August fifteenth of any calendar year and the cash flow reserve.

\* \* \*

§93. ~~Use of investment earnings~~ Fiscal Responsibility Account

The legislature may annually appropriate the earnings from the investment of the fund but only for the following purposes: (1) First, to provide for the annual amortization of the unfunded accrued liability of the public retirement systems required by Article X, Section 29 of the Constitution of Louisiana and for such further payments against the unfunded accrued liability as the legislature may provide;

(2) Second, to provide for the retirement in advance of maturity through redemption, purchase, or repayment of state debt.; and

(3) Third, after satisfying the above requirements, as provided by law.

The monies in the Fiscal Responsibility Account may be appropriated but only for the following purposes:

(1) To provide for payments against the unfunded accrued liability of the public retirement systems which are

in addition to any payments required for the annual amortization of the unfunded accrued liability of the public retirement systems, required by Article X, Section 29 of the Constitution of Louisiana; however, any such payment to the public retirement systems shall not be used, directly or indirectly, to fund cost-of-living increases for such systems.

(2) To provide for retiring or defeasance of bonds in advance and in addition to the existing amortization requirements of the state.

(3) To provide for funding for capital outlay projects in the comprehensive state capital budget.

Section 3. Sections 1 and 3 of this Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval. Section 2 of this Act shall take effect and become operative if and when the proposed amendment of Article VII, Section 10.3 of the Constitution contained in the Act which originated as House Bill No. 873 of this 1997 Regular Session is adopted at the congressional primary election to be held in 1998 and becomes effective."

Senator Hainkel moved to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Mr. President	Bagneris	Tarver
Total—3		

The Chair declared the amendments proposed by the House were rejected. Senator Hainkel moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 1393—  
BY SENATOR JOHNSON**

**AN ACT**

To amend and reenact R.S. 33:4548.1, 4548.2, 4548.3(A), (B), (C), (F), (G) and (H), 4548.4(A), 4548.5(A)(5), (8), and (14), 4548.6(A) and (J), 4548.13, and 4548.14, and to enact R.S.

33:4548.4(F), 4548.5(A)(16), (17), (18), and (19), and 4548.6(K), (L), and (M), relative to the Louisiana Local Government Environmental Facilities and Community Development Authority, to authorize the financing of infrastructure and economic development projects by political subdivisions; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Engrossed Senate Bill No. 1393 by Senator Johnson

AMENDMENT NO. 1

On page 3, line 2, after "Programs" delete "or projects" insert a comma "," and "projects, financings, and acquisitions"

AMENDMENT NO. 2

On page 3, line 13, after "facilities" change the period to a comma "," and insert "including facilities of organizations operating under Section 501(c)(3) of the Internal Revenue Code."

AMENDMENT NO. 3

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

"(g) Equipment and rolling stock."

AMENDMENT NO. 4

On page 5, line 22, after "to" and before "contracts" insert "loan"

AMENDMENT NO. 5

On page 5, line 23, after "lease" and before "of" insert a comma "," and "or sale-back or lease-back"

AMENDMENT NO. 6

On page 5, delete line 26 in its entirety and insert in lieu thereof the following:

"state, issuance and security of bonds for nonprofit organizations for economic development, and to avail itself of the provisions of Parts VII and XII of Chapter 4 of"

AMENDMENT NO. 7

On page 7, line 12 after "subdivision" and before "to" delete the comma "," and insert "or organization as provided in R.S. 33:4548.3(B)(2)(e)."

AMENDMENT NO. 8

On page 9, between lines 23 and 24, insert the following:

"(3) Notwithstanding any law to the contrary, a political subdivision may, through an authority program, finance improvements, facilities, and equipment by entering sale, sale-back, lease, lease-back, and sublease agreements or other agreements or any combination of the foregoing under such terms and conditions as may be agreed to by such political subdivision and the authority."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Alario to Engrossed Senate Bill No. 1393 by Senator Johnson

AMENDMENT NO. 1

On page 3, delete line 15 in its entirety and insert in lieu thereof:

"(3) Financing programs or loans."

AMENDMENT NO. 2

On page 8, at the end of line 24, insert the following:

"No bond or other obligation shall be issued under any provision of this Chapter unless first authorized by the state bond commission."

AMENDMENT NO. 3

On page 9, line 7, after "subdivisions" change the period "." to a comma "," and insert:

"including approval by the Board of Liquidation of City Debt regarding the issuance of obligations by the city of New Orleans."

Senator Johnson moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoue, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Dardenne, Dean, Dyess, Total—33; Ellington, Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Johnson, Jones, Jordan, Lambert; Landry, Lentini, Malone, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns of names: Mr. President, Bagneris, Total—6; Cravins, Hollis; Irons, Robichaux.

The Chair declared the amendments proposed by the House were concurred in. Senator Johnson moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1405— BY SENATOR HAINKEL

AN ACT

To enact R.S. 14:68.5, relative to offenses against property; to provide with respect to misappropriation without violence; to provide for the crime of unauthorized removal of property from the governor's mansion; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Downer to Reengrossed Senate Bill No. 1405 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 4, after "mansion" and before the semicolon ";" insert "and the state capitol complex"

AMENDMENT NO. 2

On page 1, line 8, after "mansion" insert "and the state capitol complex"

AMENDMENT NO. 3

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

"C. It shall be unlawful for any person to remove any property of the state which has been catalogued pursuant to R.S. 24:43 from the state capitol complex without the authorization of the Legislative Budgetary Control Council."

AMENDMENT NO. 4

On page 2, line 3, change "C." to "D."

AMENDMENT NO. 5

On page 2, line 4, after "mansion" and before "as provided" insert "or from the state capitol complex"

Senator Hainkel moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Table with 3 columns of names: Mr. President, Bagneris, Total—3; Robichaux.

The Chair declared the amendments proposed by the House were concurred in. Senator Hainkel moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

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

AN ACT

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

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Reengrossed Senate Bill No. 1443 by Senator Theunissen

June 20, 1997

AMENDMENT NO. 1

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

"Section 2. Any police juror or parish councilman who by any written or oral communication informs any of his constituents that the state representative for the constituent's district is responsible for parish roads will immediately forfeit the increase in compensation provided by this Act and shall return to the parish an amount equal to the total amount of such increase which the police juror received during the previous six months."

AMENDMENT NO. 2

On page 2, at the beginning of line 5, change "Section 2." to "Section 3."

Senator Theunissen moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Total—34; Ellington, Fields, Guidry, Hainkel, Heitmeier, Hines, Hollis, Johnson, Jones, Jordan, Lambert, Landry; Lentini, Malone, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns: Mr. President, Bagneris, Total—5; Greene, Irons; Robichaux.

The Chair declared the amendments proposed by the House were rejected. Senator Theunissen moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

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; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Holden to Reengrossed Senate Bill No. 1447 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 5, after "Baton Rouge;" insert the following:

"to provide for the approval and effectiveness of such assignments;"

AMENDMENT NO. 2

On page 2, line 9, after "section." insert the following:

"After each such assignment, the metropolitan council shall submit such assignment by certified mail or by hand delivery with receipt to the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs for approval. Upon the receipt of the submission, the Senate Committee on Senate and Governmental Affairs and the House Committee on House and Governmental Affairs shall have forty-five days to determine, either jointly or separately, whether such assignment shall be approved or disapproved. If the time period for such action by the committees has lapsed without any action by such committees, the assignment shall be deemed approved. If one or both committees disapprove the assignment, such assignment to the election section shall not be effective for any purpose. The authority contained in this Subparagraph for the metropolitan council to assign annexations to election sections shall expire and be null and void on August 15, 1999."

Senator Dardenne moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Dardenne, Dyess, Ellington, Total—31; Greene, Hainkel, Heitmeier, Hines, Hollis, Johnson, Jones, Jordan, Lambert, Landry, Lentini; Malone, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Table with 2 columns: Fields, Total—2; Guidry.

ABSENT

Table with 3 columns: Mr. President, Bagneris, Total—6; Cravins, Dean; Irons, Robichaux.

The Chair declared the amendments proposed by the House were concurred in. Senator Dardenne moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.



**SENATE BILL NO. 1457 (SUBSTITUTE FOR SB NO. 349 BY SENATOR GREENE)—**

BY SENATOR GREENE

**AN ACT**

To enact Part B of Chapter 13-B of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:999.21 through 999.25, and to designate R.S. 49:991 through 999 as Part A of Chapter 13-B of Title 49 of the Louisiana Revised Statutes of 1950, relative to the suspension and ultimate revocation of certain licenses and permits; to authorize suspension and revocation of state licenses or permits under certain circumstances; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Commerce to Engrossed Senate Bill No. 1457 by Senator Greene

AMENDMENT NO. 1

On page 2, line 14, after "Title 37" and before "of" insert "or Title 3"

AMENDMENT NO. 2

On page 2, line 26, after "convicted of" and before "any" insert ", or has entered a plea of guilty or nolo contendere to,"

AMENDMENT NO. 3

On page 2, line 27, after "obtaining" and before "the" insert "or keeping"

AMENDMENT NO. 4

On page 3, line 5, after "convicted of" and before "a" insert ", or has entered a plea of guilty or nolo contendere to,"

AMENDMENT NO. 5

On page 3, line 6, after "obtaining" and before "the" insert "or keeping"

AMENDMENT NO. 6

On page 3, line 20, after "convicted of" and before "a" insert ", or has entered a plea of guilty or nolo contendere to,"

AMENDMENT NO. 7

On page 3, line 21, after "obtaining" and before "the" insert "or keeping"

AMENDMENT NO. 8

On page 3, line 26, after "convicted of" and before "a" insert ", or has entered a plea of guilty or nolo contendere to,"

AMENDMENT NO. 9

On page 3, line 27, after "obtaining" and before "the" insert "or keeping"

AMENDMENT NO. 10

On page 4, delete lines 9 through 24 in their entirety

AMENDMENT NO. 11

On page 4, at the beginning of line 25, delete "(a) That no" and insert in lieu thereof "B. No"

AMENDMENT NO. 12

On page 4, line 26, after "without" delete "a public hearing," and at the beginning of line 27, delete "(b) That any proceedings shall be" and insert in lieu thereof "an adjudicatory hearing"

AMENDMENT NO. 13

On page 5, delete lines 1 through 3 in their entirety and insert in lieu thereof "the Administrative Procedure Act and Part A of this Chapter."

AMENDMENT NO. 14

On page 5, at the end of line 9, after "convicted of" insert ", or has entered a plea of guilty or nolo contendere to,"

AMENDMENT NO. 15

On page 5, line 11, after "obtaining" and before "the" insert "or keeping"

AMENDMENT NO. 16

On page 5, line 15, after "order by" and before "an" insert "an administrative law judge or"

AMENDMENT NO. 17

On page 5, line 19, after "such" and before "court" insert "judge or"

AMENDMENT NO. 18

On page 5, line 21, after "the" and before "issuing" insert "administrative law judge or the"

AMENDMENT NO. 19

On page 5, at the end of line 25, after "the" insert "administrative law judge or the"

AMENDMENT NO. 20

On page 6, line 5, after "the" and before "issuing" insert "administrative law judge or the"

AMENDMENT NO. 21

On page 6, line 10, after "of the" and before "issuing" insert "administrative law judge or"

AMENDMENT NO. 22

On page 6, line 14, after "the" and before "will" delete "issuing agency's order" and insert in lieu thereof "order of the administrative law judge or the issuing agency"

AMENDMENT NO. 23

On page 6, line 22, after "action of" and before "the" insert "the administrative law judge or"

AMENDMENT NO. 24

On page 6, line 24, after "order of" and before "the" insert "the administrative law judge or"

AMENDMENT NO. 25

On page 6, at the beginning of line 26, after "the" and before "issuing" insert "administrative law judge or the"

AMENDMENT NO. 26

On page 6, line 27, after "the" and before "issuing" insert "administrative law judge or the"

AMENDMENT NO. 27

On page 7, delete lines 13 through 22 in their entirety and insert in lieu thereof the following:

"Section 3. The provisions of this Act shall become effective on July 1, 1998."

**LEGISLATIVE BUREAU AMENDMENTS**

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 1457 by Senator Greene

AMENDMENT NO. 1

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In House Committee Amendment No. 15, proposed by the House Committee on Commerce to Engrossed Senate Bill No. 1457 by Senator Greene, on line 15, following "before" and before "insert" change ""the"" to ""of""

AMENDMENT NO. 2

On page 6, line 1, following "Subsection" and before "of" change "(A)" to "A"

AMENDMENT NO. 3

On page 6, line 18, following "Subsection" and before "of" change "(B)" to "B"

Senator Greene moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Table with 2 columns: Mr. President, Bagneris

The Chair declared the amendments proposed by the House were concurred in. Senator Greene moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 1460— BY SENATOR DEAN

AN ACT

To amend and reenact Section 1 of Act No. 233 of the 1984 Regular Session, as amended by Act No. 819 of the 1985 Regular Session and by Act No. 847 of the 1992 Regular Session, relative to the Bohemia Spillway; to provide for legislative intent; to provide for the return of lands and certain revenues derived therefrom; to provide for ownership of certain lands; to provide for judicial review; to provide for certain transfers of title; to provide for suspension of certain funds; to provide for surveys of certain property; to provide for reports; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Reengrossed Senate Bill No. 1460 by Senator Dean

AMENDMENT NO. 1

On page 3, between lines 7 and 8, insert the following:

"Section 3. The Department of Natural Resources shall certify to the Board of Commisisoners of the Orleans Levee District the names and ownership interest for all indigents and the names and ownership interest of persons whom the special master determined would have qualified as owners except for failure to fully comply with department rules and regulations."

AMENDMENT NO. 2

On page 3, line 8, change "Section 3." to "Section 4."

AMENDMENT NO. 3

On page 3, line 16, change "Section 4." to "Section 5."

AMENDMENT NO. 4

On page 3, line 19, change "appropriation" to "expropriation"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Rousselle to Reengrossed Senate Bill No. 1460 by Senator Dean

AMENDMENT NO. 1

Delete House Floor Amendment No. 3 proposed by Representative Fauchoux and adopted by the House of Representatives on June 18th, 1997, and insert in lieu thereof the following:

"the Department of Natural Resources to undertake all steps necessary to certify all appropriate owners of the land subject to Act No. 233 of 1984 and that the Department of Natural Resources further certify to the Orleans Levee District the names of the appropriate transferees which were identified as appropriate heirs by the Special Master appointed by the Department of Natural Resources to certify the successful heirs to the land in order that said lands shall be transferred by the Orleans Levee District to said heirs. The Department of Natural Resources shall not withhold certification based on an inability to pay the costs mandated by the Department of Natural Resources."

Senator Dean moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Ellington, Malone, Bajoi, Fields, Robichaux, Barham, Greene, Romero, Bean, Hainkel, Schedler, Branch, Heitmeier, Short, Cain, Hines, Siracusa, Campbell, Hollis, Smith, Casanova, Johnson, Tarver, Cox, Jordan, Theunissen, Cravins, Lambert, Ullo, Dean, Landry, Dyess, Lentini

Total—34

NAYS

Guidry  
Total—1

ABSENT

Bagneris  
Dardenne  
Total—4

Irons  
Jones

The Chair declared the amendments proposed by the House were rejected. Senator Dean moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

**SENATE BILL NO. 1513—**  
BY SENATOR GREENE

AN ACT

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

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

**SENATE BILL NO. 1520—**  
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 22:202(2) relative to health insurance; to provide for definitions of viatical settlement broker; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Insurance to Reengrossed Senate Bill No. 1520 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 12, after "settlements," insert "seeks funds for viatical settlements."

AMENDMENT NO. 2

On page 2, line 2, after "provider." delete the remainder of the line and lines 3 through 6 in their entirety

Senator Dardenne moved to concur in the amendments proposed by the House.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bajoie  
Barham  
Bean  
Branch  
Cain  
Campbell  
Casanova  
Cox  
Dardenne  
Dean  
Dyess  
Total—32

Ellington  
Fields  
Greene  
Guidry  
Hainkel  
Heitmeier  
Hines  
Irons  
Johnson  
Jones  
Jordan

Lambert  
Lentini  
Malone  
Romero  
Schedler  
Short  
Smith  
Tarver  
Theuissen  
Ullo

NAYS

Total—0

ABSENT

Mr. President  
Bagneris  
Cravins  
Total—7

Hollis  
Landry  
Robichaux

Siracusa

The Chair declared the amendments proposed by the House were concurred in. Senator Dardenne moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 1536—**  
BY SENATOR SHORT

AN ACT

To enact R.S. 15:571.34, relative to alternative incarceration; to establish a pilot program involving electronic monitoring for certain prisoners; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Hunter to Engrossed Senate Bill No. 1536 by Senator Short

AMENDMENT NO. 1

On page 1, line 2, between "To" and "enact" insert:

"amend and reenact R.S. 15:571.3(A)(1) and to"

AMENDMENT NO. 2

On page 1, line 2, between "relative to" and "alternative" insert:

"the diminution of prison sentences for good behavior and"

AMENDMENT NO. 3

On page 1, line 2, between "incarceration;" and "to" insert:

"to provide for the rate of good time for certain prisoners in parish prisons;"

AMENDMENT NO. 4

On page 1, line 6, between "Section 1." and "R.S." insert:

"R.S. 15:571.3(A)(1) is hereby amended and reenacted, and"

AMENDMENT NO. 5

On page 1, between lines 6 and 7, insert:

"§571.3. Diminution of sentence for good behavior

A.(1) Every prisoner in a parish prison convicted of an offense and sentenced to imprisonment without hard labor, except a prisoner convicted a second time of a crime of violence as defined by R.S. 14:2(13) or when the sentencing court has denied or conditioned eligibility for "good time" as provided in R.S. 15:537, may earn a diminution of sentence, to be known as "good time", by good behavior and performance of work or self-improvement activities, or both, ~~at the rate of three days of good time for each seventeen days served~~ The amount of diminution of sentence allowed under this Paragraph shall be at the rate of thirty days for every thirty days in actual custody, except for a prisoner convicted a first time of a crime of violence, as defined in R.S. 14:2(13), who shall earn diminution of sentence at the rate of three days for every seventeen days in actual custody, including in either case time spent in custody with good behavior prior to sentence for which defendant the prisoner is given credit.

\* \* \*

Senator Short moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Dardenne, Dean, Dyess, Total—33; Ellington, Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Johnson, Jones, Jordan, Lambert; Landry, Lentini, Malone, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns of names: Mr. President, Bagneris, Total—6; Cravins, Hollis; Irons, Robichaux.

The Chair declared the amendments proposed by the House were rejected. Senator Short moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

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

BY SENATORS HINES, IRONS AND BAJOIE AN ACT

To enact R.S. 36:259(FF) and 919.4 and Chapter 52 of Title 46 of the Revised Statutes of 1950, to be comprised of R.S. 46:2671 through 2675, relative to assisted living of the elderly; to provide for findings and declarations; to authorize the Department of Health and Hospitals to develop and implement a residential assisted living pilot project; to provide for cooperation among departments; to provide for guidelines for such project; to specify duration of project; to require reports; to create an advisory committee; to provide for membership and duties of such committee; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Reengrossed Senate Bill No. 1560 by Senator Irons

AMENDMENT NO. 1

On page 7, between lines 22 and 23, insert the following:

"(e) The Louisiana Chapter of SPUR (Seniors with Power United for Rights)."

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1560 by Senator Hines

AMENDMENT NO. 1

On page 1, line 16, delete the asterisks "\*" \* \*"

AMENDMENT NO. 2

On page 5, line 1, following "40:" and before "et" change "2131" to "2151"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Rodney Alexander to Reengrossed Senate Bill No. 1560 by Senator Hines, et al.

AMENDMENT NO. 1

On page 5, line 1, delete "40:2131 et seq." and insert in lieu thereof "40:2151 et seq."

AMENDMENT NO. 2

On page 5, line 25, delete "March" and insert in lieu thereof "October"

AMENDMENT NO. 3

On page 6, line 17, delete "October 1, 1997," and insert in lieu thereof "April 1, 1998,"

Senator Hines moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Dardenne, Dean, Dyess, Ellington, Total—35; Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert; Landry, Lentini, Malone, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Table with 2 columns of names: Mr. President, Bagneris, Total—4; Cravins, Robichaux.

The Chair declared the amendments proposed by the House were concurred in. Senator Hines moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Senate Bills and Joint Resolutions Returned from the House of Representatives with Amendments, Subject to Call

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments subject to call were taken up and acted upon as follows:

**Called from the Calendar**

Senator Landry asked that Senate Bill No. 882 be called from the Calendar at this time.

**SENATE BILL NO. 882—**  
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 42:1113(D) and 1114(D), and to enact R.S. 42:1113(D)(2)(f) and 1114(E), relative to ethics; to prohibit certain contractual relationships between certain persons and certain governmental entities; to prohibit renewal of certain contracts between certain persons and certain governmental entities; to provide for the renewals and extensions of employment contracts with educational institutions; to require disclosure by certain persons of contracts and subcontracts; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to reengrossed Senate Bill No. 882 by Senator Landry

AMENDMENT NO. 1

On page 1, line 3, delete "42:1113(D)(2)(f) and 1114(E)," and insert "42:1114(E),"

AMENDMENT NO. 2

On page 1, line 12, delete "R.S. 42:1113(D)(2)(f) and 1114(E) are" and insert "R.S. 42:1114(E) is"

AMENDMENT NO. 3

On page 2, at the end of line 16 insert "For the purposes of this Section, a provider agreement entered into with the Department of Health and Hospitals under the state medical assistance program shall not be considered a contract or subcontract."

AMENDMENT NO. 4

On page 2, line 26, delete "full-time"

AMENDMENT NO. 5

On page 3, delete line 10 through 14

Senator Landry moved to concur in the amendments proposed by the House.

**Motion**

Senator Fields moved as a substitute motion that the amendments proposed by the House be rejected.

Senator Landry objected.

**ROLL CALL**

The roll was called on the substitute motion with the following result:

YEAS

Bajoie  
Campbell  
Casanova  
Cox  
Cravins  
Total—14

Fields  
Johnson  
Jones  
Lentini  
Malone

Robichaux  
Romero  
Tarver  
Ullo

NAYS

Barham  
Bean  
Branch  
Cain  
Dardenne  
Dyess  
Ellington  
Total—19

Greene  
Hainkel  
Heitmeier  
Hines  
Hollis  
Jordan  
Landry

Schedler  
Short  
Siracusa  
Smith  
Theunissen

ABSENT

Mr. President  
Bagneris  
Total—6

Dean  
Guidry

Irons  
Lambert

The Chair declared that the Senate refused to reject the amendments proposed by the House.

**ROLL CALL**

The roll was called on the original motion to concur in the House amendments with the following result:

YEAS

Barham  
Bean  
Branch  
Cain  
Casanova  
Cox  
Cravins  
Dardenne  
Dyess  
Total—27

Ellington  
Greene  
Heitmeier  
Hines  
Hollis  
Irons  
Johnson  
Jones  
Jordan

Landry  
Malone  
Robichaux  
Romero  
Short  
Siracusa  
Smith  
Theunissen  
Ullo

NAYS

Bajoie  
Campbell  
Fields  
Total—7

Hainkel  
Lentini  
Schedler

Tarver

ABSENT

Mr. President  
Bagneris  
Total—5

Dean  
Guidry

Lambert

The Chair declared the amendments proposed by the House were concurred in. Senator Landry moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**Called from the Calendar**

Senator Landry asked that Senate Bill No. 1561 be called from the Calendar at this time.

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

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 32:1(93), 2(C), 3, 388(E) and (F)(1), and 389(A) and R.S. 47:718(B)(1) and (C)(1), 809(A), and 812(C)

and to enact R.S. 32:1(99), and 2(D), and R.S. 36:408(B)(3) and 409(C)(8) and R.S. 40:1379.8, all relative to the Weights and Standards Mobile Police; to transfer such police force to the office of state police; to provide for a special fund for penalty fines; and to provide for related matters.

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Reengrossed Senate Bill No. 1561 by Senator Landry

AMENDMENT NO. 1

On page 3, at the end of line 1, delete the period "." and insert "after receiving P.O.S.T. certification training."

AMENDMENT NO. 2

On page 3, delete lines 13 through 17 and at the beginning of line 18, delete "thereof."

AMENDMENT NO. 3

On page 3, delete lines 23 through 27

AMENDMENT NO. 4

On page 4, delete line 1 and at the beginning of line 2, delete "highways."

AMENDMENT NO. 5

On page 4, at the end of line 6, delete the period "." and insert "after receiving P.O.S.T. certification training."

AMENDMENT NO. 6

On page 6, line 11, after "Corrections." delete the remainder of the line and delete lines 12 through 15

AMENDMENT NO. 7

On page 6, at the beginning of line 16, delete "access highways."

AMENDMENT NO. 8

On page 6, at the end of line 20, delete the period "." and insert "after receiving P.O.S.T. certification training."

AMENDMENT NO. 9

On page 6, line 27, after "any" delete the remainder of the line and insert in lieu thereof "commissioned officer employed by the office of state police"

AMENDMENT NO. 10

On page 7, delete line 1 and insert in lieu thereof "or by the Department of Transportation and Development is"

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 1561 by Senator Landry

AMENDMENT NO. 1

On page 2, line 20 and on page 10, line 11, following "of" and before "Title" insert "Subtitle II of"

AMENDMENT NO. 2

On page 2, line 22, delete "Chapter 22 of Title 51;"

AMENDMENT NO. 3

On page 3, line 18, before "All rules" insert "B."

AMENDMENT NO. 4

On page 4, line 2, before "The" insert "C."

AMENDMENT NO. 5

On page 6, line 2, following "36:" before the colon":" change "892" to "802"

AMENDMENT NO. 6

On page 6, line 21, following "Section" change "5" to "4" and on page 8, line 24, following "Section" change "6" to "5" and on page 9, on line 4, following "Section" change "7" to "6" and on line 13 following "Section" change "8" to "7" and on line 25 following "Section" change "9" to "8" and on page 19, line 4, following "Section" change "10" to "9", on line 7 following "Section" change "11" to "10", on line 10 following "Section" change "12" to "11", on line 16 following "Section" change "13" to "12" and on line 19 following "Section" change "14" to "13"

AMENDMENT NO. 7

On page 10, line 11, change "4 and 5" to "4 and 7"

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Diez to Reengrossed Senate Bill No. 1561 by Senator Landry

AMENDMENT NO. 1

On page 2, at the beginning of line 18, before "Police" delete "Department"

AMENDMENT NO. 2

On page 3, line 23, after "The" and before "Department" insert "Weights and Standards Mobile Police Force within the"

AMENDMENT NO. 3

On page 5, line 17 after "Standards" and before "Police" insert "Mobile"

AMENDMENT NO. 4

On page 6, line 5, after "Force" insert "(mobile units only)"

AMENDMENT NO. 5

On page 6, line 7, after "Standards" and before "Police" insert "Mobile"

AMENDMENT NO. 6

On page 6, line 9, after "Standards" and before "Police" insert "Mobile"

AMENDMENT NO. 7

On page 6, line 16, after "Standards" and before "Police" insert "Mobile"

AMENDMENT NO. 8

On page 7, line 10, after "Corrections" and before "who" insert "or the Department of Transportation and Development, whichever agency issued the violation ticket,"

AMENDMENT NO. 9

On page 8, line 15, after "Corrections" and before "in" insert "or the Department of Transportation and Development"

AMENDMENT NO. 10

On page 8, line 18, after "Corrections" and before "who" insert "or the Department of Transportation and Development, whichever agency issued the violation ticket."

AMENDMENT NO. 11

On page 9, line 11, after "Force" delete the remainder of the line, delete line 12 in its entirety and insert a period "."

Senator Landry moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

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

The Chair declared the amendments proposed by the House were rejected. Senator Landry moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

Called from the Calendar

Senator Schedler asked that Senate Bill No. 1256 be called from the Calendar at this time.

SENATE BILL NO. 1256— BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 27:270(A)(3), to enact R.S. 39:91(B)(3), and to repeal R.S. 27:270(B), relative to casino gaming proceeds; to dedicate net gaming revenue to the Revenue Stabilization/Mineral Trust Fund; to eliminate the Casino Gaming Proceeds Fund; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Reengrossed Senate Bill No. 1256 by Senator Schedler

AMENDMENT NO. 1

On page 1, line 2, after "27:270(A)(3)" delete the remainder of the line and delete lines 3 through 5 in their entirety, and insert the following:

"and (B), and to enact R.S. 39:127.2, relative to the disposition of net revenues received from casino gaming proceeds; to provide for the disposition of such proceeds including the deposit into certain funds within the state treasury; to establish the Capitol Complex Master Plan Fund within the state treasury; to provide that monies in the fund shall be expended for capital improvements pursuant to the Capitol Complex Master Plan; and to provide for"

AMENDMENT NO. 2

On page 1, line 8, after "27:270(A)(3)" delete "is" and insert "and (B) are"

AMENDMENT NO. 3

On page 1, line 11, after "treasury;" delete "board" and insert "corporation"

AMENDMENT NO. 4

On page 1, line 12, after "audit of" delete "board" and insert "corporation"

AMENDMENT NO. 5

On page 2, line 1, after "(3)" delete the remainder of the line and insert "(a) Daily, the corporation"

AMENDMENT NO. 6

On page 2, line 2, after "treasury" insert "for deposit into certain funds in the treasury, as provided in this Paragraph."

AMENDMENT NO. 7

On page 2, line 3, after "which the" delete "board" and insert "corporation"

AMENDMENT NO. 8

On page 2, line 4, after "needs." and before "Net" insert the following:

"After first being credited to the Bond Security and Redemption Fund in accordance with Article VII, Section 9(B) of the Constitution of Louisiana, and after satisfying any other requirements of the constitution and laws of Louisiana, such net revenues shall be deposited as follows:

(i) Any such net revenues transferred to the state treasury after May 1, 1997, shall be deposited in and credited to the Capitol Complex Master Plan Fund established in R.S. 39:127.2.

(ii) At such time as one hundred fifty million dollars of such net revenues have been deposited in the Capitol Complex Master Plan Fund, such net revenues shall be deposited and credited as provided by law.

(b)"

AMENDMENT NO. 9

On page 2, line 5, after "gross" delete "board" and insert "corporation"

AMENDMENT NO. 10

On page 2, line 6, after "by the" delete "board" and insert "corporation"

AMENDMENT NO. 11

On page 2, line 8, after "of the" delete "board" and insert "corporation"

AMENDMENT NO. 12

On page 2, line 10, after "to the" delete "board" and insert "corporation"

AMENDMENT NO. 13

On page 2, between lines 12 and 13, insert the following:

"B. A "Casino Gaming Proceeds Fund" is hereby established in the state treasury. All funds transferred by the corporation to the state treasury shall first be credited to the Bond Security and Redemption Fund in accordance with Article VII, Section 9(B) of the Constitution of Louisiana. Thereafter, except as otherwise provided by law, the state treasurer shall

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credit to the Casino Gaming Proceeds Fund the amount of net revenues which the corporation determines are surplus to its needs, as provided for in Subsection A of this Section. No monies shall be allotted or expended from this fund unless pursuant to an appropriation by the legislature in accordance with law."

AMENDMENT NO. 14

On page 2, line 14, after "R.S." delete "39:91(B)(3)" and insert "39:127.2"

AMENDMENT NO. 15

On page 2, delete lines 15 through 27 in their entirety and on page 3, delete lines 1 through 5 in their entirety, and insert the following:

§127.2. Capitol Complex Master Plan: fund

A. There is hereby established in the state treasury, the "Capitol Complex Master Plan Fund", hereinafter referred to as the fund. Money shall be deposited in and credited to the fund from net revenues from casino gaming operations as such deposits are required under the provisions of R.S. 27:270(A)(3).

B. Except as otherwise provided in this Section, monies in the fund shall be subject to annual appropriation by the legislature but only for purposes specified in this Subsection. Monies in the fund may be expended or appropriated for capital improvements for projects contained in the Capitol Complex Master Plan prepared by the division of administration as such plan existed on April 1, 1997, or any changes, additions, or alterations to such plan if approved jointly by the governor, speaker of the House of Representatives, and president of the Senate.

C. For purposes of this Section, "capital improvements" shall mean and include, relative to any project contained in the Capitol Complex Master Plan planning, construction, reconstruction, renovation, land acquisitions, equipment acquisitions, maintenance, repairs, and equipment replacement. "Capital improvements" shall also mean and include the payment in connection with any such project of principal, interest, or premium, if any, and other obligations incident to the issuance, security, and payment of bonds or other evidences of indebtedness associated therewith, provided that the payment in respect thereto may be expended by the state treasurer without the need for legislative appropriation."

AMENDMENT NO. 16

On page 3, line 6, change "Section 4." to "Section 3."

Senator Schedler moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators: Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Ellington, Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Landry, Lentini, Malone, Robichaux, Romero, Short, Siracusa, Smith, Tarver, Theunissen

Table with names and counts: Dean, Dyess, Total—35, Jones, Jordan, Uilo, NAYS, Total—0, ABSENT, Mr. President, Bagneris, Total—4, Lambert, Schedler

The Chair declared the amendments proposed by the House were rejected. Senator Schedler moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

Senate Resolutions on Second Reading Reported by Committees

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

SENATE RESOLUTION NO. 52— BY SENATOR IRONS AND REPRESENTATIVE ROUSSELLE A RESOLUTION

To direct the Orleans Levee Board to return land taken for the Bohemia Spillway to those persons certified by the Department of Natural Resources as rightful heirs.

Reported favorably by the Committee on Natural Resources.

Floor Amendments Sent Up

Senator Irons sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Original Senate Resolution No. 52 by Senator Irons

AMENDMENT NO. 1

On page 3, line 14, change "34" to "46"

AMENDMENT NO. 2

On page 3, line 15, after "179," and after "181" change the comma "," to a period "." and delete the remainder of the line and delete line 16

On motion of Senator Irons, the amendments were adopted.

The above amended resolution was read by title. On motion of Senator Irons, the resolution was adopted.

Senate Concurrent Resolutions on Second Reading Reported by Committees

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

SENATE CONCURRENT RESOLUTION NO. 4— BY SENATOR HAINKEL A CONCURRENT RESOLUTION

To urge and request the courts of the state to utilize a consistent formula in computing the division of retirement and defined benefit pension plan funds.

Reported favorably by the Committee on Judiciary A.



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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators in the YEAS column: Bajoié, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Dardenne, Dean, Dyess, Ellington, Total—36.

NAYS

Total—0

ABSENT

Mr. President Bagneris Cravins Total—3

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

SENATE CONCURRENT RESOLUTION NO. 138— BY SENATOR SHORT

A CONCURRENT RESOLUTION

To urge and request the Board of Regents to study the need for and feasibility of establishing a two-year community college in Bogalusa to be named the Sullivan Community College, as an institution of higher education under the management of the Board of Trustees for State Colleges and Universities.

Reported favorably by the Committee on Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators in the YEAS column: Bajoié, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Dardenne, Dean, Dyess, Ellington, Total—36.

NAYS

Total—0

ABSENT

Mr. President Bagneris Cravins Total—3

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

SENATE CONCURRENT RESOLUTION NO. 143— BY SENATOR BAGNERIS

A CONCURRENT RESOLUTION

To urge and request the state superintendent of education, the State Board of Elementary and Secondary Education, the Orleans Parish School Board, and the Orleans Parish superintendent of education to explore the use of the Minimum Foundation Program and other funding sources to eliminate the tuition charged to students residing outside Orleans Parish who attend the New Orleans Center for the Creative Arts and to equalize any tuition charged to students regardless of residence.

Reported favorably by the Committee on Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators in the YEAS column: Bajoié, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Total—37.

NAYS

Total—0

ABSENT

Mr. President Bagneris Total—2

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

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

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

Called from the Calendar

Senator Short asked that Senate Bill No. 37 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 37—**  
BY SENATOR SHORT

**A JOINT RESOLUTION**

Proposing to amend Article I, Section 3 and to add Article XII, Section 15 of the Constitution of Louisiana; to prohibit marriage between persons of the same sex; to provide for the effect of a same sex marriage performed in another state, territory, or possession of the United States or by an Indian tribe; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

**Called from the Calendar**

Senator Hainkel asked that Senate Bill No. 840 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 840—**

BY SENATORS HAINKEL, DARDENNE, EWING AND SMITH  
**AN ACT**

To enact R.S. 38:2211(A)(12), 2212.5, and 2212.6, relative to public contracts; to define debarment and suspension of contractors; to provide for the debarment of contractors for certain causes; to provide for judicial review; and to provide for related matters.

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

**Called from the Calendar**

Senator Johnson asked that Senate Bill No. 1329 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 1329—**

BY SENATOR JOHNSON  
**AN ACT**

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

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

**Messages from the House**

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

**Message from the House**

**CONCURRING IN  
SENATE CONCURRENT RESOLUTIONS**

June 20, 1997

To the Honorable President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 152—**  
BY SENATOR HEITMEIER

**A CONCURRENT RESOLUTION**

To declare June 24, 1997, as Delta Queen Steamboat Day in honor of her seventieth birthday, her fifty years on America's inland rivers, and her contribution to tourism in the state of Louisiana.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 153—**  
BY SENATOR ROMERO

**A CONCURRENT RESOLUTION**

To express the condolences of the Louisiana Legislature upon the death of Bradley Lynn Broussard.

Reported without amendments.

**SENATE CONCURRENT RESOLUTION NO. 154—**  
BY SENATOR BAJOE

**A CONCURRENT RESOLUTION**

To commend and congratulate Mr. and Mrs. Joseph L. LaPierre, Jr. on fifty years of wedded bliss.

Reported without amendments.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1675 by Representative Hammett, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1675 by Representative Hammett:

Representatives Hammett, Travis, and Jetson.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 2395 by Representative Winston, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Winston, Diez, and Ansardi.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 2455 by Representative Windhorst, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 2455 by Representative Windhorst:

Representatives Windhorst, Lancaster, and Alario.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 2472 by Representative Windhorst, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Windhorst, Lancaster, and Green.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 335 by Representative Salter, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 357 by Representative McCain, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 437 by Representative Daniel, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 899 by Representative Travis, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 901 by Representative Montgomery, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1091 by Representative Wilkerson, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1101 by Representative Travis, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1152 by Representative Jack D. Smith, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1166 by Representative Carter, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1715 by Representative Stelly, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate

Amendment(s) to House Bill No. 2025 by Representative Donelon, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 2065 by Representative Downer, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House**

**DISAGREEMENT TO HOUSE BILL**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 2499 by Representative Walsworth, and ask the President to appoint on the part of the Senate a committee to confer with a like committee from the House on the disagreement.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to Senate Bill No. 53 by Senator Smith:

Representatives Salter, Diez, and Long.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 363 by Representative John Smith:

Representatives John Smith, Weston, and Triche.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 404 by Representative Hammett:

Representatives Hammett, John Smith, and Jack Smith.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 561 by Representative Travis:

Representatives Travis, Murray, and Thompson.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 777 by Representative Windhorst:

Representatives Windhorst, LeBlanc, and Salter.

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

**Message from the House**  
**HOUSE CONFEREES APPOINTED**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1023 by Representative Alario:

Representatives Alario, Warner, and Montgomery.

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

**Message from the House**  
**HOUSE CONFEREES APPOINTED**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1059 by Representative Fauchoux:

Representatives Fauchoux, Donelon, and Dimos.

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

**Message from the House**  
**HOUSE CONFEREES APPOINTED**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1104 by Representative Travis:

Representatives Travis, Bruneau, and Copelin.

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

**Message from the House**  
**HOUSE CONFEREES APPOINTED**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1396 by Representative Dupre:

Representatives Dupre, Diez, and Gautreaux.

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

**Message from the House**  
**HOUSE CONFEREES APPOINTED**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1503 by Representative Chaisson:

Representatives Chaisson, Donelon, and Thornhill.

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

**Message from the House**  
**HOUSE CONFEREES APPOINTED**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1521 by Representative Odinet:

Representatives Odinet, John Smith, and Roussell.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1685 by Representative Alario:

Representatives Alario, Diez, and Dewitt.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 1762 by Representative Damico:

Representatives Damico, Morrish, and Dewitt.

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

**Message from the House**

**HOUSE CONFEREES APPOINTED**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has appointed the following members, on the part of the House of Representatives, to confer, with a like committee from the Senate, on the disagreement to House Bill No. 2024 by Representative Thornhill:

Representatives Thornhill, Donelon, and Ansardi.

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

**Appointment of Conference Committee  
on Senate Bill No. 1460**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 1460: Senators Dean, Landry, and Malone.

**Appointment of Conference Committee  
on House Bill No. 363**

The President of the Senate appointed on the Conference Committee on House Bill No. 363 the following members of the Senate: Senators Cain, Bajoie, Dyess.

**Appointment of Conference Committee  
on House Bill No. 404**

The President of the Senate appointed on the Conference Committee on House Bill No. 404 the following members of the Senate: Senators Ellington, Romero, and Barham.

**Appointment of Conference Committee  
on House Bill No. 666**

The President of the Senate appointed on the Conference Committee on House Bill No. 666 the following members of the Senate: Senators Bajoie, Barham, and Jordan.

**Appointment of Conference Committee  
on House Bill No. 777**

The President of the Senate appointed on the Conference Committee on House Bill No. 777 the following members of the Senate: Senators Jordan, Lentini, and Landry.

**Appointment of Conference Committee  
on House Bill No. 1396**

The President of the Senate appointed on the Conference Committee on House Bill No. 1396 the following members of the Senate: Senators Landry, Siracusa, and Robichaux.

**Appointment of Conference Committee  
on House Bill No. 1503**

The President of the Senate appointed on the Conference Committee on House Bill No. 1503 the following members of the Senate: Senators Tarver, Cravins, and Hainkel.

**Appointment of Conference Committee  
on House Bill No. 2018**

The President of the Senate appointed on the Conference Committee on House Bill No. 2018 the following members of the Senate: Senators Hainkel, Dardenne, and Ewing.

**Appointment of Conference Committee  
on Senate Bill No. 320**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 320: Senators Barham, Lentini, and Heitmeier.

**Appointment of Conference Committee  
on Senate Bill No. 447**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 447: Senators Jordan, Lentini, and Heitmeier.

**Appointment of Conference Committee  
on Senate Bill No. 448**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 448: Senators Jordan, Lentini, and Heitmeier.

**Appointment of Conference Committee  
on Senate Bill No. 449**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 449: Senators Dardenne, Jordan, and Branch.

**Appointment of Conference Committee  
on Senate Bill No. 528**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 528: Senators Tarver, Guidry, and Hainkel.

**Appointment of Conference Committee  
on Senate Bill No. 734**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 734: Senators Ullo, Lentini, and Schedler.

**Appointment of Conference Committee  
on Senate Bill No. 850**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 850: Senators Greene, Campbell, and Short.

**Appointment of Conference Committee  
on Senate Bill No. 861**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 861: Senators Cox, Bajoie, and Fields.

**Appointment of Conference Committee  
on Senate Bill No. 902**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 902: Senators Jordan, Landry, and Heitmeier.

**Appointment of Conference Committee  
on Senate Bill No. 908**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 908: Senators Jordan, Jones, and Cox.

**Appointment of Conference Committee  
on Senate Bill No. 1055**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 1055: Senators Tarver, Cravins, and Bean.

**Appointment of Conference Committee  
on Senate Bill No. 1153**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 1153: Senators Short, Hollis, and Smith.

**Appointment of Conference Committee  
on Senate Bill No. 1158**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 1158: Senators Hines, Bajoie, and Irons.

**Appointment of Conference Committee  
on Senate Bill No. 1310**

The President of the Senate appointed the following members to confer with a like committee from the House for the purpose of considering the disagreement on Senate Bill No. 1310: Senators Hainkel, Dardenne, and Greene.

**Privilege Report of the  
Legislative Bureau**

June 20, 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 CONCURRENT RESOLUTION NO. 245—  
BY REPRESENTATIVE BRUN**

**A CONCURRENT RESOLUTION**

To provide for legislative approval of the formula developed by the State Board of Elementary and Secondary Education and adopted by the board on June 13, 1997, to determine the cost of a minimum foundation program of education in all public elementary and secondary schools as well as to equitably allocate the funds to parish and city school systems.

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.



**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. 155—  
BY SENATOR CASANOVA**

**A CONCURRENT RESOLUTION**

To express the condolences of the Louisiana Legislature upon the death of John Henry "Jack" Hobgood, Jr.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Mr. President	Hainkel
Bagneris	Robichaux
Total—4	

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

**SENATE CONCURRENT RESOLUTION NO. 156—  
BY SENATOR IRONS**

**A CONCURRENT RESOLUTION**

To commend the participating members of the Louisiana Restaurant Association and the New Orleans Chapter of the Louisiana Restaurant Association for their first annual "Fight Crime with a Fork".

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lambert
Bajoie	Fields	Landry
Barham	Greene	Lentini
Bean	Guidry	Malone

Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Short
Casanova	Hollis	Siracusa
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones	Theunissen
Dyess	Jordan	Ullo
Total—36		

**NAYS**

Total—0

**ABSENT**

Bagneris	Cox	Robichaux
Total—3		

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

**Rules Suspended**

Senator Cravins asked for and obtained a suspension of the rules for the purpose of calling Senate Bill No. 1295 returned from the House with amendments, subject to call.

Senator Branch objected.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Bajoie	Greene	Malone
Barham	Guidry	Robichaux
Bean	Heitmeier	Romero
Cain	Hines	Schedler
Campbell	Hollis	Siracusa
Casanova	Irons	Smith
Cox	Johnson	Tarver
Cravins	Jones	Theunissen
Dardenne	Jordan	Ullo
Dean	Landry	
Ellington	Lentini	
Total—31		

**NAYS**

Branch	Dyess	Short
Total—3		

**ABSENT**

Mr. President	Fields	Lambert
Bagneris	Hainkel	
Total—5		

The Chair declared the rules were suspended.

**Senate Bills and Joint Resolutions  
Returned from the House  
of Representatives with Amendments,  
Subject to Call**

The following Senate Bills and Joint Resolutions returned from the House of Representatives with amendments were taken up and acted upon as follows:

June 20, 1997

**Called from the Calendar**

Senator Cravins asked that Senate Bill No. 1295 be called from the Calendar at this time.

**SENATE BILL NO. 1295—**  
BY SENATOR CRAVINS

AN ACT

To enact Chapter 7 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:351 through 354, 361 through 365, 371 through 377, and 381, relative to slot machine gaming at certain live horse race tracks; to provide for state policy; to provide definitions; to provide relative to the power of the Louisiana State Racing Commission; to provide relative to the temporary and permanent conduct of slot machine gaming; to provide for required licenses and the terms of such licenses; to provide relative to required suitability standards; to provide relative to the powers and duties of the Louisiana Gaming Control Board; to provide relative to the duties of the office of state police; to provide relative to limitations on slot machine gaming; to prohibit certain relationships; to provide for certain crimes and provide penalties therefor; to prohibit allowing minors to play slot machines and to provide with regard thereto; to require posting certain information regarding assistance for compulsive gambling; to require and provide for a local election regarding slot machine gaming; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Toomy to Reengrossed Senate Bill No. 1295 by Senator Cravins

AMENDMENT NO. 1 - Rejected  
On page 5, delete line 8 and insert "as video draw poker devices."

AMENDMENT NO. 2 - Adopted  
On page 10, at the end of line 26, delete the period "." and insert "and has never been convicted of a felony offense."

AMENDMENT NO. 3 - Rejected  
On page 13, delete lines 20 and 21 in their entirety

AMENDMENT NO. 4 - Rejected  
On page 13, at the beginning of line 22, change "(5)" to "(4)"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Morrell to Reengrossed Senate Bill No. 1295 by Senator Cravins

AMENDMENT NO. 1  
On page 3, line 22, after "means" delete the remainder of the line and on line 23, delete "Landry Parish, Bossier Parish and Calcasieu Parish" and insert "any racing facility"

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Montgomery to Reengrossed Senate Bill No. 1295 by Senator Cravins

AMENDMENT NO. 1  
On page 9, at the end of line 21, delete "All" and delete lines 22 and 23 in their entirety

AMENDMENT NO. 2  
On page 12, line 13, after "rules" delete "and fees"

AMENDMENT NO. 3

On page 12, delete line 27 in its entirety, and on page 13, delete lines 1 and 2 in their entirety

AMENDMENT NO. 4

On page 13, delete lines 12 and 13 in their entirety

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Alario to Reengrossed Senate Bill No. 1295 by Senator Cravins

AMENDMENT NO. 1

On page 21, after line 17, insert the following: "However, no slot machine gaming may be conducted until and unless the legislature provides by law for (1) the imposition, collection, and disposition of taxes on net slot machine proceeds and fees necessary to administer the requirements of this Act and (2) the dedication of a fixed percentage of net slot machine proceeds to supplement purses for races run at the live meetings at the eligible facility and to the Louisiana Thoroughbred Breeders Association and the Louisiana Quarter Horse Breeders Association for use as awards for breeders of accredited Louisiana bred horses and for promotion of the Louisiana horse breeding industry."

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Deville to Reengrossed Senate Bill No. 1295 by Senator Cravins

AMENDMENT NO. 1

On page 7, line 1, after "than" and before "percent" delete "twelve" and insert "fifteen"

AMENDMENT NO. 2

On page 7, line 4, after "(AA)" and before "to" delete "Two-thirds" and insert "Thirteen percent"

AMENDMENT NO. 3

On page 7, at the end of line 11, delete the period "." and insert "for Louisiana bred thoroughbred horses. Four percent of this amount shall go to the Horsemen's Benevolent and Protective Association."

AMENDMENT NO. 4

On page 7, line 12, after "(BB)" and before "to" delete "One-third" and insert "Two percent"

AMENDMENT NO. 5

On page 7, at the end of line 14, insert "Two percent of this amount shall go to the Horsemen's Benevolent and Protective Association."

AMENDMENT NO. 6

Delete the House Floor Amendment proposed by Representative Morrell and adopted by the House of Representatives on June 12, 1997

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Montgomery to Reengrossed Senate Bill No. 1295 by Senator Cravins

AMENDMENT NO. 1

On page 7, delete lines 4 through 14 in their entirety and insert in lieu thereof the following:

"(AA) Seventy percent to supplement purses for thoroughbred races at that facility, thirty percent of which shall be for Louisiana bred thoroughbred horses. Four percent of this amount shall go to the Horsemen's Benevolent and Protective Association in accordance with law.

(BB) Thirty percent to supplement purses for quarter horse races at that facility, sixty percent of which shall be for Louisiana bred quarter horses. Four percent of this amount shall go to the Horsemen's Benevolent and Protective Association in accordance with law.

AMENDMENT NO. 2

On page 14, at the beginning of line 6, delete "(a)"

AMENDMENT NO. 3

On page 14, delete lines 11 through 15 in their entirety

AMENDMENT NO. 4

On page 16, line 18, delete "and penalties"

AMENDMENT NO. 5

On page 19, line 3, after "gambling." delete the remainder of the line and delete lines 4 and 5 in their entirety

AMENDMENT NO. 6

Delete House Floor Amendments Numbers 2, 3, 4, and 5, proposed by Representative Deville and adopted by the House on June 12, 1997

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Montgomery to Reengrossed Senate Bill No. 1295 by Senator Cravins

AMENDMENT NO. 1

On page 7, between lines 14 and 15, insert the following:

"(CC) In the event a facility offers only thoroughbred or quarter horse racing programs, then the purse supplement shall be dedicated as a purse supplement to the racing program offered, as provided in the paragraphs designated (AA) and (BB) above."

Senator Cravins moved to reject the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members who voted 'YEAS' in three columns: Bajoié, Barham, Bean, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Total—36; Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert; Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Branch  
Total—1

ABSENT

Mr. President  
Total—2

The Chair declared the amendments proposed by the House were rejected. Senator Cravins moved to reconsider the vote by which the amendments were rejected and laid the motion on the table.

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 261— BY REPRESENTATIVE JETSON A CONCURRENT RESOLUTION

To urge and request the State Licensing Board for Contractors to adopt provisions for the hardship licensure of certain persons applying for a residential building contractor's license.

HOUSE CONCURRENT RESOLUTION NO. 262— BY REPRESENTATIVE MURRAY A CONCURRENT RESOLUTION

To urge and request the Supreme Court of Louisiana to take appropriate action to increase to fourteen hours the credit allowed for service in the Louisiana Legislature by those representatives, senators, and chief clerical officers of the Senate and the House of Representatives who are attorneys for fulfilling the requirement of attendance at continuing legal education activities and to include full-time legislative staff who are attorneys in this fourteen hours of CLE credit per year.

HOUSE CONCURRENT RESOLUTION NO. 263— BY REPRESENTATIVE DUPRE A CONCURRENT RESOLUTION

To urge and request the Louisiana Peace Officer Standards and Training Council to study and advise on the feasibility of offering courses, on an in-service basis, for law enforcement officers with traffic enforcement responsibilities to include training in the detection and apprehension of persons suspected of operating a motor vehicle while under the influence of alcoholic beverages, a controlled dangerous substance, or any other substance that impairs a person's physical or mental faculties.

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

Message from the House

DISAGREEMENT TO HOUSE BILL

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has refused to concur in the proposed Senate Amendment(s) to House Bill No. 1593 by Representative Vitter, and ask the President to appoint on the part of the Senate a committee to

June 20, 1997

confer with a like committee from the House on the disagreement; and to inform your honorable body that the Speaker of the House of Representatives has appointed the following members as conferees on the part of the House:

Representatives Vitter, Alario, and Bruneau.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**Message from the House**

**RELATIVE TO CONSIDERATION  
AFTER 55TH LEGISLATIVE DAY**

June 20, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House, by a record vote of two-thirds of its elected members, has adopted a motion to consider House Bill No. 916 on third reading and final passage after the 55th legislative day and ask the Senate to concur in the same.

Respectfully submitted,  
ALFRED W. SPEER

Clerk of the House of Representatives

**Rules Suspended**

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

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

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

**HOUSE BILL NO. 916—  
BY REPRESENTATIVES DIEZ, DEWITT, AND BRUCE  
AN ACT**

To amend and reenact R.S. 36:501(C)(1), 502(A)(1) and (B), 508(A), (B), (C), and (F) and to enact R.S. 36:510, relative to the reorganization of the Department of Transportation and Development; to create the offices of highway engineering and public works and intermodal transportation; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Casanova  
Cox  
Dardenne  
Dean  
Dyess  
Total—36

Irons  
Johnson  
Jones  
Jordan  
Lambert

Siracusa  
Smith  
Tarver  
Theunissen  
Ullo

**NAYS**

Total—0

**ABSENT**

Bagneris  
Total—3

Cravins

Hainkel

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

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Bagneris 1 Day

**Adjournment**

Senator Bagneris moved that the Senate adjourn until Saturday, June 21, 1997 at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Saturday, June 21, 1997.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk