

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

**THIRD DAY'S PROCEEDINGS**

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

Senate Chamber  
State Capitol  
Baton Rouge, Louisiana

Wednesday, April 2, 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 was called with the following result:

**PRESENT**

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

**ABSENT**

Dyess	Heitmeier
Hainkel	Tarver
Total—4	

The President of the Senate announced there were 35 Senators present and a quorum.

**Prayer**

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

**Morning Hour**

**Introduction of  
Senate Concurrent Resolutions**

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

**SENATE CONCURRENT RESOLUTION NO. 60—**  
BY SENATORS HAINKEL, HOLLIS, LENTINI AND ULLO  
A CONCURRENT RESOLUTION

To urge and request the board of commissioners of the Louisiana Stadium and Exposition District to name the new baseball facility in Jefferson Parish the "Yenni Sports Center".

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

**SENATE CONCURRENT RESOLUTION NO. 61—**  
BY SENATOR BAGNERIS  
A CONCURRENT RESOLUTION

To urge and request the Department of Social Services to study its current definition of corporal punishment, the consistency of its use, the possibility of overbreadth, and its appropriateness in light of the state's diverse cultural environment.

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

**Senate Bills and Joint Resolutions  
on Second Reading  
Reported by Committees, Subject to Call**

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

**Called from the Calendar**

Senator Hainkel asked that Senate Bill No. 4 be called from the Calendar at this time.

**SENATE BILL NO. 4—**  
BY SENATOR HEITMEIER  
AN ACT

To amend and reenact the introductory paragraph of R.S. 27:312(C)(1), relative to distribution of monies in the Video Draw Poker Device Fund; to provide for appropriation and distribution of such monies; and to provide for related matters.

**Motion**

Senator Hainkel moved Senate Bill No. 4 be recommitted to the Committee on Judiciary B.

Without objection, so ordered.

**Reports of Committees**

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON**

**COMMERCE AND CONSUMER PROTECTION**

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

April 2, 1997

To the President and Members of the Senate:

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

**SENATE BILL NO. 465—**  
BY SENATOR BAGNERIS  
AN ACT

To amend and reenact R.S. 43:111(A)(7) and to enact R.S. 43:111(A)(8), relative to advertising by the state and its agencies; to authorize the Department of Culture, Recreation and Tourism to advertise its programs when funds have been appropriated for that purpose; and to provide for related matters.

April 2, 1997

Reported with amendments.

**SENATE BILL NO. 466—**  
BY SENATOR BAGNERIS

AN ACT

To amend and reenact R.S. 43:31(B) and to enact R.S. 43:31(A)(5), relative to printing of state government entities; to authorize the Department of Culture, Recreation and Tourism to print new promotional materials that enhance the development and implementation of its programs when funds have been appropriated for that purpose; to exempt those new promotional materials from the required cost to produce statement; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 523—**  
BY SENATOR ROBICHAUX

AN ACT

To authorize and empower the town of Grand Isle and the parishes of Terrebonne, Lafourche, Iberia, and St. Mary to use the designation "Louisiana's Cajun Coastline" to promote the area as a regional tourism destination.

Reported favorably.

**SENATE BILL NO. 1043—**  
BY SENATOR HOLLIS

AN ACT

To repeal R.S. 51:1261(D), as amended by Section 1 of Act No. 111 of the 1987 Regular Session, relative to delays for submitting statewide marketing plan; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 1163—**  
BY SENATOR HOLLIS

AN ACT

To enact R.S. 49:191(11) and to repeal R.S. 49:191(8)(a), relative to the Department of Culture, Recreation and Tourism; to provide for the re-creation of the department and the statutory entities made a part of the department; to provide for the termination of statutory authority for the existence of the department and the statutory entities made a part of the department; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
KEN HOLLIS  
Chairman

**REPORT OF COMMITTEE ON**

**HEALTH AND WELFARE**

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

April 2, 1997

To the President and Members of the Senate:

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

**SENATE CONCURRENT RESOLUTION NO. 28—**  
BY SENATOR IRONS

A CONCURRENT RESOLUTION

To designate the month of May 1997 as Teen Pregnancy Awareness and Prevention Month.

Reported favorably.

**SENATE BILL NO. 250—**  
BY SENATOR CAIN

AN ACT

To enact R.S. 22:9(A)(1)(bb), relative to the Louisiana Health Care Commission; to increase the membership of the commission; to provide for an additional nominee by the Louisiana Nursing Home Association; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 503—**  
BY SENATOR HINES AND REPRESENTATIVE DEWITT

AN ACT

To amend and reenact the introductory paragraph of R.S. 45:836 and to enact R.S. 45:836(14), relative to the composition of the Coordinating Council on Telemedicine and Distance Education; to provide for an additional member to be appointed by the Louisiana Board of Pharmacy; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 521—**  
BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 40:1300.83(2), (3), and (4), 1300.84(A), the introductory paragraph of R.S. 1300.84(B) and (B)(4), 1300.85, 1300.86, 1300.87, 1300.88, 1300.89(B), (C), and (D), 1300.90, 1300.91, 1300.92, 1300.93, 1300.94, 1300.95, 1300.96, and 1300.97, relative to the Louisiana Kidney Health Care Law; to remove the Louisiana Kidney Health Care Program from the direction of the Department of Health and Hospitals and to place it under the direction of the Louisiana State University Medical Center at Shreveport; to replace references to the department with references to the medical center; to replace references to the secretary with references to the chancellor; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 609—**  
BY SENATOR HAINKEL, DARDENNE, EWING AND HINES

AN ACT

To amend and reenact R.S. 40:32(10) and to enact R.S. 40:32(18), relative to vital statistics; to redefine "vital records"; to define "signature", "sign(ed)" to include written or electronic signatures; and to provide for related matters.

Reported favorably.

**SENATE BILL NO. 611—**  
BY SENATOR HAINKEL, DARDENNE, EWING AND BEAN

AN ACT

To amend and reenact R.S. 40:34(B)(1)(a)(iii) and (h) and to enact R.S. 40:34(B)(1)(a)(vii) and (3), relative to vital records forms; to provide for contents of the birth certificate; to provide for an additional exception to the requirement that the surname of the child shall be the surname of the husband of the mother; to provide additional requirements for recording the father's name; to provide for the effect of law relative to contents of birth certificates on certain legal proceedings; and to provide for related matters.

Reported favorably.

Respectfully submitted,  
DONALD E. HINES  
Chairman

**REPORT OF COMMITTEE ON**

**SENATE AND GOVERNMENTAL AFFAIRS**

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

April 2, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 48— BY SENATOR DARDENNE AN ACT

To amend and reenact R.S. 18:1491.4(D) and 1495.2(D), relative to the Louisiana Election Code; to provide that broker-dealer accounts, mutual funds and trust accounts may be designated as campaign depositories; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 238— BY SENATOR GUIDRY AN ACT

To amend and reenact R.S. 32:409(B), relative to driver's licenses; to prohibit providing driver's license information to anyone other than law enforcement or governmental agencies; to authorize an individual access to his own such information; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 369— BY SENATOR DARDENNE AN ACT

To enact R.S. 42:1113(D)(2)(g), relative to the code of governmental ethics; to provide for the renewals and extension of employment contracts with educational institutions; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 470— BY SENATOR COX AN ACT

To enact R.S. 49:149.24, to provide with respect to state buildings; to provide for the name of the Third Circuit Court of Appeals Building in Lake Charles.

Reported favorably.

SENATE BILL NO. 674— BY SENATOR BAGNERIS AN ACT

To amend and reenact R.S. 36:204(A)(7), relative to the powers and duties of the secretary of culture, recreation and tourism; to permit the secretary to authorize the printing of materials which assist in the promotion of the cultural, natural, historic, and recreational resources and programs of the state; and to provide for related matters.

Reported favorably.

Respectfully submitted, JAY DARDENNE Chairman

Senate Bills and Joint Resolutions on Third Reading and Final Passage

The following Senate Bills and Joint Resolutions on third reading

and final passage were taken up and acted upon as follows:

SENATE BILL NO. 34— BY SENATORS LENTINI AND SHORT AN ACT

To enact R.S. 14:34.5 and Code of Criminal Procedure Art. 814(A)(14.1), relative to assault and battery; to create the crime of disarming of a peace officer; to provide definitions; to provide penalties; to provide for responsive verdicts; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. SB 34 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 11, following "when" change "the" to "an"

On motion of Senator Bagneris, the amendments were adopted.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed Senate Bill No. SB 34 by Senator Lentini

AMENDMENT NO. 1

On page 2, line 6, after "years" delete "," and insert "." and delete the remainder of the line and delete line 7 in its entirety.

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Cravins, Jordan; Bagneris, Dardenne, Lambert; Bajoie, Dean, Landry; Barham, Ellington, Lentini; Bean, Fields, Robichaux; Branch, Greene, Schedler; Cain, Hines, Short; Campbell, Hollis, Theunissen; Casanova, Irons; Cox, Jones; Total—28

NAYS

Total—0

ABSENT

Table with 3 columns: Dyess, Johnson, Smith; Guidry, Malone, Tarver; Hainkel, Romero, Ullo; Heitmeier, Siracusa

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Total—11

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

Personal Privilege

Senator Smith asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on Senate Bill No. 34. He had intended to vote yea on the bill. He asked that the Official Journal so state.

SENATE BILL NO. 143— BY SENATOR COX

AN ACT

To amend and reenact R.S. 9:202(2) and to repeal R.S. 9:203(D), relative to judges who are authorized to perform marriage ceremonies; to remove the authority for federal court judges to perform marriage ceremonies within the state; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bagneris, Barham, Branch, Cain, Campbell, Cox, Cravins, Total—21; Dardenne, Ellington, Fields, Guidry, Hines, Hollis, Irons; Jones, Lambert, Lentini, Robichaux, Schedler, Short, Theunissen.

NAYS

Table with 3 columns of names: Mr. President, Bajoie, Bean, Casanova, Total—10; Dean, Jordan, Landry, Siracusa; Smith, Ullo.

ABSENT

Table with 3 columns of names: Dyess, Greene, Hainkel, Total—8; Heitmeier, Johnson, Malone; Romero, Tarver.

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

Personal Privilege

Senator Ullo asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 143. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

SENATE BILL NO. 146— BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 51:579(A), relative to purchases of certain used materials; to require certain reporting procedures; to require delay in the use of such material by the purchaser; to make such requirements subject to criminal penalties; and to provide for

related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bagneris, Bajoie, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Total—29; Dardenne, Ellington, Fields, Greene, Guidry, Hines, Hollis, Irons, Jordan, Lambert; Landry, Lentini, Robichaux, Schedler, Short, Siracusa, Smith, Theunissen, Ullo.

NAYS

Dean Total—1

ABSENT

Table with 3 columns of names: Barham, Dyess, Hainkel, Total—9; Heitmeier, Johnson, Jones; Malone, Romero, Tarver.

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

SENATE BILL NO. 154— BY SENATOR JORDAN

AN ACT

To enact R.S. 9:164.1, relative to the disposition of unclaimed property; to authorize the Lafayette Parish Clerk of Court to retain abandoned or unclaimed court cost deposits which have remained unclaimed for more than three years; to provide for reclamation by the owner; to provide for the commencement of the three-year period; and to provide for related matters.

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

SENATE BILL NO. 171— BY SENATOR COX

AN ACT

To amend and reenact R.S. 9:5501 and 5503, and to enact R.S. 9:5501.1, relative to affidavits of distinction and identity; to require clerks of court to provide affidavit forms; to provide for the content of the form; to provide for immunity; to provide for fines and penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. SB 171 by Senator Cox

AMENDMENT NO. 1

On page 3, line 23, following "swearing" insert a period "." and delete

the remainder of the line and line 24 in its entirety

AMENDMENT NO. 2

On page 4, line 2, following "previous" and before "for" change "address" to "addresses"

AMENDMENT NO. 3

On page 4, between lines 26 and 27, insert asterisks "\*" \* "\*" indicating §5502

On motion of Senator Bagneris, the amendments were adopted.

Floor Amendments Sent Up

Senator Cox sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cox to Engrossed Senate Bill No. 171 by Senator Cox

AMENDMENT NO. 1

On page 4, line 19, after "mortgage)" insert the following:

"and that the property of the affiant is not subject to the judicial mortgage resulting from the judgment"

AMENDMENT NO. 2

On page 4, between lines 26 and 27, insert:

"\* \* \*

On motion of Senator Cox, the amendments were adopted.

Floor Amendments Sent Up

Senator Cox sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 171 by Senator Cox

AMENDMENT NO. 1

On page 1, line 13, after "distinction" insert "before a notary public or"

AMENDMENT NO. 2

On page 2, line 4, after "The" insert "notary public or"

AMENDMENT NO. 3

On page 5, line 1, after "before" insert "a notary public or"

On motion of Senator Cox, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dardenne Landry
Bagneris Dean Lentini
Bajoie Ellington Robichaux
Barham Fields Schedler
Bean Greene Short
Branch Guidry Siracusa
Cain Hines Smith

Campbell
Casanova
Cox
Cravins
Total—31

Hollis
Irons
Jordan
Lambert

Theunissen
Ullo

NAYS

Total—0

ABSENT

Dyess
Hainkel
Heitmeier
Total—8

Johnson
Jones
Malone

Romero
Tarver

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

SENATE BILL NO. 174—
BY SENATOR CAIN

AN ACT

To enact R.S. 49:121(I), relative to identifying insignia on public vehicles; to require that police vehicles engaged in certain traffic operations bear identifying insignia; to provide for exceptions; and to provide for related matters.

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

SENATE BILL NO. 180—
BY SENATOR CAIN

AN ACT

To amend and reenact the introductory paragraph of R.S. 3:2091(B) and R.S. 3:2091(E) and to enact R.S. 3:2091(B)(15); relative to the Livestock Sanitary Board; to increase number of board members from fourteen to fifteen; to provide for appointment; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Bagneris
Bajoie
Barham
Bean
Branch
Cain
Campbell
Casanova
Cox
Cravins
Total—31

Dardenne
Dean
Ellington
Fields
Greene
Guidry
Hines
Hollis
Irons
Jordan
Lambert

Landry
Lentini
Robichaux
Schedler
Short
Siracusa
Smith
Theunissen
Ullo

NAYS

Total—0

ABSENT

Dyess
Hainkel
Heitmeier
Total—8

Johnson
Jones
Malone

Romero
Tarver

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

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was passed and laid the motion on the table.

SENATE BILL NO. 204—
BY SENATOR HEITMEIER AND REPRESENTATIVE DEWITT
AN ACT

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

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

SENATE BILL NO. 230—
BY SENATOR ELLINGTON
AN ACT

To amend and reenact R.S. 3:1613(E), relative to agricultural commodities; to provide relative to method of voting in favor of assessment to offset the cost of boll weevil eradication; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bagneris, Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Ellington, Fields, Greene, Guidry, Hines, Hollis, Irons, Jordan, Lambert, Landry, Lentini, Robichaux, Short, Siracusa, Smith, Theunissen, Ullo.

Total—30

NAYS

Total—0

ABSENT

Table with 3 columns of names: Dyess, Hainkel, Heitmeier, Johnson, Jones, Malone, Romero, Schedler, Tarver.

Total—9

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

SENATE BILL NO. 258—
BY SENATORS LENTINI, FIELDS, JORDAN, LANDRY AND SHORT
AN ACT

To amend and reenact R.S. 16:15(C), relative to district attorneys; to provide with respect to worthless check collection fee; and to provide for related matters.

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

SENATE BILL NO. 330—
BY SENATORS DARDENNE, EWING, HAINKEL, BARHAM, BRANCH, COX, CRAVINS, DYESS, ELLINGTON, GUIDRY, HEITMEIER, HINES, HOLLIS, LAMBERT, LANDRY SHORT, SMITH AND THEUNISSEN
A JOINT RESOLUTION

Proposing to add Article I, Section 25 of the Constitution of Louisiana, to provide for rights of victims of crimes; to provide for submission

of the proposed amendment to the electors; to specify an election for submission of the proposition to electors and provide a ballot proposition; and to provide for related matters.

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

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.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. SB 361 by Senator Greene

AMENDMENT NO. 1

On page 3, line 16, following "by" and before "animal" insert "an"

On motion of Senator Bagneris, the amendments were adopted.

Floor Amendments Sent Up

Senator Greene sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Greene to Engrossed Senate Bill No. 361 by Senator Greene

AMENDMENT NO. 1

On page 2, at the end of line 25 and the beginning of line 26, delete "at least"

On motion of Senator Greene, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bagneris, Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Ellington, Fields, Greene, Guidry, Hines, Hollis, Irons, Johnson, Lambert, Landry, Lentini, Robichaux, Schedler, Short, Siracusa, Smith, Theunissen, Ullo.

Total—31

NAYS

Total—0

ABSENT

Dyess	Jones	Romero
Hainkel	Jordan	Tarver
Heitmeier	Malone	
Total—8		

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

**SENATE BILL NO. 406—**  
BY SENATOR DEAN

AN ACT

To enact R.S. 13:76.1, relative to the development of a mechanism to utilize computer diskettes for filing of court documents; to provide for the supreme court, the clerks of court and others to develop a uniform plan; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Landry
Bagneris	Dean	Lentini
Bajoie	Ellington	Robichaux
Barham	Fields	Schedler
Bean	Greene	Short
Branch	Guidry	Siracusa
Cain	Hines	Smith
Campbell	Hollis	Theunissen
Casanova	Irons	Ullo
Cox	Johnson	
Cravins	Jordan	
Total—31		

NAYS

Total—0

ABSENT

Dyess	Jones	Romero
Hainkel	Lambert	Tarver
Heitmeier	Malone	
Total—8		

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

**SENATE BILL NO. 409—**  
BY SENATOR DEAN

AN ACT

To amend and reenact Civil Code Articles 2025 and 2028, R.S. 9:2712 and 2721(A), R.S. 12:25(E)(1), 205(E)(1), and 304(11)(a), R.S. 13:3720 and 3888(A), and R.S. 42:1124(B)(5), all relative to counter letters; to prohibit the use of a counter letter; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Bagneris sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Bagneris on behalf of the Legislative

Bureau to Engrossed Senate Bill No. 409 by Senator Dean

AMENDMENT NO. 1

On page 2, line 7, before "The" insert "A." and on line 11 before "The" insert "B."

On motion of Senator Bagneris, the amendments were adopted.

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

**SENATE BILL NO. 411—**  
BY SENATOR DEAN

AN ACT

To amend and reenact Code of Civil Procedure Art. 1457(A), relative to interrogatories; to require witnesses or persons other than parties to a suit to answer interrogatories; and to provide for related matters.

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

**SENATE BILL NO. 418—**  
BY SENATOR LENTINI

AN ACT

To amend and reenact Code of Civil Procedure Arts. 1792, 1793, and 1794, relative to juries; to allow jurors in civil cases to take notes and use them during deliberations; to permit written instructions and charges to go to the jury room and be used during deliberations; to provide that jurors shall have access to recordings of court proceedings; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Bagneris sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. SB 418 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 2, following "Arts." change "1792, 1793, and 1794" to "1792(B) and (C), and 1794(A), and to enact Code of Civil Procedure Art. 1793(D)

AMENDMENT NO. 2

On page 1, line 9, following "Arts." and before ", are" change "1792, 1793, and 1794" to "1792(B) and (C), and 1794(A)"

AMENDMENT NO. 3

On page 1, line 10, following "reenacted" and before "to" insert "and Code of Civil Procedure Art. 1793(D) is hereby enacted"

On motion of Senator Bagneris, the amendments were adopted.

**Motion**

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

Senator Lentini objected.

**ROLL CALL**

The roll was called with the following result:

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	YEAS	
Cox	Guidry	Landry
Total—3		
	NAYS	
Mr. President	Dardenne	Lambert
Bagneris	Dean	Lentini
Bajoie	Ellington	Romero
Barham	Fields	Schedler
Bean	Greene	Short
Branch	Hines	Siracusa
Cain	Hollis	Smith
Campbell	Irons	Theunissen
Casanova	Jones	Ullo
Cravins	Jordan	
Total—29		
	ABSENT	
Dyess	Johnson	Tarver
Hainkel	Malone	
Heitmeier	Robichaux	
Total—7		

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

**Floor Amendments Sent Up**

Senator Lentini sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lentini to Engrossed Senate Bill No. 418 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 5 after "deliberations;" delete "to provide that jurors shall have access to recordings of court proceeding"

AMENDMENT NO. 2

On page 2, line 17, after "notes" delete "and shall have access to any recording made by the court"

AMENDMENT NO. 3

On page 2, line 20, after "notes" and before "as" delete "and recordings"

**Motion**

Senator Cox moved to table the amendment.

Senator Lentini objected.

**ROLL CALL**

The roll was called with the following result:

	YEAS	
Bagneris	Cravins	Jordan
Bajoie	Fields	Robichaux
Campbell	Guidry	Ullo
Cox	Jones	
Total—11		
	NAYS	
Mr. President	Dean	Landry
Barham	Ellington	Lentini
Bean	Greene	Romero
Branch	Hines	Schedler

Cain	Hollis	Short
Casanova	Irons	Smith
Dardenne	Lambert	Theunissen
Total—21		
	ABSENT	
Dyess	Johnson	Tarver
Hainkel	Malone	
Heitmeier	Siracusa	
Total—7		
The Chair declared the Senate refused to table the amendment.		
<b>Motion</b>		
Senator Jones moved the previous question on the amendment.		
Senator Lentini objected.		

**ROLL CALL**

The roll was called with the following result:

	YEAS	
Bajoie	Fields	Robichaux
Barham	Greene	Schedler
Bean	Guidry	Short
Cain	Hines	Siracusa
Campbell	Hollis	Ullo
Casanova	Irons	
Cox	Jones	
Total—19		
	NAYS	
Bagneris	Dean	Lentini
Branch	Jordan	Romero
Cravins	Lambert	Smith
Dardenne	Landry	Theunissen
Total—12		
	ABSENT	
Mr. President	Hainkel	Malone
Dyess	Heitmeier	Tarver
Ellington	Johnson	
Total—8		

The Chair declared the previous question was called on the amendment.

Senator Lentini moved adoption of the amendments.

Senator Guidry objected.

**ROLL CALL**

The roll was called with the following result:

	YEAS	
Mr. President	Dean	Lentini
Barham	Ellington	Romero
Bean	Greene	Schedler
Branch	Hines	Short
Cain	Hollis	Siracusa
Campbell	Irons	Smith
Casanova	Johnson	
Dardenne	Lambert	
Total—22		
	NAYS	

Bagneris	Fields	Landry
Bajoie	Guidry	Robichaux
Cox	Jones	Theunissen
Cravins	Jordan	Ullo
Total—12		

ABSENT

Dyess	Heitmeier	Tarver
Hainkel	Malone	
Total—5		

The Chair declared the amendments were adopted.

**Personal Privilege**

Senator Theunissen asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the amendment by Senator Lentini to Senate Bill No. 418. He voted nay on the amendment and had intended to vote yea. He asked that the Official Journal so state.

**Floor Amendments Sent Up**

Senator Jordan sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Jordan to Engrossed Senate Bill No. 418 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 5 after "deliberations;" delete "to provide that jurors shall have access to recordings of court proceeding"

AMENDMENT NO. 2

On page 2, line 18, delete "any recordings made by the court" and insert "a transcript of any testimony"

AMENDMENT NO. 3

On page 2, line 20, after "notes" and before "as" delete "and recordings"

AMENDMENT NO. 4

Delete the amendments proposed by Sen. Lentini and adopted by the Senate on 4/2/97.

Senator Jordan moved adoption of the amendments.

Senator Lentini objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Bagneris	Cravins	Jordan
Bajoie	Fields	Lambert
Bean	Guidry	Landry
Campbell	Johnson	Robichaux
Cox	Jones	Ullo
Total—15		

NAYS

Mr. President	Ellington	Romero
Barham	Greene	Schedler
Branch	Hines	Short
Cain	Hollis	Siracusa
Casanova	Irons	Smith
Dardenne	Lentini	Theunissen

Dean	Malone
Total—20	

ABSENT

Dyess	Heitmeier
Hainkel	Tarver
Total—4	

The Chair declared the amendments were rejected.

**Floor Amendments Sent Up**

Senator Lambert sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Lambert to Engrossed Senate Bill No. 418 by Senator Lentini

AMENDMENT NO. 1

On page 2, line 23, after "deliberations," delete the comma "," and insert a period "." and insert the following:

"At each recess prior to jury deliberation, the court shall collect and maintain any and all notes made by each juror and upon reconvening, the court shall return to each juror his individual notes,"

**Motion**

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

Senator Jordan objected.

**ROLL CALL**

The roll was called with the following result:

YEAS

Barham	Ellington	Malone
Bean	Fields	Robichaux
Branch	Greene	Romero
Cain	Guidry	Schedler
Campbell	Hines	Short
Cox	Hollis	Siracusa
Dardenne	Jones	Smith
Dean	Lentini	Theunissen
Total—24		

NAYS

Bagneris	Johnson	Landry
Casanova	Jordan	Ullo
Irons	Lambert	
Total—8		

ABSENT

Mr. President	Dyess	Tarver
Bajoie	Hainkel	
Cravins	Heitmeier	
Total—7		

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

Senator Lambert moved adoption of the amendments.

Senator Guidry objected.

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**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Malone
Bagneris	Fields	Robichaux
Barham	Greene	Romero
Bean	Hines	Schedler
Branch	Hollis	Short
Cain	Johnson	Siracusa
Campbell	Jones	Smith
Casanova	Jordan	Theunissen
Dardenne	Lambert	Ullo
Dean	Lentini	
Total—29		

**NAYS**

Guidry	Irons	Landry
Total—3		

**ABSENT**

Bajoie	Dyess	Tarver
Cox	Hainkel	
Cravins	Heitmeier	
Total—7		

The Chair declared the amendments were adopted.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Dean	Robichaux
Bagneris	Greene	Romero
Bajoie	Hines	Schedler
Barham	Hollis	Short
Bean	Irons	Siracusa
Branch	Johnson	Smith
Cain	Lambert	Theunissen
Campbell	Landry	Ullo
Casanova	Lentini	
Dardenne	Malone	
Total—28		

**NAYS**

Cox	Guidry
Fields	Jordan
Total—4	

**ABSENT**

Cravins	Hainkel	Tarver
Dyess	Heitmeier	
Ellington	Jones	
Total—7		

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

**SENATE BILL NO. 419—**

BY SENATOR MALONE

**AN ACT**

To amend and reenact R.S. 3:4278.2(B), relative to the sale of timber; to require approval of at least a simple majority of the co-owners of timber property prior to the sale of timber; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Cain	Malone	Smith
Dean	Romero	Theunissen
Total—6		

**NAYS**

Mr. President	Ellington	Lambert
Bagneris	Fields	Landry
Barham	Greene	Lentini
Bean	Guidry	Robichaux
Branch	Hines	Schedler
Campbell	Hollis	Short
Casanova	Irons	Siracusa
Cox	Johnson	Ullo
Cravins	Jones	
Dardenne	Jordan	
Total—28		

**ABSENT**

Bajoie	Hainkel	Tarver
Dyess	Heitmeier	
Total—5		

**Notice of Reconsideration**

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

**SENATE BILL NO. 442—**

BY SENATOR HAINKEL

**AN ACT**

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

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

**SENATE BILL NO. 471—**

BY SENATOR COX

**AN ACT**

To enact R.S. 33:441(D), relative to municipal courts; to authorize the imposition of court costs not to exceed fifty dollars for each offense, as defined by ordinance, on any defendant convicted of violating a municipal ordinance in the city of DeQuincy; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Bajoie	Hainkel	Tarver
Dyess	Heitmeier	
Total—5		

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

**SENATE BILL NO. 475—**  
BY SENATOR JORDAN

**AN ACT**

To amend and reenact R.S. 39:1214, relative to invitations to bid for fiscal agency; to provide that the term of such contracts with the Lafayette Parish Clerk of Court may not exceed the term of the clerk; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Bajoie	Hainkel	Tarver
Dyess	Heitmeier	
Total—5		

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

**SENATE BILL NO. 612—**  
BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT  
**AN ACT**

To enact R.S. 30:2054.1, relative to motor vehicle emissions; to provide for reauthorization of the motor vehicle emissions control program; and to provide for related matters.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

**NAYS**

Total—0

**ABSENT**

Bajoie	Hainkel	Robichaux
Dyess	Heitmeier	Tarver
Total—6		

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

**SENATE BILL NO. 629—**  
BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT  
**AN ACT**

To repeal R.S. 30:2004(1), (5), and (6), relative to the Environmental Quality Act; to delete certain definitions and references to the Environmental Control Commission.

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

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. President	Ellington	Lentini
Bagneris	Fields	Malone
Barham	Greene	Robichaux
Bean	Guidry	Romero
Branch	Hines	Schedler
Cain	Hollis	Short
Campbell	Irons	Siracusa
Casanova	Johnson	Smith
Cox	Jones	Theunissen
Cravins	Jordan	Ullo

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Dardenne Dean Total—34	Lambert Landry	
	NAYS	
Total—0	ABSENT	
Bajoie Dyess Total—5	Hainkel Heitmeier	Tarver

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

**SENATE BILL NO. 630—**  
BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT  
AN ACT

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

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

**ROLL CALL**

The roll was called with the following result:

	YEAS	
Mr. President	Fields	Lentini
Barham	Greene	Malone
Bean	Guidry	Robichaux
Branch	Hines	Romero
Cain	Hollis	Schedler
Campbell	Irons	Short
Casanova	Johnson	Siracusa
Cox	Jones	Smith
Cravins	Jordan	Theunissen
Dardenne	Lambert	Ullo
Ellington	Landry	
Total—32		
	NAYS	
Dean		
Total—1		
	ABSENT	
Bagneris	Dyess	Heitmeier
Bajoie	Hainkel	Tarver
Total—6		

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

**SENATE BILL NO. 1392—**  
BY SENATORS SHORT, BEAN, CAIN, HINES, SIRACUSA, SMITH AND THEUNISSEN AND REPRESENTATIVES BRUCE, CARTER, STRAIN AND THOMAS  
AN ACT

To enact Chapter 25-A of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:4501 through 4505, relative to the dairy industry; to provide for the Dairy Compact Law and the state's participation in the Southern Dairy Compact; to provide for purposes, findings, and declaration of policy; to provide for definitions; to provide for rules of construction; to provide for establishment of the Southern Dairy Compact Commission; to provide for voting requirements; to provide for administration and

management of the compact; to provide for powers to promote regulatory uniformity, simplicity, and interstate cooperation; to provide for equitable farm prices; to provide for optional provisions for pricing order; to provide for rulemaking procedures; to provide for findings and referendum; to provide for producer referendum; to provide for termination of over-order price or marketing order; to provide for records, reports, access to premises and penalties; to provide for subpoena power, hearings, and judicial review; to provide for enforcement with respect to handlers and penalties; to provide for financing of start-up and regular costs; to provide for audit and accounts; to provide for effective date of entrance into compact and additional members; to provide for withdrawal from compact; to provide for severability; to provide relative to Louisiana delegates; to provide for the adoption of rules and regulations by the commissioner of agriculture and forestry; to provide for access to information; to provide for penalties; and to provide for related matters.

**Floor Amendments Sent Up**

Senator Bagneris sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. SB 1392 by Senator Short

AMENDMENT NO. 1

On page 1, line 3, following "R.S." and before ", relative" change "3:4501 through 4505" to "3:4021 through 4025"

AMENDMENT NO. 2

On page 2, line 11, following "R.S." and before ", is" change "3:4501 through 4505" to "3:4021 through 4025"

AMENDMENT NO. 3

On page 2, line 15, change "\$4501" to "\$4021" and on line 16, change "4501" to "4021"

AMENDMENT NO. 4

On page 25, line 24, change "\$4502" to "\$4022" and on line 26, change "4502" to "4022"

AMENDMENT NO. 5

On page 26, line 3, change "R.S. 3:4501" to "R.S. 3:4021"

AMENDMENT NO. 6

On page 26, line 20, change "\$4503" to "\$4023" and on line 21, change "4503" to "4023"

AMENDMENT NO. 7

On page 26, line 27, "\$4504" to "\$4024" and on page 27, line 1, change "4504" to "4024"

AMENDMENT NO. 8

On page 27, line 5, change "\$4505" to "\$4025" and on line 6, change "4505" to "4025"

On motion of Senator Bagneris, the amendments were adopted.

**Floor Amendments Sent Up**

Senator Short sent up floor amendments which were read.

**SENATE FLOOR AMENDMENTS**

Amendments proposed by Senator Short to Engrossed Senate Bill No. 1392 by Senator Short

AMENDMENT NO. 1

On page 26, between "representatives," and "and" insert "one dairy processor,"

AMENDMENT NO. 2

On page 26, at the end of line 5, change "two" to "one" and on line 6, change "delegates" to "delegate"

On motion of Senator Short, the amendments were adopted.

Floor Amendments Sent Up

Senator Short sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Short to Engrossed Senate Bill No. 1392 by Senator Short

AMENDMENT NO. 1

Delete Senate Floor Amendments 1 through 8 proposed by Senator Bagneris on behalf of the Legislative Bureau and adopted by the Senate on April 2, 1997.

On motion of Senator Short, the amendments were adopted.

Floor Amendments Sent Up

Senator Short sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Engrossed Senate Bill No. 1392 by Senator Short

AMENDMENT NO. 1

Delete Senate Floor Amendment No. 1 by Senator Short deleting Amendments 1 through 8 proposed by Senator Bagneris on behalf of the Legislative Bureau and adopted by the Senate on April 2, 1997.

On motion of Senator Short, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dardenne Lentini
Bagneris Ellington Malone
Barham Fields Robichaux
Bean Greene Romero
Branch Guidry Schedler
Cain Hines Siracusa
Campbell Hollis Smith
Casanova Johnson Theunissen
Cox Jones
Cravins Lambert
Total—28

NAYS

Dean Landry
Irons Ullo
Total—4

ABSENT

Bajoie Heitmeier Tarver
Dyess Jordan
Hainkel Short

Total—7

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

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

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

Called from the Calendar

Senator Cain asked that Senate Bill No. 174 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 174—

BY SENATOR CAIN

AN ACT

To enact R.S. 49:121(I), relative to identifying insignia on public vehicles; to require that police vehicles engaged in certain traffic operations bear identifying insignia; to provide for exceptions; and to provide for related matters.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Engrossed Senate Bill No. 174 by Senator Cain

AMENDMENT NO. 1

On page 1, line 14, after "Section" insert "and permanently affixed bar lights"

On motion of Senator Cain, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0 ABSENT

Bajoie Hainkel Tarver

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Dyess Heitmeier
Total—5

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

Called from the Calendar

Senator Jordan asked that Senate Bill No. 154 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 154— BY SENATOR JORDAN

AN ACT

To enact R.S. 9:164.1, relative to the disposition of unclaimed property; to authorize the Lafayette Parish Clerk of Court to retain abandoned or unclaimed court cost deposits which have remained unclaimed for more than three years; to provide for reclamation by the owner; to provide for the commencement of the three-year period; and to provide for related matters.

Floor Amendments Sent Up

Senator Jordan sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jordan to Engrossed Senate Bill No. 154 by Senator Jordan

AMENDMENT NO. 1

On page 2, after line 14, add the following:

"D. Before the Lafayette Parish Clerk of Court may transfer funds pursuant to paragraph A above, the clerk shall send two written notices to the last known address of the owner of record of the unclaimed funds, or if the name and address of the owner is not known, the clerk shall publish twice in the legal journal of the parish a notice to the unknown owner that they may be due an advance cost refund if they have had previous litigation in the district court in Lafayette."

On motion of Senator Jordan, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Landry
Bagneris Fields Lentini
Barham Greene Malone
Bean Guidry Robichaux
Branch Hines Romero
Cain Hollis Short
Campbell Irons Siracusa
Casanova Johnson Smith
Cox Jones Theunissen
Dardenne Jordan Ullo
Dean Lambert

Total—32

NAYS

Total—0

ABSENT

Bajoie Hainkel Tarver
Cravins Heitmeier
Dyess Schedler
Total—7

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

Rules Suspended

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 62— BY SENATOR BRANCH

A CONCURRENT RESOLUTION

To suspend R.S. 17:3042.34(A)(4) until sixty days after final adjournment of the 1998 Regular Session of the Legislature of Louisiana or until an audit of the implementation of the Honors Scholarship Program at every public college and university has been completed and the law can have uniform application, whichever is earlier.

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

Rules Suspended to Recommit

Senator Branch asked for and obtained a suspension of the rules for the purpose of recommitting a bill.

Senator Branch moved Senate Bill No. 287 be recommitted from the Committee on Senate and Governmental Affairs to the Committee on Judiciary B.

Without objection, so ordered.

Senate Bills and Joint Resolutions on First Reading, Subject to Call

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

SENATE BILL NO. 994— BY SENATOR ELLINGTON AN ACT

To enact R.S. 23:1472(12)(H)(XXI), relative to unemployment compensation; to provide with respect to definitions; to provide for an exclusion from employment under the state unemployment compensation program for services performed by certain fishing crew members; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 996—  
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 23:1472(12)(F)(V)(a)(iii), relative to unemployment compensation; to provide with respect to definitions; to provide for an extension of exclusion from covered employment under the state unemployment compensation program for services performed by H-2A non-immigrant, agricultural workers in accordance with federal law; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 998—  
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 23:1472(12)(H)(XVI), relative to unemployment compensation; to provide with respect to definitions; to provide for an exclusion from covered employment under the state unemployment compensation program for services performed by individuals for delivery and distribution of newspapers and shopping news in accordance with federal law; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 999—  
BY SENATOR ELLINGTON

AN ACT

To enact R.S. 23:1472(20)(C)(VI), relative to unemployment compensation; to provide with respect to definitions; to provide for an exclusion from taxable wages any payments to or on behalf of an employee under a plan for medical savings accounts established by an employer under the state unemployment compensation program; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 1000—  
BY SENATOR ELLINGTON

AN ACT

To enact R.S. 23:1472(20)(C)(VI), relative to unemployment compensation; to provide with respect to definitions; to provide for an exclusion from taxable wages of any payment to or on behalf of an employee under a savings incentive match plan for retirement established by an employer under the state unemployment compensation plan; to provide for an effective date; and to provide for related matters.

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

**Privilege Report of the Committee on  
Senate and Governmental Affairs**

**ENROLLMENTS**

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

April 2, 1997

To the President and Members of the Senate:

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

The following Senate Resolutions have been properly enrolled:

SENATE RESOLUTION NO. 6—  
BY SENATOR FIELDS

A RESOLUTION

To express the condolences of the Senate of the Legislature of Louisiana upon the death of Charles Wernis Pugh, Sr.

SENATE RESOLUTION NO. 7—  
BY SENATOR FIELDS

A RESOLUTION

To express the condolences of the Senate of the Legislature of Louisiana upon the death of Edna Colwell Jackson.

Respectfully submitted,  
JAY DARDENNE  
Chairman

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

**Leaves of Absence**

The following leaves of absence were asked for and granted:

Dyess	1 Day	Hainkel	1 Day
Heitmeier	1 Day	Tarver	1 Day

**Adjournment**

Senator Bagneris moved that the Senate adjourn until Thursday, April 3, 1997 at 9:30 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:30 o'clock A.M. on Thursday, April 3, 1997.

MICHAEL S. BAER, III  
Secretary of the Senate

GAYE F. HAMILTON  
Journal Clerk