

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

THIRTEENTH 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

Monday April 21, 1997

The Senate was called to order at 4:00 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	Dyess	Landry
Bagneris	Ellington	Lentini
Bajoie	Fields	Malone
Barham	Greene	Robichaux
Bean	Guidry	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hines	Siracusa
Casanova	Irons	Smith
Cox	Johnson	Tarver
Cravins	Jones	Theunissen
Dardenne	Jordan	Ullo
Dean	Lambert	
Total—38		

ABSENT

Hollis
Total—1

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

Prayer

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

Morning Hour

Messages from the Governor

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

State of Louisiana
OFFICE OF THE GOVERNOR

April 21, 1997

To the Honorable President and Members of the Senate:

Please be advised that the following individuals have been commissioned as Notaries Public for the parishes indicated through April 21, 1997. In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, I do hereby present them for your review.

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

East Baton Rouge
Mary Garner Franklin
1213 Knollwood Dr.
Baton Rouge, La 70808

Thomas G. Poche'
2139 Cherrydale Ave.
Baton Rouge, La 70808

Jefferson
John E. Bombardier
4705 Elmwood Pkwy.
Metairie, La 70003

Jacqueline Lynnette Savoie
421 Loyola Ave.
New Orleans, La 70114

Lafayette
Sgt. Dale Knezek
P.O. Box 4308
Lafayette, La 70502

Sgt. Norbert Myers
P.O. Box 4308
Lafayette, La 70502

Mark R. Tammariello
102 Asma Blvd., Ste 300
Lafayette, La 70598

Sgt. Danny Viator
P.O. Box 4308
Lafayette, La 70502

Madison
Deneen Landrem
513 East Green St.
Tallulah, La 71282

Sally Mahoney
P.O. Box 951
Tallulah, La 71282

Orleans
Yancy A. Carter
400 Poydras St., Ste. 2620
New Orleans, La 70130

Edward W. Cumbow
493 W. Blue Jay Court
Slidell, La 70461

Sanda Beach Groome
365 Canal St., Ste. 2040
New Orleans, La 70130

Rhett E. King
1001 Howard Dr.
New Orleans, La 70113

Ouachita
Bobby Boyter
P.O. Box 1581
Monroe, La 71210-1581

Marti Glass
P.O. Box 1581
Monroe, La 71210-1581

Rapides
Camille C. Dixon
5615 K Jackson St. Ext.
Alexandria, La 71303

St. Bernard
Dette Milton
3202 Daniel Dr.
Violet, La 70092

St. Tammany
Rebecca J. Becker
200 Greenleaves Blvd.
Mandeville, La 70448

Charles W. Farr
3838 N. Causeway Blvd., Ste 2500
Metairie, La 70002

**Petitions, Memorials and
Communications**

The following petitions, memorials and communications were received and read:

TREASURER OF THE STATE OF LOUISIANA

April 21, 1997

Senator Randy L. Ewing
President
Louisiana State Senate
P.O. Box 94183 Capitol Station
Baton Rouge, LA 70804

RE: Conformation

Dear Senator Ewing:

On march 10, 1997, I appointed Barbara Goodson as Assistant State Treasurer of Investments pursuant to Title 36 of Louisiana Revised Statutes. I am requesting that she be confirmed during the Regular Session of the 1997 Legislative Session.

Sincerely yours,
Ken Duncan
State Treasurer

**Privileged Report of the
Legislative Bureau**

April 17, 1997

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication.

HOUSE BILL NO. 491—

BY REPRESENTATIVE FORSTER AND SENATOR ELLINGTON AND REPRESENTATIVES BARTON, BOWLER, CRANE, DEVILLE, HEBERT, HUNTER, LANCASTER, MICHOT, MURRAY, ODINET, POWELL, SCALISE, WIGGINS, WINSTON, ALARIO, R. ALEXANDER, ANSARDI, BAUDOIN, BAYLOR, BRUCE, BRUN, CLARKSON, DANIEL, DEWITT, DIEZ, DIMOS, DOERGE, DONELON, DUPRE, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREAU, GUILLORY, HAMMETT, HEATON, HILL, HOPKINS, ILES, JOHNS, KENNARD, KENNEY, LEBLANC, LONG, MARTINY, McDONALD, McMAINS, MITCHELL, PERKINS, PIERRE, PINAC, PRATT, RIDDLE, ROMERO, ROUSSELLE, SCHNEIDER, SHAW, JACK SMITH, JOHN SMITH, STELLY, THOMPSON, THORNHILL, TOOMY, TRICHE, VITTER, WALSWORTH, WARNER, WELCH, WESTON, WILKERSON, AND WILLARD-LEWIS AND SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 23:1658, 1842(1), and 1843(A), R.S. 39:33(A), and R.S. 49:968(B)(21), to enact Part IV of Chapter 1 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:71 through 76, and Chapter 15 of Title 23 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 23:2041 through 2192, and R.S. 36:4(B)(1)(f) and (14), and to repeal R.S. 36:309(C)(2) and (G) and Chapter 13 of Title 23 of the Louisiana Revised Statutes of 1950, comprised of R.S. 23:2021 through 2024, relative to workforce development; to create and provide relative to the Louisiana Workforce Commission; to provide for the appointment, terms, qualifications, and compensation of its members; to provide for the filling of vacancies; to provide for removal of members; to provide for the goals, authorities, duties, and responsibilities of the commission, including rulemaking; to provide relative to the chairman of the commission and his powers and duties; to provide for the domicile of the commission; to authorize the commission to enter into certain agreements; to provide relative to the preparation of certain reports; to provide relative to the duties and responsibilities of departments and agencies who administer workforce development and job training programs; to provide for the transfer of authority to the commission; to place certain federally authorized councils under the jurisdiction of the commission; to create a comprehensive labor market information system; to provide for the components of the system; to provide that the system shall be under the supervision and control of the Louisiana Workforce Commission; to provide that the system shall be developed and maintained by the Department of Labor; to require agencies engaged in workforce development activities to enter into interagency reciprocal data exchange agreements; to provide for confidentiality and privacy of data; to provide for an Occupational Forecasting Conference; to provide that such conference shall be in the office of the governor; to provide relative to the delivery of workforce development programs; to provide relative to the

abolishment of certain advisory councils; to provide relative to placing the commission in the governor's office; to provide relative to effective dates; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 493—

BY REPRESENTATIVE FORSTER AND SENATOR ELLINGTON AND REPRESENTATIVES BARTON, BOWLER, CRANE, DEVILLE, FRITH, GUILLORY, HEBERT, HUNTER, LANCASTER, MICHOT, MURRAY, ODINET, POWELL, SCALISE, AND WIGGINS AND SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 23:1474(I), 1511(A), 1535(A), 1536(D), 1553(C) and (D)(2), 1592, and 1653 and to enact R.S. 23:1514, 1515, 1535(B), and 1553(B)(6) and (7) and to repeal R.S. 23:1536(I), relative to workforce development; to provide relative to unemployment compensation; to increase benefit amount based upon the applied trust fund balance and direction of the fund; to create a subaccount in the employment security administration fund for customized training; to provide for an annual accounting of expenditure from the fund to legislative committees; to authorize the administrator to provide by rule for the administration and distribution of the fund; to provide for qualified applicants for funding; to provide for an incremental reduction in the employer contribution rate; to authorize an appropriation for a fund for customized training in the social charge recoupment account; to authorize an appropriation for administrative costs in the social charge recoupment account; to delete negative reserve pool; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 684—

BY REPRESENTATIVE ODINET

AN ACT

To amend and reenact R.S. 56:303.2 and 305.2(A) and (B) and to enact R.S. 56:305.2(D), relative to fishing; to provide relative to licensing requirements of commercial fishing for menhaden and other herring-like fish; to provide that the commercial gear license and vessel license for such fishing may be issued to any person, association, partnership, corporation, or other entity recognized by law; to provide definitions; and to provide for related matters.

Reported without amendments.

Respectfully submitted,

DENNIS BAGNERIS
Chairman

Adoption of Legislative Bureau Report

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

Introduction of Senate Resolutions

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

SENATE RESOLUTION NO. 15—

BY SENATOR FIELDS

A RESOLUTION

To express condolences upon the death of Melchizedek Brown.

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

Messages from the House

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

Message from the House

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

April 17, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 1049—

BY REPRESENTATIVES R. ALEXANDER, DEWITT, GAUTREAUX, JOHNS, RIDDLE, THORNHILL, VITTER, AND WALSWORTH AND SENATORS DYESS AND ROBICHAUX

AN ACT

To amend and reenact R.S. 40:2116(D), 2116.32(F)(2), and 2116.35(A) and to enact R.S. 28:567(E) and R.S. 40:2103(C), relative to licensure of health care facilities; to provide for a moratorium on the licensure of mental health clinics and mental health centers; to extend the moratorium on certified beds for nursing facilities and new nursing facilities; to extend the moratorium on licensure of home health agencies; to require new locations of existing licensed home health agencies to be licensed; to provide for a moratorium on the licensure of long-term care hospital facilities and beds in such facilities; and to provide for related matters.

HOUSE BILL NO. 758—

BY REPRESENTATIVE SALTER

A JOINT RESOLUTION

Proposing to amend Article VII, Section 24(A) of the Constitution of Louisiana, to change the date elected tax assessors take office; to except Orleans Parish; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

HOUSE BILL NO. 89—

BY REPRESENTATIVES DIMOS, BRUNEAU, ANSARDI, AND LANCASTER

AN ACT

To amend and reenact R.S. 18:541, relative to the time election polls open on election days; to change the time the polls open; and to provide for related matters.

HOUSE BILL NO. 687—

BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 22:1406(F), relative to automobile insurance; to provide for the designation of primary insurance for temporary substitute or rental motor vehicles; and to provide for related matters.

HOUSE BILL NO. 688—

BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 22:671(A), relative to automobile insurance; to provide for certain conditions for automobile insurance for loaner vehicles; and to provide for related matters.

HOUSE BILL NO. 521—

BY REPRESENTATIVE DUPRE

AN ACT

To amend and reenact R.S. 32:661(A) and (C)(1), 661.1(A) and (C)(1), 662, 666(A)(3), 667(B)(1), and 668(A)(1) and (4) and (B)(1)(a)(introductory paragraph) and (b), and to enact R.S. 32:667(B)(5) and 668(B)(1)(d), relative to the Implied Consent Law; to provide for substances for which tests may be administered; to provide for the consequences, including driver's license suspensions, of submitting to or refusing to submit to such tests; to provide for the method of measuring blood alcohol concentration or level; to provide for the levels of blood alcohol concentration; to provide for administrative hearing procedures;

and to provide for related matters.

HOUSE BILL NO. 2240—

BY REPRESENTATIVES LONG, BARTON, BAUDOIN, CRANE, DOERGE, FARVE, MCDONALD, POWELL, PRATT, QUEZAIRE, SALTER, SHAW, THOMPSON, AND WRIGHT

AN ACT

To enact R.S. 17:24.9, to require that the Department of Education establish a program for at-risk preschool students; to require inclusion of certain elements in the program and evaluation of the program; and to provide for related matters.

HOUSE BILL NO. 520—

BY REPRESENTATIVE DUPRE

AN ACT

To amend and reenact Code of Criminal Procedure Art. 887(C) and (D), R.S. 14:98(A)(1)(b) and (c), (F)(1), and (G), R.S. 32:411(G), 411.1(D), 414(A)(1)(a), 661(C)(1)(c), 661.1(C)(1)(c), 662(A), 666(A)(introductory paragraph), 667(A)(introductory paragraph) and (A)(3) and (B)(1) and (2), 668(A)(4) and (B)(1)(b), and 853(A)(1)(c)(i), R.S. 40:1379.7, R.S. 44:9(A)(2), and R.S. 46:1805(B)(1) and 1809(B)(4)(e) and to enact R.S. 14:98(K) and 98.1 and R.S. 32:408.3 and 853(A)(1)(d), relative to levels of blood alcohol for purposes of certain driving offenses, driver's license sanctions, implied consent law provisions, and certain driving records; to provide that lower blood alcohol levels apply to persons under the age of twenty-one years for purposes of committing the offenses and for purposes of related driver's license sanctions, implied consent law provisions, and certain driving records; to create the offense of underage driving under the influence of alcohol; to provide for definitions and penalties; to allow for participation in certain substance abuse programs; to provide for requirements of driver improvement programs; to include the offense of underage DUI in provisions relating to defendant's liability for costs and forwarding of costs for maintenance of equipment, notification of vehicle owner, and provisions related to crime victims reparations; and to provide for related matters.

HOUSE BILL NO. 369—

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 22:2074(A) and to repeal R.S. 22:2074.1, relative to risk retention groups; to delete certain requirements of charters for risk retention groups that operate in the state; and to provide for related matters.

HOUSE BILL NO. 975—

BY REPRESENTATIVE CRANE

AN ACT

To amend and reenact R.S. 17:3351(A)(5), relative to the finance of public higher education; to require that the commissioner of administration reduce under specified circumstances state general fund appropriations that are allocated for use by a public higher education institution; to provide guidelines for taking such action and for determining the amount of any such reduction; and to provide for related matters.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

House Bills and Joint Resolutions

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

HOUSE BILL NO. 89—
BY REPRESENTATIVES DIMOS, BRUNEAU, ANSARDI, AND LANCASTER
AN ACT

To amend and reenact R.S. 18:541, relative to the time election polls open on election days; to change the time the polls open; and to provide for related matters.

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

HOUSE BILL NO. 369—
BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 22:2074(A) and to repeal R.S. 22:2074.1, relative to risk retention groups; to delete certain requirements of charters for risk retention groups that operate in the state; and to provide for related matters.

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

HOUSE BILL NO. 520—
BY REPRESENTATIVE DUPRE
AN ACT

To amend and reenact Code of Criminal Procedure Art. 887(C) and (D), R.S. 14:98(A)(1)(b) and (c), (F)(1), and (G), R.S. 32:411(G), 411.1(D), 414(A)(1)(a), 661(C)(1)(c), 661.1(C)(1)(c), 662(A), 666(A)(introductory paragraph), 667(A)(introductory paragraph) and (A)(3) and (B)(1) and (2), 668(A)(4) and (B)(1)(b), and 853(A)(1)(c)(i), R.S. 40:1379.7, R.S. 44:9(A)(2), and R.S. 46:1805(B)(1) and 1809(B)(4)(e) and to enact R.S. 14:98(K) and 98.1 and R.S. 32:408.3 and 853(A)(1)(d), relative to levels of blood alcohol for purposes of certain driving offenses, driver's license sanctions, implied consent law provisions, and certain driving records; to provide that lower blood alcohol levels apply to persons under the age of twenty-one years for purposes of committing the offenses and for purposes of related driver's license sanctions, implied consent law provisions, and certain driving records; to create the offense of underage driving under the influence of alcohol; to provide for definitions and penalties; to allow for participation in certain substance abuse programs; to provide for requirements of driver improvement programs; to include the offense of underage DUI in provisions relating to defendant's liability for costs and forwarding of costs for maintenance of equipment, notification of vehicle owner, and provisions related to crime victims reparations; and to provide for related matters.

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

HOUSE BILL NO. 521—
BY REPRESENTATIVE DUPRE
AN ACT

To amend and reenact R.S. 32:661(A) and (C)(1), 661.1(A) and (C)(1), 662, 666(A)(3), 667(B)(1), and 668(A)(1) and (4) and (B)(1)(a)(introductory paragraph) and (b), and to enact R.S. 32:667(B)(5) and 668(B)(1)(d), relative to the Implied Consent Law; to provide for substances for which tests may be administered; to provide for the consequences, including driver's license suspensions, of submitting to or refusing to submit to such tests; to provide for the method of measuring blood alcohol concentration or level; to provide for the levels of blood alcohol concentration; to provide for administrative hearing procedures; and to provide for related matters.

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

HOUSE BILL NO. 687—
BY REPRESENTATIVE STELLY
AN ACT

To amend and reenact R.S. 22:1406(F), relative to automobile insurance; to provide for the designation of primary insurance for temporary substitute or rental motor vehicles; and to provide for related matters.

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

HOUSE BILL NO. 688—
BY REPRESENTATIVE STELLY
AN ACT

To amend and reenact R.S. 22:671(A), relative to automobile insurance; to provide for certain conditions for automobile insurance for loaner vehicles; and to provide for related matters.

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

HOUSE BILL NO. 785—
BY REPRESENTATIVES HUDSON AND MURRAY
AN ACT

To amend and reenact R.S. 22:657(A), (D), and (F)(2) and to enact R.S. 22:2027(E), relative to health maintenance organizations; to provide for payment of claims within a certain time period; to provide for prospective review; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 975—
BY REPRESENTATIVE CRANE
AN ACT

To amend and reenact R.S. 17:3351(A)(5), relative to the finance of public higher education; to require that the commissioner of administration reduce under specified circumstances state general fund appropriations that are allocated for use by a public higher education institution; to provide guidelines for taking such action and for determining the amount of any such reduction; and to provide for related matters.

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

HOUSE BILL NO. 1049—
BY REPRESENTATIVES R. ALEXANDER, DEWITT, GAUTREAUX, JOHNS, RIDDLE, THORNHILL, VITTER, AND WALSWORTH AND SENATORS DYESS AND ROBICHAUX
AN ACT

To amend and reenact R.S. 40:2116(D), 2116.32(F)(2), and 2116.35(A) and to enact R.S. 28:567(E) and R.S. 40:2103(C), relative to licensure of health care facilities; to provide for a moratorium on the licensure of mental health clinics and mental health centers; to extend the moratorium on certified beds for nursing facilities and new nursing facilities; to extend the moratorium on licensure of home health agencies; to require new locations of existing licensed home health agencies to be licensed; to provide for a moratorium on the licensure of long-term care hospital facilities and beds in such facilities; and to provide for related matters.

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

HOUSE BILL NO. 2240—
BY REPRESENTATIVES LONG, BARTON, BAUDOIN, CRANE, DOERGE, FARVE, McDONALD, POWELL, PRATT, QUEZAIRE, SALTER, SHAW, THOMPSON, AND WRIGHT
AN ACT

To enact R.S. 17:24.9, to require that the Department of Education establish a program for at-risk preschool students; to require

inclusion of certain elements in the program and evaluation of the program; and to provide for related matters.

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

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

April 17, 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. 114—
BY REPRESENTATIVE WELCH
A CONCURRENT RESOLUTION

To remember and to reflect on the life of Ennis William Cosby and the contributions that he made therein and to offer condolences to his family and friends.

HOUSE CONCURRENT RESOLUTION NO. 115—
BY REPRESENTATIVE MCMAINS
A CONCURRENT RESOLUTION

To commend and congratulate Cathy Seal of Tara High School and Mimi Barton of Cedarcrest-Southmoor Elementary School in Baton Rouge for their work as media specialists and for being recognized by being awarded statewide honors.

HOUSE CONCURRENT RESOLUTION NO. 116—
BY REPRESENTATIVE MONTGOMERY
A CONCURRENT RESOLUTION

To commend and congratulate William C. Allred upon his selection as Louisiana State Assistant Principal of the Year and to recognize his dedication to the field of education.

HOUSE CONCURRENT RESOLUTION NO. 120—
BY REPRESENTATIVES PRATT AND MURRAY
A CONCURRENT RESOLUTION

To express the condolences of the Louisiana Legislature upon the death of Deaconess Edna Wilson Carter Foster of New Orleans.

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

House Concurrent Resolutions

Senator Bagneris asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House of Representatives with a view of acting on same:

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 114—

BY REPRESENTATIVE WELCH
A CONCURRENT RESOLUTION

To remember and to reflect on the life of Ennis William Cosby and the contributions that he made therein and to offer condolences to his family and friends.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Barham	Guidry	Robichaux
Bean	Hainkel	Romero
Branch	Hines	Schedler
Cain	Irons	Short
Cox	Jones	Smith
Cravins	Jordan	Tarver
Dardenne	Lambert	Ullo
Dean	Landry	
Ellington	Lentini	
Total—28		

NAYS

Total—0

ABSENT

Bagneris	Dyess	Johnson
Bajoie	Greene	Siracusa
Campbell	Heitmeier	Theunissen
Casanova	Hollis	
Total—11		

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

HOUSE CONCURRENT RESOLUTION NO. 115—

BY REPRESENTATIVE MCMAINS
A CONCURRENT RESOLUTION

To commend and congratulate Cathy Seal of Tara High School and Mimi Barton of Cedarcrest-Southmoor Elementary School in Baton Rouge for their work as media specialists and for being recognized by being awarded statewide honors.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Barham	Guidry	Robichaux
Bean	Hainkel	Romero
Branch	Hines	Schedler
Cain	Irons	Short
Cox	Jones	Smith
Cravins	Jordan	Tarver
Dardenne	Lambert	Theunissen
Dean	Landry	Ullo
Ellington	Lentini	
Total—29		

NAYS

4-21-97

Total—0
 ABSENT

Bagneris	Dyess	Johnson
Bajoie	Greene	Siracusa
Campbell	Heitmeier	
Casanova	Hollis	

Total—10

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

HOUSE CONCURRENT RESOLUTION NO. 116—

BY REPRESENTATIVE MONTGOMERY
A CONCURRENT RESOLUTION

To commend and congratulate William C. Allred upon his selection as Louisiana State Assistant Principal of the Year and to recognize his dedication to the field of education.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—33

NAYS

Total—0

ABSENT

Bajoie	Greene	Hollis
Dyess	Heitmeier	Johnson

Total—6

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

HOUSE CONCURRENT RESOLUTION NO. 120—

BY REPRESENTATIVES PRATT AND MURRAY
A CONCURRENT RESOLUTION

To express the condolences of the Louisiana Legislature upon the death of Deaconess Edna Wilson Carter Foster of New Orleans.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dean	Lentini
Bagneris	Ellington	Malone
Barham	Fields	Robichaux
Bean	Guidry	Romero

Branch	Hainkel	Schedler
Cain	Hines	Short
Campbell	Irons	Siracusa
Casanova	Jones	Smith
Cox	Jordan	Tarver
Cravins	Lambert	Theunissen
Dardenne	Landry	Ullo

Total—33

NAYS

Total—0

ABSENT

Bajoie	Greene	Hollis
Dyess	Heitmeier	Johnson

Total—6

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

FINANCE

Senator Hainkel, Chairman on behalf of the Committee on Finance, submitted the following report:

April 21, 1997

To the President and Members of the Senate:

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

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 the preemption of local laws and taxes; 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.

Reported favorably.

Respectfully submitted,
JOHN HAINKEL
Chairman

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

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

**SENATE BILL NO. 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 the preemption of local laws and taxes; 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.

Reported favorably by the Committee on Finance. On motion of Senator Hainkel, the bill was read by title and passed to a third reading.

Special Order of the Day

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

**SENATE BILL NO. 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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Barham	Greene	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hines	Siracusa
Dardenne	Jordan	Smith
Dyess	Lambert	Theunissen
Ellington	Lentini	Ullo
Total—24		

NAYS

Bagneris
Bean
Cox
Total—8

Dean
Johnson
Jones

Landry
Robichaux

ABSENT

Bajoie
Casanova
Cravins
Total—7

Guidry
Hollis
Irons

Tarver

The Chair declared the bill failed to pass.

Notice of Reconsideration

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

**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. 15—
BY SENATOR GREENE**

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to coordinate a statewide system of providing braille books to visually impaired students by tracking the braille books already available and supplying funding for those books which are needed.

Reported favorably by the Committee on Education.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Bagneris	Fields	Malone
Barham	Greene	Robichaux
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Short
Campbell	Johnson	Smith
Cox	Jones	Theunissen
Dardenne	Jordan	Ullo
Dean	Lambert	
Dyess	Landry	
Total—31		

NAYS

Total—0

ABSENT

Bajoie
Casanova
Cravins
Total—8

Guidry
Hollis
Irons

Siracusa
Tarver

The Chair declared the Senate had adopted the Senate Concurrent

Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 40—
BY SENATOR SMITH

A CONCURRENT RESOLUTION

To create a special committee, to be designated as the Employees of Political Subdivisions Compensation Study Committee, to study the compensation and pay increases relative to all employees of political subdivisions who must obtain legislative approval for changes in their compensation; and to provide with respect to such committee; its membership, powers and duties, and its termination.

Reported favorably by the Committee on Local and Municipal Affairs.

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

SENATE CONCURRENT RESOLUTION NO. 41—
BY SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To designate September as "American Alligator Resource Month".

Reported favorably by the Committee on Natural Resources.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Malone
Bagneris	Greene	Robichaux
Barham	Hainkel	Romero
Bean	Heitmeier	Schedler
Branch	Hines	Short
Cain	Johnson	Siracusa
Campbell	Jones	Smith
Cox	Jordan	Theunissen
Dardenne	Lambert	Ullo
Dyess	Landry	
Ellington	Lentini	
Total—31		

NAYS

Total—0

ABSENT

Bajoie	Dean	Irons
Casanova	Guidry	Tarver
Cravins	Hollis	
Total—8		

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

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

SENATE BILL NO. 892—
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 9:1891(A), relative to a class trust; to authorize the creation of class trusts in favor of some or all of a persons direct or collateral descendants; 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. 892 by Senator Jordan

AMENDMENT NO. 1

On page 1, line 15, delete "all" and insert "any"

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	Dean	Landry
Bagneris	Ellington	Lentini
Bajoie	Fields	Malone
Barham	Greene	Robichaux
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Short
Campbell	Johnson	Smith
Cox	Jones	Tarver
Cravins	Jordan	Theunissen
Dardenne	Lambert	
Total—32		

NAYS

Total—0

ABSENT

Casanova	Hollis	Ullo
Dyess	Irons	
Guidry	Siracusa	
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.

SENATE BILL NO. 901—
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 9:3259.1(D) and (E) and to enact R.S. 9:3259.1(B)(8), relative to lessors' rights; to provide for a lien and privilege to lessors for unpaid rent, certain expenses, and the costs of the removal of abandoned or destroyed mobile homes or manufactured housing; and to provide for related matters.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 901 by Senator Jordan

AMENDMENT NO. 1

On page 3, line 6, delete "five" and insert "one"

AMENDMENT NO. 2

On page 3, line 9, delete "five" and insert "one"

On motion of Senator Landry, 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	Lentini
Bagneris	Fields	Malone
Bajoie	Greene	Robichaux
Barham	Hainkel	Romero
Bean	Heitmeier	Schedler
Branch	Irons	Short
Cain	Johnson	Siracusa
Campbell	Jones	Smith
Cox	Jordan	Tarver
Dardenne	Lambert	Theunissen
Dean	Landry	Ullo
Total—33		

NAYS

Total—0

ABSENT

Casanova	Dyess	Hines
Cravins	Guidry	Hollis
Total—6		

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.

SENATE BILL NO. 921—
BY SENATOR ROMERO

AN ACT

To amend and reenact Code of Civil Procedure Article 1732, relative to civil jury trials; to repeal the prohibition against jury trials in suits on admiralty or general maritime claims in state court; and to provide for related matters.

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. 921 by Senator Romero

AMENDMENT NO. 1

On page 2, after line 12, insert the following:

"Section 2. The provisions of this Act shall only be applicable to causes of action which arise on or after the effective date thereof."

Senator Cox moved adoption of the amendments.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Lambert
Bajoie	Fields	Landry
Barham	Greene	Lentini
Bean	Guidry	Malone
Branch	Heitmeier	Robichaux
Cain	Hines	Schedler
Campbell	Johnson	Tarver
Cox	Jones	
Cravins	Jordan	
Total—25		

NAYS

Dean	Siracusa	Ullo
Ellington	Smith	
Hainkel	Theunissen	
Total—7		

ABSENT

Bagneris	Hollis	Short
Casanova	Irons	
Dyess	Romero	
Total—7		

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Greene	Robichaux
Barham	Hainkel	Romero
Bean	Heitmeier	Schedler
Branch	Hines	Short
Cain	Irons	Siracusa
Campbell	Lambert	Smith
Dardenne	Landry	Tarver
Dean	Lentini	Theunissen
Ellington	Malone	Ullo
Total—27		

NAYS

Bagneris	Cravins	Johnson
Bajoie	Fields	Jones
Cox	Guidry	Jordan
Total—9		

ABSENT

Casanova	Dyess	Hollis
Total—3		

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

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SENATE BILL NO. 1073—
BY SENATOR IRONS

AN ACT

To enact Code of Civil Procedure Art. 421.1, relative to civil actions; to provide for participation in mediation for certain parties in certain proceedings; to provide for exceptions; and to provide for related matters.

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

SENATE BILL NO. 1074—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 14:102.1(B) and to enact R.S. 3:2093(9) and R.S. 14:102(7) through (9), relative to animals; to prohibit tampering with livestock; to require the Louisiana State Livestock Sanitary Board to adopt rules to monitor compliance; to define terms; to provide penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed Senate Bill No. 1074 by Senator Ellington

AMENDMENT NO. 1

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

"(7) "Livestock" means cattle, sheep, swine, goats, horses, mules, burros, asses, other livestock of all ages, farm raised cervidae species, and farm raised ratite species."

AMENDMENT NO. 2

On page 2, delete lines 23 through 26 in their entirety.

AMENDMENT NO. 3

On page 2, line 27, change "(b)" to "(a)"

AMENDMENT NO. 4

On page 2, line 27, after "injection," insert "use, or administration of any drug"

AMENDMENT NO. 5

On page 3, line 5, change "(c)" to "(b)"

AMENDMENT NO. 6

On page 3, line 8, change "(d)" to "(c)"

AMENDMENT NO. 7

On page 3, line 9, after "livestock" insert ", unless administered or prescribed by a licensed veterinarian for the treatment of an illness or an injury"

AMENDMENT NO. 8

On page 3, line 10, change "(e)" to "(d)"

AMENDMENT NO. 9

On page 9, line 11, change "(f)" to "(e)"

AMENDMENT NO. 10

On page 3, line 13, after "livestock" insert "unless the procedure is considered an accepted livestock management practice"

On motion of Senator Ellington, the amendments were adopted.

Floor Amendments Sent Up

Senator Dean sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dean to Engrossed Senate Bill No. 1074 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 3, after "(9)," insert "to repeal R.S. 14:102.1(D),"

AMENDMENT NO. 2

On page 2, line 11, delete "and" and insert ",," and after "goats" insert "chickens, roosters, birds, and all fowl."

AMENDMENT NO. 3

On page 3, line 16, after "B.(1)" insert "(a)"

AMENDMENT NO. 4

On page 3, at the end of line 19, insert: "(b) Any person who causes, for amusement or wagering, any living animal, to fight with another living animal or cause another living animal to injure each other."

AMENDMENT NO. 5

On page 4, after line 7, insert "Section 3. R.S. 14:102.1(D) is hereby repealed."

Motion

Senator Hines moved to table the amendment.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Ellington	Malone
Bean	Fields	Romero
Cain	Greene	Short
Campbell	Heitmeier	Smith
Casanova	Hines	Theunissen
Cox	Jones	Ullo
Cravins	Jordan	
Dardenne	Lambert	
Total—22		

NAYS

Bagneris	Guidry	Lentini
Bajoie	Hainkel	Robichaux
Branch	Johnson	Schedler
Dean	Landry	Tarver
Total—12		

ABSENT

Mr. President	Hollis	Siracusa
Dyess	Irons	
Total—5		

The Chair declared the amendment was tabled.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Bagneris	Fields	Malone
Bajoie	Greene	Robichaux
Barham	Guidry	Romero
Bean	Hainkel	Schedler
Branch	Heitmeier	Short
Cain	Hines	Siracusa
Campbell	Irons	Smith
Casanova	Johnson	Tarver
Cox	Jones	Theunissen
Cravins	Jordan	Ullo
Dardenne	Lambert	
Dean	Landry	
Total—37		

NAYS

Total—0

ABSENT

Dyess	Hollis
Total—2	

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

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

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

Floor Amendments Sent Up

Senator Guidry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

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

AMENDMENT NO. 1

On page 1, line 11, after "Section" delete "does not" and insert "shall"

AMENDMENT NO. 2

On page 1, line 11, after "department" delete the remainder of the line and insert "and all permit applicants and shall apply"

AMENDMENT NO. 3

On page 2, delete lines 20 through 23

AMENDMENT NO. 4

On page 2, line 24, after "Section" change "3." to "2."

Motion

Senator Guidry moved for a division of the question on the above floor amendments.

Without objection, the division of the question was ordered.

Senator Guidry moved the adoption of Amendments No. 1 and 2.

Senator Bean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Greene	Landry
Bagneris	Guidry	Lentini
Bajoie	Heitmeier	Malone
Campbell	Irons	Robichaux
Casanova	Johnson	Short
Cox	Jones	Smith
Cravins	Jordan	Tarver
Fields	Lambert	Ullo
Total—24		

NAYS

Barham	Dean	Schedler
Bean	Ellington	Siracusa
Branch	Hainkel	Theunissen
Cain	Hines	
Dardenne	Romero	
Total—13		

ABSENT

Dyess	Hollis
Total—2	

The Chair declared Amendments No. 1 and 2 were adopted.

Senator Guidry moved the adoption of Amendments No. 3 and 4.

Without objection, Amendments No. 3 and 4 were adopted.

Motion

Senator Bean moved to return the bill to the calendar

Senator Guidry objected

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Greene	Lentini
Barham	Hainkel	Malone
Bean	Heitmeier	Romero
Branch	Hines	Schedler
Cain	Irons	Short
Casanova	Johnson	Siracusa
Cravins	Jones	Smith
Dardenne	Jordan	Tarver
Dean	Lambert	Theunissen
Ellington	Landry	
Total—29		

NAYS

Campbell	Guidry	Ullo
Cox	Robichaux	
Total—5		

ABSENT

Mr. President	Dyess	Hollis
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Bagneris Fields
Total—5

The Chair declared the bill was returned to the calendar.

SENATE BILL NO. 1161—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 30:2419, relative to scrap metal recycling; to prohibit the knowing and intentional delivery of certain scrap to a scrap metal collection and recycling facility; to require persons delivering scrap to these facilities to certify that certain prohibited materials have been removed; 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. 1161 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 13, following "waste," and before "discard" insert "or"

On motion of Senator Bagneris, the amendments were adopted.

Motion

Senator Bean moved the previous question on the bill.

Without objection, so ordered.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Bagneris	Fields	Malone
Bajoie	Greene	Robichaux
Barham	Guidry	Romero
Bean	Hainkel	Schedler
Branch	Heitmeier	Short
Cain	Hines	Siracusa
Campbell	Irons	Smith
Casanova	Johnson	Tarver
Cox	Jones	Theunissen
Cravins	Jordan	Ullo
Dardenne	Lambert	
Dean	Landry	
Total—37		

NAYS

Total—0

ABSENT

Dyess Hollis
Total—2

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

Rules Suspended

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

House Bills and Joint Resolutions on Third Reading and Final Passage

The following House Bills and Joint Resolutions on third reading and final passage were taken up and acted upon as follows:

HOUSE BILL NO. 1162—

BY REPRESENTATIVES R. ALEXANDER, DOWNER, DEWITT, BAYLOR, BRUCE, CLARKSON, CRANE, DEVILLE, DOERGE, DUPRE, FLAVIN, KENNARD, MCMAINS, POWELL, RIDDLE, SHAW, JACK SMITH, THOMAS, THOMPSON, TOOMY, WALSWORTH, DANIEL, MCCALLUM, MONTGOMERY, AND PERKINS AND SENATORS DARDENNE, HINES, EWING, BARHAM, BEAN, CRAVINS, ELLINGTON, GREENE, ROBICHAUX, SCHEDLER, AND TARVER AND REPRESENTATIVES ALARIO, A. ALEXANDER, ANSARDI, BARTON, BAUDOIN, CARTER, COPELIN, CURTIS, DIMOS, DONELON, FAUCHEUX, FRITH, FRUGE, GAUTREAU, GUILLORY, HEATON, HEBERT, HILL, HUDSON, HUNTER, JOHNS, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LONG, MARTINY, MCDONALD, MICHOT, MORRISH, MURRAY, ODINET, PIERRE, PINAC, PRATT, QUEZAIRE, ROMERO, ROUSSELLE, SALTER, SCALISE, SCHNEIDER, JOHN SMITH, STRAIN, THORNHILL, TRAVIS, TRICHE, VITTER, WARNER, WELCH, WIGGINS, WILLARD-LEWIS, AND WRIGHT

AN ACT

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

Motion

Senator Dardene moved to make Senate Bill No. 1162 Special Order of the Day.

Senator Casanova objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Greene	Romero
Bean	Guidry	Schedler
Branch	Hainkel	Short
Cain	Heitmeier	Siracusa
Campbell	Hines	Smith
Cox	Lambert	Theunissen
Dardenne	Lentini	Ullo
Dean	Malone	
Ellington	Robichaux	
Total—25		

NAYS

Bajoie	Irons	Jordan
Casanova	Johnson	Landry
Fields	Jones	Tarver
Total—9		

ABSENT

Mr. President	Cravins	Hollis
Bagneris	Dyess	
Total—5		

The Chair declared the SB No. 1162 was made Special Order of the Day No. 1 on Wednesday, April 23, 1997 immediately following the Morning Hour.

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 Bills and Joint Resolutions

Senator Bagneris asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

SENATE BILL NO. 1463—
BY SENATOR CRAVINS

AN ACT

To enact Part XVI of Chapter 2 of Title 22 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 22:2101, relative to the office of consumer counsel; to provide for powers, duties and responsibilities of the office; to provide for funding; and to provide for related matters.

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

Introduction of Resolutions, Senate and Concurrent

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

SENATE RESOLUTION NO. 16—

BY SENATOR GREENE

A RESOLUTION

To commend The Dow Chemical Company on its centennial anniversary.

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

SENATE CONCURRENT RESOLUTION NO. 78—

BY SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To create the General Aviation Advisory Commission to study and make recommendations relative to the administration of Louisiana's public general airports.

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

SENATE CONCURRENT RESOLUTION NO. 79—

BY SENATOR BAJOIE

A CONCURRENT RESOLUTION

To create and provide with respect to a joint legislative committee to oversee and review the implementation of federal and state welfare reform in Louisiana.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

RETIREMENT

Senator Heitmeier, Chairman on behalf of the Committee on Retirement, submitted the following report:

April 21, 1997

To the President and Members of the Senate:

I am directed by your Committee on Retirement to submit the following report:
Regular Session, 1997

SENATE CONCURRENT RESOLUTION NO. 21—

BY SENATOR LAMBERT

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to enact legislation allowing the employees of the Lafourche Basin Levee District to opt-out of the Social Security System and to join the Louisiana State Employees' Retirement System, effective January 1, 1998.

Reported favorably.

SENATE BILL NO. 201—

BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:1455, relative to the Assessors' Retirement Fund; to provide for restoration of service credit upon repayment of withdrawn accumulated contributions; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 227—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:42(B)(8), 62(8), 1901(C), 1903(H), 1904, the heading of Part II of Chapter 5 of Subtitle III of Title 11 of the Louisiana Revised Statutes of 1950, 1921(A)(2), 1925(E), 1931(B) and (D)(10)(a), 1934(A), 1936(A)(1), 1938(A), 2011, and 2012(A), (B),(B)(1), (C), and (E), 2014(A) and (B), to enact R.S. 11:22(B)(9)(c), 209(C), 1902(22.1), Part IV-A of Chapter 5 of Subtitle III of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:1971 through 1977, and to repeal R.S. 11:2013, relative to the Parochial Employees' Retirement System; to create and define a new Plan C; to provide for actuarial funding; to provide for enrollment of members; to provide for retirement eligibility, average compensation, benefits, retirement computation, contributions, vesting, funds to which assets credited, and collection and payment of contributions; to provide for applicability of general provisions governing the system; to provide for employee contributions to Plan B; to repeal obsolete provisions on allocation of assets and liabilities; to provide for Deferred Retirement Option Funds; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 424—
BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:1938(L), relative to the Parochial Employees' Retirement System; to provide for repayment of funds withdrawn from the applicable Deferred Retirement Option Plan Fund upon reemployment within certain time periods; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 522—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:1331, relative to the state police pension and retirement system; to dedicate certain funds derived from motor vehicle operator's license fees and from the investment and reinvestment earnings derived from such funds for the payment of cost-of-living adjustments for certain retirees and beneficiaries; to provide for computation and payment of such cost-of-living adjustments; to provide for an effective date; and to provide for related matters.

Reported with amendments.

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.

Reported favorably.

SENATE BILL NO. 864—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:1921(A)(3)(b) and to repeal R.S. 11:1925(G) and 1940, relative to the Parochial Employees' Retirement System; to repeal provisions authorizing the purchase of service by members of school boards, certain elected parish officials, and certain persons employed by a community action agency; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1019—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:1141(A) and (B), relative to the Louisiana School Employees' Retirement System; to provide with respect to retirement benefits; to provide with respect to an effective date for retirement; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1142—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:1410(A)(2) and (3) and to enact R.S. 11:233(A)(4) and (D), 1402(8), 1404, 1444, 1457, and 1484, relative to the Assessors' Retirement Fund, to provide for qualified plan status under Internal Revenue Code Section 415; to provide for earnable compensation applicable to certain qualified plans; to provide for annual compensation limits; to define "actuarial equivalent"; to provide relative to amendment of provisions governing the fund; to delete age restrictions on membership; to provide for limitation on payment of benefits; to provide for computation of retirement benefits; to prohibit the reversion of funds; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1429—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 11:1549(A), relative to the Clerks' of Court Retirement and Relief Fund; to provide with respect to cost-of-living adjustments; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
FRANCIS C. HEITMEIER
Chairman

**REPORT OF COMMITTEE ON
REVENUE AND FISCAL AFFAIRS**

Senator Barham, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

April 21, 1997

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

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.

Reported favorably.

SENATE BILL NO. 266—
BY SENATOR ULLO

AN ACT

To enact R.S. 47:302.29, relative to making certain appropriations from those taxes realized from the sale taxes collected in the town of Grand Isle; to create the town of Grand Isle Tourist Commission Enterprise Fund within the office of the treasury and to provide a

source of revenue for the fund; to provide for the avails of the tax collected in the town of Grand Isle to be utilized solely for tourism development purposes; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 497—
BY SENATORS HEITMEIER AND HOLLIS
AN ACT

To amend and reenact R.S. 37:3171(A) and (B), 3173(A)(2) and (B)(2), 3176(C), 3179(B), (C), and (G)(3), 3181(A)(6), (7), and (10), and (I), 3182 and 3183, to enact R.S. 37:3172(3), 3176(A)(3), and 3179.2(G), and to repeal R.S. 37:3185; to add "registered interior designers" designation to the Interior Design Licensing Statute; to provide for qualifications; to provide for fees; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 944—
BY SENATOR EWING
AN ACT

To amend and reenact R.S. 33:4574.1-A(6)(c) and R.S. 47:302.7(B), relative to usage of tax proceeds; to authorize the use of occupancy taxes and funds of the Monroe-West Monroe Convention and Visitors Bureau for economic development and other purposes; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1169—
BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To enact R.S. 46:236.10, relative to child support enforcement services; to establish an employer reporting program for new hires; to provide for penalties; to provide for a state directory of new hires; to authorize receipt of such information; to provide for reporting to the national directory of new hires; and to provide for related matters.

Reported favorably.

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

To amend and reenact R.S. 14:90(B) and R.S. 18:1300.21(D), to enact Part XIII of Chapter 4 of Title 27 of the Louisiana Revised Statutes of 1950, comprised of R.S. 27:121, and R.S. 27:325, and to repeal R.S. 14:90(C), (D), and (E), Chapter 1, comprised of R.S. 27:1 through 32, Chapter 4, comprised of R.S. 27:41 through 121, Chapter 5, comprised of R.S. 27:201 through 286, and Chapter 6, comprised of R.S. 27:301 through 325, all of Title 27 of the Louisiana Revised Statutes of 1950, relative to gaming; to provide for the termination of all authority, licensing, and permitting relative to the operation of a land-based casino in New Orleans, gaming aboard a riverboat and the operation of video draw poker devices; to provide for the termination of such activity over time; to provide effective dates; and to provide for related matters.

Reported with amendments.

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

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

Reported favorably.

SENATE BILL NO. 1410—
BY SENATOR DARDENNE
AN ACT

To authorize and empower the Baton Rouge Community College to impose certain fees; and to provide for related matters.

Reported favorably.

Respectfully submitted,
ROBERT J. BARHAM
Chairman

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

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

SENATE BILL NO. 201—
BY SENATOR HEITMEIER
AN ACT

To amend and reenact R.S. 11:1455, relative to the Assessors' Retirement Fund; to provide for restoration of service credit upon repayment of withdrawn accumulated contributions; and to provide for related matters.

Reported favorably by the Committee on Retirement. On motion of Senator Heitmeier, the bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 227—
BY SENATOR HEITMEIER
AN ACT

To amend and reenact R.S. 11:42(B)(8), 62(8), 1901(C), 1903(H), 1904, the heading of Part II of Chapter 5 of Subtitle III of Title 11 of the Louisiana Revised Statutes of 1950, 1921(A)(2), 1925(E), 1931(B) and (D)(10)(a), 1934(A), 1936(A)(1), 1938(A), 2011, and 2012(A), (B), (B)(1), (C), and (E), 2014(A) and (B), to enact R.S. 11:22(B)(9)(c), 209(C), 1902(22.1), Part IV-A of Chapter 5 of Subtitle III of Title 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 11:1971 through 1977, and to repeal R.S. 11:2013, relative to the Parochial Employees' Retirement System; to create and define a new Plan C; to provide for actuarial funding; to provide for enrollment of members; to provide for retirement eligibility, average compensation, benefits, retirement computation, contributions, vesting, funds to which assets credited, and collection and payment of contributions; to provide for applicability of general provisions governing the system; to provide for employee contributions to Plan B; to repeal obsolete provisions on allocation of assets and liabilities; to provide for Deferred Retirement Option Funds; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 227 by Senator Heitmeier

AMENDMENT NO. 1

On page 4, between lines 13 and 14, insert:

** * **

AMENDMENT NO. 2

On page 14, between lines 13 and 14, insert:

"* * *

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

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.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Barham, the bill was read by title and passed to a third reading.

SENATE BILL NO. 266— BY SENATOR ULLO AN ACT

To enact R.S. 47:302.29, relative to making certain appropriations from those taxes realized from the sale taxes collected in the town of Grand Isle; to create the town of Grand Isle Tourist Commission Enterprise Fund within the office of the treasury and to provide a source of revenue for the fund; to provide for the avails of the tax collected in the town of Grand Isle to be utilized solely for tourism development purposes; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 266 by Senator Ullo

AMENDMENT NO. 1 On page 1, line 2, change "enact R.S. 47:302.29" to "amend and reenact R.S. 47:332.1(B)(3) and to enact R.S. 47:332.1(B)(4)"

AMENDMENT NO. 2 On page 1, line 3, after "from" change "the" to "certain"

AMENDMENT NO. 3 On page 1, line 11, change "R.S. 47:302.29" to "R.S. 47:332.1(B)(3) is hereby amended and reenacted and R.S. 47:332.1(B)(4)"

AMENDMENT NO. 4 On page 1, delete lines 12 through 16, and on page 2, delete lines 1 through 5, and insert:

"* * *

§332.1. Disposition of certain collections in the parish of Jefferson

* * *

B. * * *

(3) The amount of proceeds in the fund collected in all areas on the west side of the Mississippi River in the parish of Jefferson exclusive of Ward 11 shall be placed in escrow and shall be available exclusively for planning, designing, purchasing or preparing for the purchase of land, and otherwise preparing for the construction, and for the construction, operation, and maintenance of a convention, assembly, or municipal center on the west side of the Mississippi River in the parish of Jefferson.

* * *

R.S. 47:332.1(B)(4) is all proposed new law.

(4)(a) Beginning on the effective date of this Paragraph, the amount of proceeds in the fund collected in Ward 11 of Jefferson Parish shall be used solely as provided in this Paragraph.

(b)(i) Such proceeds shall be deposited into a special fund."

AMENDMENT NO. 5 On page 2, line 8, change "B." to "(ii)"

AMENDMENT NO. 6 On page 2, line 18, change "C." to "(iii)"

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

SENATE BILL NO. 424— BY SENATOR HEITMEIER AN ACT

To enact R.S. 11:1938(L), relative to the Parochial Employees' Retirement System; to provide for repayment of funds withdrawn from the applicable Deferred Retirement Option Plan Fund upon reemployment within certain time periods; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original Senate Bill No. 424 by Senator Heitmeier

AMENDMENT NO. 1 On page 2, delete lines 2 and 3 and insert in lieu thereof "withdrawal to date of repayment at the valuation interest rate."

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

SENATE BILL NO. 497— BY SENATORS HEITMEIER AND HOLLIS AN ACT

To amend and reenact R.S. 37:3171(A) and (B), 3173(A)(2) and (B)(2), 3176(C), 3179(B), (C), and (G)(3), 3181(A)(6), (7), and (10), and (I), 3182 and 3183, to enact R.S. 37:3172(3), 3176(A)(3), and 3179.2(G), and to repeal R.S. 37:3185; to add "registered interior designers" designation to the Interior Design Licensing Statute; to provide for qualifications; to provide for fees; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Barham, the bill was read by title passed to a third reading.

SENATE BILL NO. 522— BY SENATOR HEITMEIER AN ACT

To amend and reenact R.S. 11:1331, relative to the state police pension and retirement system; to dedicate certain funds derived from motor vehicle operator's license fees and from the investment and reinvestment earnings derived from such funds for the payment of cost-of-living adjustments for certain retirees and beneficiaries; to provide for computation and payment of such cost-of-living adjustments; to provide for an effective date; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Original

Senate Bill No. 522 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 2 change "state police pension" to "State Police Pension"

AMENDMENT NO. 2

On page 1, line 3, change "retirement system;" to "Retirement System;"

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

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.

Reported favorably by the Committee on Retirement. On motion of Senator Heitmeier, the bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 864—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:1921(A)(3)(b) and to repeal R.S. 11:1925(G) and 1940, relative to the Parochial Employees' Retirement System; to repeal provisions authorizing the purchase of service by members of school boards, certain elected parish officials, and certain persons employed by a community action agency; and to provide for related matters.

Reported favorably by the Committee on Retirement. On motion of Senator Heitmeier, the bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 944—
BY SENATOR EWING

AN ACT

To amend and reenact R.S. 33:4574.1-A(6)(c) and R.S. 47:302.7(B), relative to usage of tax proceeds; to authorize the use of occupancy taxes and funds of the Monroe-West Monroe Convention and Visitors Bureau for economic development and other purposes; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 944 by Senator Ewing

AMENDMENT NO. 1

On page 1, line 14, after "(c)" insert "(i)"

AMENDMENT NO. 2

On page 2, line 6, after "or for" delete the remainder of the line, delete line 7, and on line 8, delete "convention centers or"

AMENDMENT NO. 3

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

"(ii) In Ouachita Parish, the proceeds of the occupancy tax may also be used for the construction of museums, equestrian and livestock centers, and sports facilities and additions to civic and convention centers."

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

SENATE BILL NO. 1019—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:1141(A) and (B), relative to the Louisiana School Employees' Retirement System; to provide with respect to retirement benefits; to provide with respect to an effective date for retirement; and to provide for related matters.

Reported favorably by the Committee on Retirement. On motion of Senator Heitmeier, the bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 1142—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:1410(A)(2) and (3) and to enact R.S. 11:233(A)(4) and (D), 1402(8), 1404, 1444, 1457, and 1484, relative to the Assessors' Retirement Fund, to provide for qualified plan status under Internal Revenue Code Section 415; to provide for earnable compensation applicable to certain qualified plans; to provide for annual compensation limits; to define "actuarial equivalent"; to provide relative to amendment of provisions governing the fund; to delete age restrictions on membership; to provide for limitation on payment of benefits; to provide for computation of retirement benefits; to prohibit the reversion of funds; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. On motion of Senator Heitmeier, the bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 1169—
BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS

AN ACT

To enact R.S. 46:236.10, relative to child support enforcement services; to establish an employer reporting program for new hires; to provide for penalties; to provide for a state directory of new hires; to authorize receipt of such information; to provide for reporting to the national directory of new hires; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Barham, the bill was read by title and passed to a third reading.

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

AN ACT

To amend and reenact R.S. 14:90(B) and R.S. 18:1300.21(D), to enact Part XIII of Chapter 4 of Title 27 of the Louisiana Revised Statutes of 1950, comprised of R.S. 27:121, and R.S. 27:325, and to repeal R.S. 14:90(C), (D), and (E), Chapter 1, comprised of R.S. 27:1 through 32, Chapter 4, comprised of R.S. 27:41 through 121, Chapter 5, comprised of R.S. 27:201 through 286, and Chapter 6, comprised of R.S. 27:301 through 325, all of Title 27 of the Louisiana Revised Statutes of 1950, relative to gaming; to provide for the termination of all authority, licensing, and permitting relative to the operation of a land-based casino in New Orleans, gaming aboard a riverboat and the operation of video draw poker devices; to provide for the termination of such activity over time; to provide effective dates; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed Senate Bill No. 1200 by Senator Casanova, et al.

AMENDMENT NO. 1

On page 1, line 5, after "R.S. 27:1" insert "through 3, Chapter 2, comprised of R.S. 27:11 through 26, and Chapter 3, comprised of R.S. 27:31"

AMENDMENT NO. 2

On page 4, line 25, after "R.S. 27:1" insert "through 3, Chapter 2, comprised of R.S. 27:11 through 26, and Chapter 3, comprised of R.S. 27:31"

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

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

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

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Barham, the bill was read by title and passed to a third reading.

SENATE BILL NO. 1410—
BY SENATOR DARDENNE
AN ACT

To authorize and empower the Baton Rouge Community College to impose certain fees; and to provide for related matters.

Reported favorably by the Committee on Revenue and Fiscal Affairs. On motion of Senator Barham, the bill was read by title and passed to a third reading.

SENATE BILL NO. 1429—
BY SENATOR LANDRY
AN ACT

To amend and reenact R.S. 11:1549(A), relative to the Clerks' of Court Retirement and Relief Fund; to provide with respect to cost-of-living adjustments; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Retirement. On motion of Senator Heitmeier, the bill was read by title and ordered engrossed and passed to a third reading.

Rules Suspended to Recommit

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

Senator Jordan moved Senate Bill No. 905 be recommitted from the Committee on Labor and Industrial Relations to the Committee on Judiciary C.

Without objection, so ordered.

Rules Suspended to Recommit

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

Senator Hainkel moved Senate Bill No. 744 be recommitted from the Committee on Judiciary B to the Committee on Judiciary C

Without objection, so ordered.

Rules Suspended to Recommit

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

Senator Hainkel moved Senate Bill No. 745 be recommitted from the Committee on Judiciary B to the Committee on Judiciary C

Without objection, so ordered.

Rules Suspended

Senator Jordan asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 384 from the Committee on Commerce and Consumer Protection.

SENATE BILL NO. 384—
BY SENATOR JORDAN
AN ACT

To amend and reenact R.S. 37:693(B)(1)(c), relative to licensing engineers; to reduce the number of years of progressive experience for certain persons to become a certified engineer-in-training; and to provide for related matters.

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

Rules Suspended

Senator Jordan asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 479 from the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 479—
BY SENATOR JORDAN
AN ACT

To amend and reenact R.S. 18:1531(C) and (D) and to enact R.S. 18:1533, relative to the Campaign Finance Disclosure Act; to increase the penalties for voter transportation; to prohibit payment of walk-around services on election day; to provide a definition; to provide for exceptions; to provide for penalties; and to provide for related matters.

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

Rules Suspended

Senator Jordan asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 481 from the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 481—
BY SENATOR JORDAN
AN ACT

To enact R.S. 18:435(E), relative to the Louisiana Election Code; to authorize the use of video cameras at polling places; to provide for access of watchers; to provide for ejection of watcher; and to provide for related matters.

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

Rules Suspended

Senator Jordan asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 484 from the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 484—
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 24:51, the introductory paragraph of 53(A), (B), (E), (F)(1) and (2), (G), and (H), 54(B), and the introductory paragraph of 57 relative to the registration of lobbyists, to provide for the clerk of the House of Representatives and the secretary of the Senate to register lobbyists; and to provide for related matters.

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

Rules Suspended

Senator Jordan asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 886 from the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 886—
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 24:31, relative to legislators; to provide for the per diem paid to legislators; and to provide for related matters.

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

Rules Suspended

Senator Jordan asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 895 from the Committee on Judiciary A.

SENATE BILL NO. 895—
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 24:31 and 31.1, relative to legislators; to provide for the compensation and salary and expense allowance of legislators; and to provide for related matters.

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

Rules Suspended

Senator Jordan asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 904 from the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 904—
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 18:1505.2(H)(5), relative to election campaign finance; to limit repayment of personal loan made by a candidate to his own campaign; to provide for limitations; and to provide for related matters.

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

Rules Suspended

Senator Jordan asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 1030 from the Committee on Local and Municipal Affairs.

SENATE BILL NO. 1030—
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 33:4461, relative to prohibiting cable television service providers from assessing late fees in certain circumstances; and to provide for related matters.

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

Rules Suspended

Senator Jordan asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 1261 from the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 1261—
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 18:402(A), (B)(1), (E)(1)(a) and (b) and (2)(a), and (F)(1) and (2), 467(1) and (2), 1272(A), 1405(B) and 1409(B), relative to the election code; to extend the time for commencement of actions contesting certain elections; to change the dates on which certain candidates qualify for office; to change certain election dates; to provide that a judge may, under certain circumstances, delay certain elections when an election contest suit has been filed; and to provide for related matters.

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

Message from the House**SIGNED HOUSE CONCURRENT RESOLUTIONS**

April 18, 1997

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 106—
BY REPRESENTATIVE ALARIO

A CONCURRENT RESOLUTION

To commend and congratulate Mr. Wylie J. Harvey of the office of state parks within the Department of Culture, Recreation and Tourism upon his retirement after thirty-three years of distinguished service to the state of Louisiana, and to wish him continued success in all of his future endeavors.

HOUSE CONCURRENT RESOLUTION NO. 110—
BY REPRESENTATIVE MCCALLUM

A CONCURRENT RESOLUTION

To commend and congratulate the First Baptist Church on its sesquicentennial anniversary, and to wish them continued success in their future spiritual endeavors.

HOUSE CONCURRENT RESOLUTION NO. 107—
BY REPRESENTATIVE TOOMY AND SENATOR ULLO

A CONCURRENT RESOLUTION

To express the condolences of the legislature to the family of Louis "Rags" Scheuermann.

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

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

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

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

April 21, 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. 11—
BY SENATORS BAGNERIS, BAJOIE, BARHAM, BEAN, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, EWING, FIELDS, GREENE, GUIDRY, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SHORT, SIRACUSA, SMITH, TARVER, THEUNISSEN AND ULLO
A RESOLUTION

To commend and congratulate Wynton Marsalis on being the first jazz artist to win a Pulitzer Prize.

SENATE RESOLUTION NO. 12—
BY SENATORS BAGNERIS, BAJOIE, BARHAM, BEAN, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, EWING, FIELDS, GREENE, GUIDRY, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SHORT, SIRACUSA, SMITH, TARVER, THEUNISSEN AND ULLO
A RESOLUTION

To commend and congratulate the Times Picayune on winning two Pulitzer Prizes.

SENATE RESOLUTION NO. 13—
BY SENATOR BARHAM
A RESOLUTION

To express the condolences of the Senate of the Legislature of Louisiana upon the death of Claudine Prine Fuller.

SENATE RESOLUTION NO. 14—
BY SENATORS FIELDS AND HAINKEL
A RESOLUTION

To commend and congratulate the Hammond/Tangipahoa Parish Branch of the NAACP for its twenty-five year history on the occasion of its First Annual Presidential Membership Awards Banquet.

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.

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 21, 1997

To the President and Members of the Senate:

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

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 8—
BY SENATOR THEUNISSEN

A CONCURRENT RESOLUTION
To designate April 16, 1997, as "Future Farmers of America Day in Louisiana".

Respectfully submitted,
JAY DARDENNE
Chairman

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

Leaves of Absence

The following leaves of absence were asked for and granted:

Hollis 1 Day

Adjournment

Senator Bagneris moved that the Senate adjourn until Tuesday, April 22, 1997 at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Tuesday, April 22, 1997.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk