

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

FOURTEENTH 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

Tuesday, April 22, 1997

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

ROLL CALL

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

PRESENT

| | | |
|---------------|-----------|------------|
| Mr. President | Dyess | Lambert |
| Bagneris | Ellington | Landry |
| Bajoie | Fields | Lentini |
| Barham | Greene | Malone |
| Bean | Guidry | Robichaux |
| Branch | Hainkel | Romero |
| Cain | Heitmeier | Schedler |
| Campbell | Hines | Short |
| Casanova | Hollis | Siracusa |
| Cox | Irons | Smith |
| Cravins | Johnson | Tarver |
| Dardenne | Jones | Theunissen |
| Dean | Jordan | Ullo |
| Total—39 | | |

ABSENT

Total—0

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

Prayer

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

Morning Hour

Messages from the Governor

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

State of Louisiana
OFFICE OF THE GOVERNOR
Baton Rouge
70808-9004

April 22, 1997

The Honorable President and Members of the Senate

Ladies and Gentlemen:

In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974, the individuals on the attached page have been appointed and previously submitted for your consideration.

However, I wish for the confirmation to be stopped and the names withdrawn from submission.

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

Emergency Medical Service for Children Advisory Council

Stephen H. Lesser, M.D. (resigned)

Governor's Advisory Council on Juvenile Justice

Jason Everett Dunavant (resigned)

Lafourche Basin Levee District, Board of Commissioners

Hamilton N. Dantin

State of Louisiana
OFFICE OF THE GOVERNOR
Baton Rouge
70808-9004

April 22, 1997

The Honorable President and Members of the Senate

Ladies and Gentlemen:

I have appointed the persons on the attached list to the offices indicated.

In compliance with Article IV, Section 5(H)(3) of the Louisiana Constitution of 1974,
I do hereby present these names for your review.

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

Agricultural Commodities Commission

Royby Vincent

Governor's Arson Strike Force

| | |
|----------------|----------------|
| Butch Browning | Jerry Dennis |
| Bo Roberts | Gerry Tarleton |
| Ron Travis | Don Weeks |

Louisiana Arts Council

| | |
|---------------------|----------------------|
| Cynthia Ardoin | Kay Betz |
| Leah Chase | Beverly Covington |
| Marilyn M. Cox | Ken Ferdinand |
| Colleen C. Fletcher | Dan Henderson |
| Sara H. Herrington | Quincy Hilliard |
| Jean S. Hurley | Mary T. Joseph |
| Beth Kaplan | Gregory N. Marcantel |
| Carolyn McLellan | Sally Ann Perry |
| Charlotte Walters | Cynthia Warner |
| Christine Weeks | Beverly Wilson |

Drug Control and Violent Crime Policy Board

Steve Afeman

Drug Policy Board

Dr. Billy McCormack Michael Mitchell
Ramona Ryan

Louisiana Military Advisory Commission

Charles E. Castaing

New Orleans City Park Improvement Association Board of Commissioners

Michael J. McNulty, Jr.

St. Tammany Levee District, Board of Commissioners

Peter Giuffria Curtis Hudson
John Hunter Robert Manetta

Board of Examiners of Certified Shorthand Reporters

Dannette Bickham Durwood Conque
Milton Donegan, Jr. Peter Gilberti
Lloyd E. Hennigan, Jr. C. Ray Pilant
Marilyn Richardson

Small Business Compliance Advisory Panel

Pam Caster Ed Overton

Louisiana Student Financial Assistance Commission

F. Travis Lavigne, Jr.

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 21, 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. 416— BY REPRESENTATIVES TRAVIS AND MURRAY AN ACT

To amend and reenact R.S. 6:128(B)(introductory paragraph), 285(C), 420(D), 712(D)(1), and 1187(A) and (B)(5) and to repeal R.S. 6:2(10), relative to regulation of banks and banking; to provide for holidays for financial institutions; to provide for designation of agent for service of process; to provide for reporting of criminal violations; to provide for corporate names; to provide for proxies; and to provide for related matters.

HOUSE BILL NO. 471— BY REPRESENTATIVES GREEN AND MURRAY AN ACT

To amend and reenact R.S. 9:3527(D), relative to consumer credit transactions; to require a creditor to notify a consumer before converting a precomputed consumer credit transaction into a

simple interest transaction; and to provide for related matters.

HOUSE BILL NO. 499— BY REPRESENTATIVE MICHOT AN ACT

To amend and reenact R.S. 51:1909.1(A) and to enact R.S. 51:1901(8) and 1901.2, relative to commercial co-venturers; to provide a definition; to provide for final accounting for charitable sales promotions; to provide for the promulgation of rules for disclosure of the percentage of funds collected by commercial co-venturers that actually goes to the charitable organization; to provide for violations and penalties; and to provide for related matters.

HOUSE BILL NO. 518— BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS AN ACT

To amend and reenact R.S. 9:2004, relative to seizure of a beneficiary's interest in a trust; to provide that a creditor may seize a beneficiary's interest in income and principal to the extent that a beneficiary has donated property to the trust, directly or indirectly; and to provide for related matters.

HOUSE BILL NO. 519— BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS AN ACT

To amend and reenact R.S. 9:1895(A), 1973, and 1978, all relative to the Louisiana Trust Code; to provide for a shifting of interest in principal; to provide with respect to the effect of the death of a class member during the term of a class trust; to authorize a shifting of interest in principal if a beneficiary is a descendant of the settlor; and to provide for related matters.

HOUSE BILL NO. 541— BY REPRESENTATIVE MARIONNEAUX AN ACT

To enact R.S. 33:321.1, relative to municipalities governed by the Lawrason Act; to authorize the board of aldermen in any such municipality to refer to itself as a village, town, or city council, as appropriate, and to the members thereof as council members; to provide for related name changes; and to provide for related matters.

HOUSE BILL NO. 552— BY REPRESENTATIVES TRAVIS AND MURRAY AN ACT

To amend and reenact R.S. 6:333(A)(2) and R.S. 9:3571(A), to enact R.S. 6:333(A)(10)(g), and to repeal R.S. 9:3571(B) through (E), relative to disclosure of financial records by financial institutions; to expand definitions; to delete certain requirements relative to the dissemination of credit information; and to provide for related matters.

HOUSE BILL NO. 587— BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS AN ACT

To amend and reenact Civil Code Article 3533, relative to conflict of laws as to the succession of immovables situated in this state; to provide when the law of forced heirship does not apply; and to provide for related matters.

HOUSE BILL NO. 659— BY REPRESENTATIVE PINAC AN ACT

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

matters.

HOUSE BILL NO. 831—
BY REPRESENTATIVE WELCH
AN ACT

To enact R.S. 47:463.48, relative to motor vehicle registration; to provide for special prestige license plates for Laos War veterans; and to provide for related matters.

HOUSE BILL NO. 1083—
BY REPRESENTATIVES TRAVIS AND MURRAY
AN ACT

To amend and reenact R.S. 6:124, relative to financial institutions; to provide relative to reports made by financial institutions to the commissioner of financial institutions; and to provide for related matters.

HOUSE BILL NO. 1084—
BY REPRESENTATIVES TRAVIS AND MURRAY
AN ACT

To repeal R.S. 9:3566, relative to consumer credit sales; to repeal certain provisions requiring retention of records of consumer credit sales.

HOUSE BILL NO. 1564—
BY REPRESENTATIVES DOWNER, R. ALEXANDER, BARTON, COPELIN, DEVILLE, DIMOS, DUPRE, FLAVIN, FONTENOT, FORSTER, HUNTER, JOHNS, LANCASTER, LEBLANC, MCCAIN, McDONALD, MCMAINS, MICHOT, PIERRE, SCALISE, JOHN SMITH, STELLY, TRICHE, WALSWORTH, WELCH, WIGGINS, WINDHORST, WINSTON, ANSARDI, BAUDOIN, BAYLOR, BRUCE, CARTER, CLARKSON, CRANE, DAMICO, DOERGE, DONELON, DURAND, FARVE, FAUCHEUX, FRITH, FRUGE, GUILLORY, HAMMETT, HEBERT, HILL, HOLDEN, JETSON, KENNARD, KENNEY, LANDRIEU, LONG, MARIONNEAUX, MARTINY, MCCALLUM, MITCHELL, MONTGOMERY, MORRELL, ODINET, PERKINS, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, ROUSSELLE, SALTER, SHAW, THOMAS, THOMPSON, THORNHILL, TRAVIS, VITTER, WARNER, WILLARD-LEWIS, AND WRIGHT
AN ACT

To enact R.S. 24:15, relative to the legislature; to create the Broadcast Education Network; to provide for the responsibilities and functions of the legislature and the Louisiana Educational Television Authority in relation thereto; and to provide for related matters.

HOUSE BILL NO. 1573—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 22:1451(A), relative to annual reports by insurers; to require the Department of Insurance to promulgate rules and regulations to require insurers to disclose certain information; to require the disclosure on an annual and rate-making basis; and to provide for related matters.

HOUSE BILL NO. 1584—
BY REPRESENTATIVES McDONALD AND DOWNER
AN ACT

To amend and reenact R.S. 17:3092(1) and (2), 3093(D)(1)(f) and (h), 3095(A)(2), (B), (C)(6) and (7), (D), (F), and (G), 3096(B)(2)(a), (D), and (E)(2), 3098(C) and (D), and 3099(A) and (C) and to enact R.S. 17:3091(C) and 3092(10) and R.S. 47:1508(B)(17), relative to the Louisiana Student Tuition Assistance and Revenue Trust Program; to provide legislative intent; to provide program definitions; to provide relative to program administration by the Louisiana Tuition Trust Authority and for powers and duties of the authority; to provide for adoption by the authority of certain rules pursuant to the Administrative Procedure Act; to provide relative to education savings accounts and education assistance accounts; to provide relative to the termination of depositor's agreements; to provide relative to the Louisiana Education and Tuition Savings Fund; to provide for release to the office of student financial assistance of a taxpayer's reported federal adjusted gross income under specified circumstances; and to provide for related matters.

HOUSE BILL NO. 1586—
BY REPRESENTATIVES McDONALD AND DOWNER
AN ACT

To amend and reenact R.S. 17:3026(A)(3)(c)(iii), relative to the Tuition Assistance Plan; to provide relative to ineligibility under certain circumstances; and to provide for related matters.

HOUSE BILL NO. 987—
BY REPRESENTATIVES HEBERT AND GREEN
AN ACT

To enact R.S. 46:1073(D), (E), (F), and (G), relative to marketing strategies and strategic plans of hospital service districts; to provide for the continued confidentiality of marketing strategies and strategic plans after such strategy or plan is complete and when it is presented to a state agency or subdivision of the state; to provide that certain records shall not be confidential; and to provide for related matters.

HOUSE BILL NO. 1858—
BY REPRESENTATIVE MURRAY
AN ACT

To enact R.S. 22:2018(E) and R.S. 40:2202(5)(f), relative to health maintenance organizations, managed care entities, and preferred provider organizations; to preclude contract clauses prohibiting a provider from informing a subscriber, enrollee, or prospective enrollee regarding health care services offered by a health maintenance organization, managed care entity, or preferred provider organization; and to provide for related matters.

HOUSE BILL NO. 1490—
BY REPRESENTATIVES DEVILLE, DEWITT, AND DURAND
AN ACT

To amend and reenact R.S. 40:1232(A)(3) and (4) and to enact R.S. 40:1232(A)(5) and to enact R.S. 36:259(M), relative to emergency medical services; to provide that the Department of Health and Hospitals shall promulgate rules and regulations to establish a list of medical and safety equipment required to be carried by all ambulances; to establish and provide relative to an advisory committee to be known as the Ambulance Standards Committee; and to provide for related matters.

HOUSE BILL NO. 1792—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 30:11.1, relative to filing and recording of orders creating drilling or production units by the commissioner of conservation; to provide for the filing of copies of such orders; and to provide for related matters.

HOUSE BILL NO. 1932—
BY REPRESENTATIVES McDONALD, DOWNER, BARTON, BAUDOIN, CRANE, DOERGE, HILL, KENNEY, LONG, POWELL, PRATT, AND SHAW AND SENATOR EWING
AN ACT

To amend and reenact R.S. 17:3042.1(A)(3) and (4), (B), (C), and (D) and 3042.2(A) and (B) and to enact R.S. 17:3042.1(A)(5), relative to loans for students enrolled in collegiate teacher preparation programs; to provide relative to eligibility requirements including certain test scores and grade point averages; to provide relative to the authority of the commission to make such loans; to remove a provision relative to grade point average requirement exceptions; to provide relative to loan amounts for certain applicants; to remove provisions relative to loans for graduate school students; and to provide for related matters.

HOUSE BILL NO. 1987—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 56:326(A)(introductory paragraph), relative to fishing; to provide relative to size and possession limits for commercial fish; to delete references to certain repealed sections of law; and to provide for related matters.

HOUSE BILL NO. 2113—

BY REPRESENTATIVE DIMOS

AN ACT

To amend and reenact R.S. 22:215.1, 215.2, 215.3, 215.4, 215.8(introductory paragraph), 215.10(A), 215.14(A) and (C), 227, 230.1(A) and (C), 2002(2), and 2016(A) and to enact R.S. 22:2016(F) and (G), relative to health maintenance organizations; to require health maintenance organizations to offer mandated health benefits options; to require health maintenance organizations to provide coverage for mandated health benefits; and to provide for related matters.

HOUSE BILL NO. 2149—

BY REPRESENTATIVES MCDONALD AND DOWNER

AN ACT

To enact R.S. 17:3042.32(D), relative to the Louisiana Honors Scholarship Program; to provide for the application of scholarships awarded pursuant to such program and to the combination of such scholarships with disbursements from the Louisiana Student Tuition Assistance and Revenue Trust Program account; to provide for the expenditure of any remaining balance of a scholarship award; and to provide for related matters.

HOUSE BILL NO. 2154—

BY REPRESENTATIVES MCDONALD AND DOWNER

AN ACT

To enact R.S. 17:3026(J), relative to the Tuition Assistance Plan; to provide relative to the application of grants awarded pursuant to such plan and the combination of such grants with disbursements from the Louisiana Student Tuition Assistance and Revenue Trust Program account; to provide for the expenditure of any remaining balance of a grant award; and to provide for related matters.

HOUSE BILL NO. 1059—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To enact R.S. 22:674, relative to health and accident insurance; to require notice of health insurance payments; to provide that the notice be forwarded to the patient, policyholder, or insured; to provide for sanctions for the failure to comply; and to provide for related matters.

HOUSE BILL NO. 66—

BY REPRESENTATIVE LONG

AN ACT

To amend and reenact R.S. 26:73(G) and 272(G), relative to permits for alcoholic beverages; to require the commissioner of alcoholic beverage control and local governing authorities to issue certain permits to restaurants located in designated national historic landmark districts; and to provide for related matters.

HOUSE BILL NO. 2238—

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact R.S. 17:3351(A)(5), relative to tuition at public institutions of higher education; to provide for the powers, duties, and responsibilities of public higher education management boards; to provide relative to determining certain tuition amounts and increasing such amounts; to provide guidelines and limitations; and to provide for related matters.

HOUSE BILL NO. 302—

BY REPRESENTATIVE BARTON

AN ACT

To amend and reenact R.S. 13:1899(H), relative to city and municipal courts; to expand the purposes for which costs assessed in criminal matters in the City Court of Bossier City may be expended; and to provide for related matters.

HOUSE BILL NO. 371—

BY REPRESENTATIVE LONG

AN ACT

To enact R.S. 13:2111, relative to the City Court of Natchitoches; to authorize the transfer of surplus funds from the court's civil fee account to the court's general operational fund; and to provide for related matters.

HOUSE BILL NO. 1075—

BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 11:2225(A)(11)(a) and 3501(D)(1), relative to the Municipal Police Employees' Retirement System; to provide with respect to mergers of municipal systems into the Municipal Police Employees' Retirement System and the funding thereof; to reduce the percentage of payment to be made by the municipality in such mergers; and to provide for related matters.

HOUSE BILL NO. 1625—

BY REPRESENTATIVE DANIEL

AN ACT

To amend and reenact R.S. 11:1141(A) and (B), relative to the Louisiana School Employees' Retirement System; to require the filing of applications for regular retirement, disability retirement, and retirement under the Deferred Retirement Option Plan; to authorize the board of trustees to pay disability retirement benefits and payments on behalf of the member into the Deferred Retirement Option Plan Account on the effective date of retirement; and to provide for related matters.

HOUSE BILL NO. 1822—

BY REPRESENTATIVE MARTINY

AN ACT

To amend and reenact R.S. 33:2218.4(D) and to enact R.S. 23:1021(10)(e), relative to state supplemental pay; to exclude state supplemental pay from the calculation of average weekly wage for purposes of workers' compensation benefits for municipal police officers; and to provide for related matters.

HOUSE BILL NO. 2099—

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 23:1201.4, relative to workers' compensation; to provide that an inmate injured in an accident during a work release program in which he is paid at least minimum wage does not forfeit his right to medical benefits; and to provide for related matters.

HOUSE BILL NO. 2211—

BY REPRESENTATIVE JACK SMITH

AN ACT

To enact R.S. 23:1036, relative to workers' compensation; to provide benefits for volunteer firefighters; to provide for the amount of benefits; to provide for definitions; to provide for termination of benefits; to provide for offsets; to provide for defenses; and to provide for related matters.

HOUSE BILL NO. 26—

BY REPRESENTATIVE RIDDLE

AN ACT

To amend and reenact R.S. 32:410(A)(3)(a)(vii) and (viii) and to enact R.S. 32:410(A)(3)(a)(ix), relative to motor vehicles; to include the parish of residence code number on drivers' licenses; and to provide for related matters.

HOUSE BILL NO. 90—

BY REPRESENTATIVES DUPRE, DOWNER, AND GAUTREAUX

AN ACT

To amend and reenact R.S. 33:7712(A)(3), relative to Consolidated Waterworks District No. 1 of the Parish of Terrebonne; to provide for a reduction in the membership of the board of commissioners of the district; to provide for appointment and terms of the commissioners; to limit the number of terms a commissioner may

serve; to provide for the terms of the members serving prior to the reduction in membership; and to provide for related matters.

HOUSE BILL NO. 115—
BY REPRESENTATIVE ILES

AN ACT

To amend and reenact R.S. 33:4754(A)(1) and (2), (B)(2), and (E)(1) and (2), relative to dangerous buildings and structures; to authorize the governing authority of Beauregard Parish and any municipality within the parish to take certain actions with respect to such buildings and structures, including imposing fines and demolishing, removing, or securing such buildings and structures and maintaining such property; to provide relative to the powers of specified parishes; and to provide for related matters.

HOUSE BILL NO. 163—
BY REPRESENTATIVE MONTGOMERY

AN ACT

To amend and reenact R.S. 47:463.2(B), relative to personalized license plates for motor vehicles; to provide for eligibility for a personalized license plate; and to provide for related matters.

HOUSE BILL NO. 206—
BY REPRESENTATIVES BRUCE, CURTIS, AND HUDSON

AN ACT

To amend and reenact R.S. 32:284(C), relative to riding in the bed of a pickup truck or utility trailer; to increase the age under which persons are prohibited from riding in the open bed of a pickup truck or a utility trailer; and to provide for related matters.

HOUSE BILL NO. 211—
BY REPRESENTATIVES SCALISE AND ANSARDI

AN ACT

To authorize the Jefferson Parish Council to rename the "ShrewCoCenter", located in Jefferson Parish, Louisiana, as the "Hazel Rhea Hurst Center".

HOUSE BILL NO. 261—
BY REPRESENTATIVE WINSTON AND SENATOR SCHEDLER

AN ACT

To enact Part V-C of Chapter 2 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:726, relative to the city of Covington; to provide with respect to the disposition of certain immovable property by the governing authority of the city; and to provide for related matters.

HOUSE BILL NO. 329—
BY REPRESENTATIVE PINAC

AN ACT

To enact R.S. 33:423.9, relative to the city of Crowley; to authorize the chief of police of the city of Crowley to appoint, discipline, and discharge police personnel subject to budgetary limitations; and to provide for related matters.

HOUSE BILL NO. 363—
BY REPRESENTATIVE JOHN SMITH

AN ACT

To amend and reenact R.S. 33:4754(A)(1) and (2), (B)(2), and (E)(1) and (2), relative to dangerous buildings and structures; to authorize the governing authority of Vernon Parish and any municipality within the parish to take certain actions with respect to such buildings and structures, including imposing fines and demolishing, removing, or securing such buildings and structures and maintaining such property; to provide relative to the powers of specified parishes; and to provide for related matters.

HOUSE BILL NO. 405—
BY REPRESENTATIVE KENNEY

AN ACT

To amend and reenact R.S. 33:381.1, relative to the village of Harrisonburg; to authorize the board of aldermen of the village of Harrisonburg to call a special election by a certain date for the purpose of submitting to the qualified electors of the village the

question of whether the chief of police should be appointed by the mayor with the approval of the board of aldermen; to provide for the time of the initial appointment; and to provide for related matters.

HOUSE BILL NO. 48—
BY REPRESENTATIVES MURRAY, A. ALEXANDER, AND WELCH

AN ACT

To enact R.S. 15:1204(12), relative to the Louisiana Commission on Law Enforcement and Administration of Criminal Justice; to require the commission to develop and implement a state medal of honor program for law enforcement officers killed in the line of duty; and to provide for related matters.

HOUSE BILL NO. 475—
BY REPRESENTATIVE PIERRE

AN ACT

To enact R.S. 11:2260(A)(11)(g), relative to the Firefighters' Retirement System; to provide with respect to membership; to authorize the Firemen's Pension and Relief Fund for the city of Lafayette to merge into the statewide Firefighters' Retirement System; and to provide for related matters.

HOUSE BILL NO. 628—
BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 11:2225(A)(2)(a) and (6), relative to the Municipal Police Employees' Retirement System; to provide with respect to the composition of the board of trustees; to further provide for terms of certain members of the board of trustees and the quorum requirements thereof; and to provide for related matters.

HOUSE BILL NO. 1044—
BY REPRESENTATIVES R. ALEXANDER, DEWITT, AND DURAND

AN ACT

To amend and reenact R.S. 28:200 and 206(A) and (B), relative to community mental health services; to provide for the establishment and administration of a community-based system of care; to provide for a continuum of care for emotionally and behaviorally disturbed children and adults; and to provide for related matters.

HOUSE BILL NO. 1048—
BY REPRESENTATIVES R. ALEXANDER, DEWITT, DURAND, GAUTREAUX, JOHNS, RIDDLE, THOMPSON, THORNHILL, AND VITTER AND SENATOR ROBICHAUX

AN ACT

To enact R.S. 36:254(D)(2) and (3), relative to the powers and duties of the secretary of the Department of Health and Hospitals; to provide for powers and duties of the secretary relative to the Medical Assistance Program; and to provide for related matters.

HOUSE BILL NO. 1077—
BY REPRESENTATIVES RIDDLE, DEWITT, DURAND, AND JOHNS

AN ACT

To amend and reenact R.S. 40:2013, relative to the Department of Health and Hospitals; to designate the Department of Health and Hospitals as the agency responsible for carrying out the purposes of the Alcohol, Drug Abuse and Mental Health Administration Reorganization Act; and to provide for related matters.

HOUSE BILL NO. 1428—
BY REPRESENTATIVE SHAW, CURTIS, DOERGE, KENNEY, AND MCDONALD

AN ACT

To enact Chapter 20-A-1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3041.10 through 3041.15, relative to a tuition payment program for certain medical school students; to provide program guidelines and for program administration, eligibility, applications, and definitions; to provide relative to contracts and cancellation of contracts; to provide for implementation; to provide for the adoption of program rules and regulations; and to provide for related matters.

April 22, 1997

HOUSE BILL NO. 1493—
BY REPRESENTATIVES SHAW, DEWITT, AND DURAND
AN ACT

To amend and reenact R.S. 28:21, relative to state mental health institutions; to authorize the assistant secretary of the office of mental health of the Department of Health and Hospitals to reorganize and consolidate the administration of state mental health institutions to comply with the State Mental Health Plan; to provide for the authority of the assistant secretary to establish community cottages; and to provide for related matters.

HOUSE BILL NO. 932—
BY REPRESENTATIVE GREEN
AN ACT

To amend and reenact R.S. 22:2021, relative to health maintenance organizations (HMOs); to require HMOs to approve or disapprove a request for certain medical testing or treatment within forty-eight hours of receipt of the request; and to provide for related matters.

HOUSE BILL NO. 1984—
BY REPRESENTATIVES MCMAINS, DEWITT, AND VITTER
AN ACT

To amend and reenact the heading of Chapter 5 of Title II of Book I of the Code of Civil Procedure, Code of Civil Procedure Arts. 591, 592, 594, and 611, and the heading of Section 2 of Chapter 5 of Title II of Book I of the Code of Civil Procedure, to enact Code of Civil Procedure Art. 612, and to repeal Code of Civil Procedure Art. 593.1, 596, and 597, relative to class and derivative actions; to provide for procedural requirements for the filing, maintaining, and certification of class actions; to provide for notice to class members; to provide for judgments and other orders relative to class actions; to provide for dismissal or compromise of a class action; to provide for procedures and requirements for filing and maintaining derivative actions; and to provide for related matters.

HOUSE BILL NO. 935—
BY REPRESENTATIVE JOHNS
AN ACT

To enact R.S. 22:229.2, relative to health insurance; to prohibit discrimination against recovered or rehabilitated alcoholics; 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. 26—
BY REPRESENTATIVE RIDDLE
AN ACT

To amend and reenact R.S. 32:410(A)(3)(a)(vii) and (viii) and to enact R.S. 32:410(A)(3)(a)(ix), relative to motor vehicles; to include the parish of residence code number on drivers' licenses; and to provide for related matters.

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

HOUSE BILL NO. 48—
BY REPRESENTATIVES MURRAY, A. ALEXANDER, AND WELCH
AN ACT

To enact R.S. 15:1204(12), relative to the Louisiana Commission on Law Enforcement and Administration of Criminal Justice; to require the commission to develop and implement a state medal of honor program for law enforcement officers killed in the line of

duty; and to provide for related matters.

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

HOUSE BILL NO. 66—
BY REPRESENTATIVE LONG
AN ACT

To amend and reenact R.S. 26:73(G) and 272(G), relative to permits for alcohol beverages; to require the commissioner of alcoholic beverage control and local governing authorities to issue certain permits to restaurants located in designated national historic landmark districts; 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. 90—
BY REPRESENTATIVES DUPRE, DOWNER, AND GAUTREAU
AN ACT

To amend and reenact R.S. 33:7712(A)(3), relative to Consolidated Waterworks District No. 1 of the Parish of Terrebonne; to provide for a reduction in the membership of the board of commissioners of the district; to provide for appointment and terms of the commissioners; to limit the number of terms a commissioner may serve; to provide for the terms of the members serving prior to the reduction in membership; and to provide for related matters.

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

HOUSE BILL NO. 115—
BY REPRESENTATIVE ILES
AN ACT

To amend and reenact R.S. 33:4754(A)(1) and (2), (B)(2), and (E)(1) and (2), relative to dangerous buildings and structures; to authorize the governing authority of Beauregard Parish and any municipality within the parish to take certain actions with respect to such buildings and structures, including imposing fines and demolishing, removing, or securing such buildings and structures and maintaining such property; to provide relative to the powers of specified parishes; and to provide for related matters.

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

HOUSE BILL NO. 163—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 47:463.2(B), relative to personalized license plates for motor vehicles; to provide for eligibility for a personalized license plate; and to provide for related matters.

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

HOUSE BILL NO. 206—
BY REPRESENTATIVES BRUCE, CURTIS, AND HUDSON
AN ACT

To amend and reenact R.S. 32:284(C), relative to riding in the bed of a pickup truck or utility trailer; to increase the age under which persons are prohibited from riding in the open bed of a pickup truck or a utility trailer; and to provide for related matters.

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

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

To authorize the Jefferson Parish Council to rename the "ShrewCoCenter", located in Jefferson Parish, Louisiana, as the "Hazel Rhea Hurst Center".

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

HOUSE BILL NO. 261—
BY REPRESENTATIVE WINSTON AND SENATOR SCHEDLER
AN ACT

To enact Part V-C of Chapter 2 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:726, relative to the city of Covington; to provide with respect to the disposition of certain immovable property by the governing authority of the city; and to provide for related matters.

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

HOUSE BILL NO. 302—
BY REPRESENTATIVE BARTON
AN ACT

To amend and reenact R.S. 13:1899(H), relative to city and municipal courts; to expand the purposes for which costs assessed in criminal matters in the City Court of Bossier City may be expended; and to provide for related matters.

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

HOUSE BILL NO. 329—
BY REPRESENTATIVE PINAC
AN ACT

To enact R.S. 33:423.9, relative to the city of Crowley; to authorize the chief of police of the city of Crowley to appoint, discipline, and discharge police personnel subject to budgetary limitations; and to provide for related matters.

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

HOUSE BILL NO. 363—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 33:4754(A)(1) and (2), (B)(2), and (E)(1) and (2), relative to dangerous buildings and structures; to authorize the governing authority of Vernon Parish and any municipality within the parish to take certain actions with respect to such buildings and structures, including imposing fines and demolishing, removing, or securing such buildings and structures and maintaining such property; to provide relative to the powers of specified parishes; and to provide for related matters.

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

HOUSE BILL NO. 371—
BY REPRESENTATIVE LONG
AN ACT

To enact R.S. 13:2111, relative to the City Court of Natchitoches; to authorize the transfer of surplus funds from the court's civil fee account to the court's general operational fund; and to provide for related matters.

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

HOUSE BILL NO. 405—
BY REPRESENTATIVE KENNEY
AN ACT

To amend and reenact R.S. 33:381.1, relative to the village of Harrisonburg; to authorize the board of aldermen of the village of Harrisonburg to call a special election by a certain date for the purpose of submitting to the qualified electors of the village the question of whether the chief of police should be appointed by the mayor with the approval of the board of aldermen; to provide for the time of the initial appointment; and to provide for related matters.

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

HOUSE BILL NO. 416—
BY REPRESENTATIVES TRAVIS AND MURRAY
AN ACT

To amend and reenact R.S. 6:128(B)(introductory paragraph), 285(C), 420(D), 712(D)(1), and 1187(A) and (B)(5) and to repeal R.S. 6:2(10), relative to regulation of banks and banking; to provide for holidays for financial institutions; to provide for designation of agent for service of process; to provide for reporting of criminal violations; to provide for corporate names; to provide for proxies; and to provide for related matters.

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

HOUSE BILL NO. 471—
BY REPRESENTATIVES GREEN AND MURRAY
AN ACT

To amend and reenact R.S. 9:3527(D), relative to consumer credit transactions; to require a creditor to notify a consumer before converting a precomputed consumer credit transaction into a simple interest transaction; and to provide for related matters.

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

HOUSE BILL NO. 475—
BY REPRESENTATIVE PIERRE
AN ACT

To enact R.S. 11:2260(A)(11)(g), relative to the Firefighters' Retirement System; to provide with respect to membership; to authorize the Firemen's Pension and Relief Fund for the city of Lafayette to merge into the statewide Firefighters' Retirement System; and to provide for related matters.

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

HOUSE BILL NO. 499—
BY REPRESENTATIVE MICHOT
AN ACT

To amend and reenact R.S. 51:1909.1(A) and to enact R.S. 51:1901(8) and 1901.2, relative to commercial co-venturers; to provide a definition; to provide for final accounting for charitable sales promotions; to provide for the promulgation of rules for disclosure of the percentage of funds collected by commercial co-venturers that actually goes to the charitable organization; to provide for violations and penalties; and to provide for related matters.

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

HOUSE BILL NO. 518—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact R.S. 9:2004, relative to seizure of a beneficiary's interest in a trust; to provide that a creditor may seize a beneficiary's interest in income and principal to the extent that a

beneficiary has donated property to the trust, directly or indirectly; and to provide for related matters.

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

HOUSE BILL NO. 519—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact R.S. 9:1895(A), 1973, and 1978, all relative to the Louisiana Trust Code; to provide for a shifting of interest in principal; to provide with respect to the effect of the death of a class member during the term of a class trust; to authorize a shifting of interest in principal if a beneficiary is a descendant of the settlor; and to provide for related matters.

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

HOUSE BILL NO. 541—
BY REPRESENTATIVE MARIONNEAUX
AN ACT

To enact R.S. 33:321.1, relative to municipalities governed by the Lawrason Act; to authorize the board of aldermen in any such municipality to refer to itself as a village, town, or city council, as appropriate, and to the members thereof as council members; to provide for related name changes; and to provide for related matters.

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

HOUSE BILL NO. 552—
BY REPRESENTATIVES TRAVIS AND MURRAY
AN ACT

To amend and reenact R.S. 6:333(A)(2) and R.S. 9:3571(A), to enact R.S. 6:333(A)(10)(g), and to repeal R.S. 9:3571(B) through (E), relative to disclosure of financial records by financial institutions; to expand definitions; to delete certain requirements relative to the dissemination of credit information; and to provide for related matters.

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

HOUSE BILL NO. 587—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact Civil Code Article 3533, relative to conflict of laws as to the succession of immovables situated in this state; to provide when the law of forced heirship does not apply; and to provide for related matters.

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

HOUSE BILL NO. 628—
BY REPRESENTATIVE STELLY
AN ACT

To amend and reenact R.S. 11:2225(A)(2)(a) and (6), relative to the Municipal Police Employees' Retirement System; to provide with respect to the composition of the board of trustees; to further provide for terms of certain members of the board of trustees and the quorum requirements thereof; and to provide for related matters.

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

HOUSE BILL NO. 659—
BY REPRESENTATIVE PINAC
AN ACT

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

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

HOUSE BILL NO. 831—
BY REPRESENTATIVE WELCH
AN ACT

To enact R.S. 47:463.48, relative to motor vehicle registration; to provide for special prestige license plates for Laos War veterans; and to provide for related matters.

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

HOUSE BILL NO. 932—
BY REPRESENTATIVE GREEN
AN ACT

To amend and reenact R.S. 22:2021, relative to health maintenance organizations (HMOs); to require HMOs to approve or disapprove a request for certain medical testing or treatment within forty-eight hours of receipt of the request; and to provide for related matters.

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

HOUSE BILL NO. 935—
BY REPRESENTATIVE JOHNS
AN ACT

To enact R.S. 22:229.2, relative to health insurance; to prohibit discrimination against recovered or rehabilitated alcoholics; 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. 987—
BY REPRESENTATIVES HEBERT AND GREEN
AN ACT

To enact R.S. 46:1073(D), (E), (F), and (G), relative to marketing strategies and strategic plans of hospital service districts; to provide for the continued confidentiality of marketing strategies and strategic plans after such strategy or plan is complete and when it is presented to a state agency or subdivision of the state; to provide that certain records shall not be confidential; 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. 1044—
BY REPRESENTATIVES R. ALEXANDER, DEWITT, AND DURAND
AN ACT

To amend and reenact R.S. 28:200 and 206(A) and (B), relative to community mental health services; to provide for the establishment and administration of a community-based system of care; to provide for a continuum of care for emotionally and behaviorally disturbed children and adults; 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. 1048—

BY REPRESENTATIVES R. ALEXANDER, DEWITT, DURAND, GAUTREAU, JOHNS, RIDDLE, THOMPSON, THORNHILL, AND VITTER AND SENATOR ROBICHAUX

AN ACT

To enact R.S. 36:254(D)(2) and (3), relative to the powers and duties of the secretary of the Department of Health and Hospitals; to provide for powers and duties of the secretary relative to the Medical Assistance Program; and to provide for related matters.

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

HOUSE BILL NO. 1059—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To enact R.S. 22:674, relative to health and accident insurance; to require notice of health insurance payments; to provide that the notice be forwarded to the patient, policyholder, or insured; to provide for sanctions for the failure to comply; 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. 1075—

BY REPRESENTATIVE PIERRE

AN ACT

To amend and reenact R.S. 11:2225(A)(11)(a) and 3501(D)(1), relative to the Municipal Police Employees' Retirement System; to provide with respect to mergers of municipal systems into the Municipal Police Employees' Retirement System and the funding thereof; to reduce the percentage of payment to be made by the municipality in such mergers; and to provide for related matters.

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

HOUSE BILL NO. 1077—

BY REPRESENTATIVES RIDDLE, DEWITT, DURAND, AND JOHNS

AN ACT

To amend and reenact R.S. 40:2013, relative to the Department of Health and Hospitals; to designate the Department of Health and Hospitals as the agency responsible for carrying out the purposes of the Alcohol, Drug Abuse and Mental Health Administration Reorganization Act; 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. 1083—

BY REPRESENTATIVES TRAVIS AND MURRAY

AN ACT

To amend and reenact R.S. 6:124, relative to financial institutions; to provide relative to reports made by financial institutions to the commissioner of financial institutions; and to provide for related matters.

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

HOUSE BILL NO. 1084—

BY REPRESENTATIVES TRAVIS AND MURRAY

AN ACT

To repeal R.S. 9:3566, relative to consumer credit sales; to repeal certain provisions requiring retention of records of consumer credit sales.

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

HOUSE BILL NO. 1428—

BY REPRESENTATIVE SHAW, CURTIS, DOERGE, KENNEY, AND MCDONALD

AN ACT

To enact Chapter 20-A-1 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3041.10 through 3041.15, relative to a tuition payment program for certain medical school students; to provide program guidelines and for program administration, eligibility, applications, and definitions; to provide relative to contracts and cancellation of contracts; to provide for implementation; to provide for the adoption of program rules and regulations; and to provide for related matters.

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

HOUSE BILL NO. 1490—

BY REPRESENTATIVES DEVILLE, DEWITT, AND DURAND

AN ACT

To amend and reenact R.S. 40:1232(A)(3) and (4) and to enact R.S. 40:1232(A)(5) and to enact R.S. 36:259(M), relative to emergency medical services; to provide that the Department of Health and Hospitals shall promulgate rules and regulations to establish a list of medical and safety equipment required to be carried by all ambulances; to establish and provide relative to an advisory committee to be known as the Ambulance Standards Committee; 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. 1493—

BY REPRESENTATIVES SHAW, DEWITT, AND DURAND

AN ACT

To amend and reenact R.S. 28:21, relative to state mental health institutions; to authorize the assistant secretary of the office of mental health of the Department of Health and Hospitals to reorganize and consolidate the administration of state mental health institutions to comply with the State Mental Health Plan; to provide for the authority of the assistant secretary to establish community cottages; 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. 1564—

BY REPRESENTATIVES DOWNER, R. ALEXANDER, BARTON, COPELIN, DEVILLE, DIMOS, DUPRE, FLAVIN, FONTENOT, FORSTER, HUNTER, JOHNS, LANCASTER, LEBLANC, MCCAIN, MCDONALD, McMAINS, MICHOT, PIERRE, SCALISE, JOHN SMITH, STELLY, TRICHE, WALSWORTH, WELCH, WIGGINS, WINDHORST, WINSTON, ANSARDI, BAUDOUIN, BAYLOR, BRUCE, CARTER, CLARKSON, CRANE, DAMICO, DOERGE, DONELON, DURAND, FARVE, FAUCHEUX, FRITH, FRUGE, GUILLORY, HAMMETT, HEBERT, HILL, HOLDEN, JETSON, KENNARD, KENNEY, LANDRIEU, LONG, MARIONNEAUX, MARTINY, MCCALLUM, MITCHELL, MONTGOMERY, MORRELL, ODINET, PERKINS, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, ROUSSELLE, SALTER, SHAW, THOMAS, THOMPSON, THORNHILL, TRAVIS, VITTER, WARNER, WILLARD-LEWIS, AND WRIGHT

AN ACT

To enact R.S. 24:15, relative to the legislature; to create the Broadcast Education Network; to provide for the responsibilities and functions of the legislature and the Louisiana Educational Television Authority in relation thereto; 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. 1573—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 22:1451(A), relative to annual reports by insurers; to require the Department of Insurance to promulgate rules and regulations to require insurers to disclose certain information; to require the disclosure on an annual and rate-

making basis; 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. 1584—
BY REPRESENTATIVES MCDONALD AND DOWNER
AN ACT

To amend and reenact R.S. 17:3092(1) and (2), 3093(D)(1)(f) and (h), 3095(A)(2), (B), (C)(6) and (7), (D), (F), and (G), 3096(B)(2)(a), (D), and (E)(2), 3098(C) and (D), and 3099(A) and (C) and to enact R.S. 17:3091(C) and 3092(10) and R.S. 47:1508(B)(17), relative to the Louisiana Student Tuition Assistance and Revenue Trust Program; to provide legislative intent; to provide program definitions; to provide relative to program administration by the Louisiana Tuition Trust Authority and for powers and duties of the authority; to provide for adoption by the authority of certain rules pursuant to the Administrative Procedure Act; to provide relative to education savings accounts and education assistance accounts; to provide relative to the termination of depositor's agreements; to provide relative to the Louisiana Education and Tuition Savings Fund; to provide for release to the office of student financial assistance of a taxpayer's reported federal adjusted gross income under specified circumstances; and to provide for related matters.

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

HOUSE BILL NO. 1586—
BY REPRESENTATIVES MCDONALD AND DOWNER
AN ACT

To amend and reenact R.S. 17:3026(A)(3)(c)(iii), relative to the Tuition Assistance Plan; to provide relative to ineligibility under certain circumstances; and to provide for related matters.

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

HOUSE BILL NO. 1625—
BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 11:1141(A) and (B), relative to the Louisiana School Employees' Retirement System; to require the filing of applications for regular retirement, disability retirement, and retirement under the Deferred Retirement Option Plan; to authorize the board of trustees to pay disability retirement benefits and payments on behalf of the member into the Deferred Retirement Option Plan Account on the effective date of retirement; and to provide for related matters.

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

HOUSE BILL NO. 1792—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 30:11.1, relative to filing and recording of orders creating drilling or production units by the commissioner of conservation; to provide for the filing of copies of such orders; and to provide for related matters.

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

HOUSE BILL NO. 1822—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 33:2218.4(D) and to enact R.S. 23:1021(10)(e), relative to state supplemental pay; to exclude state supplemental pay from the calculation of average weekly wage for purposes of workers' compensation benefits for municipal police officers; and to provide for related matters.

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

HOUSE BILL NO. 1858—
BY REPRESENTATIVE MURRAY
AN ACT

To enact R.S. 22:2018(E) and R.S. 40:2202(5)(f), relative to health maintenance organizations, managed care entities, and preferred provider organizations; to preclude contract clauses prohibiting a provider from informing a subscriber, enrollee, or prospective enrollee regarding health care services offered by a health maintenance organization, managed care entity, or preferred provider organization; 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. 1932—
BY REPRESENTATIVES MCDONALD, DOWNER, BARTON, BAUDOIN, CRANE, DOERGE, HILL, KENNEY, LONG, POWELL, PRATT, AND SHAW
AND SENATOR EWING
AN ACT

To amend and reenact R.S. 17:3042.1(A)(3) and (4), (B), (C), and (D) and 3042.2(A) and (B) and to enact R.S. 17:3042.1(A)(5), relative to loans for students enrolled in collegiate teacher preparation programs; to provide relative to eligibility requirements including certain test scores and grade point averages; to provide relative to the authority of the commission to make such loans; to remove a provision relative to grade point average requirement exceptions; to provide relative to loan amounts for certain applicants; to remove provisions relative to loans for graduate school students; and to provide for related matters.

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

HOUSE BILL NO. 1984—
BY REPRESENTATIVES MCMAINS, DEWITT, AND VITTER
AN ACT

To amend and reenact the heading of Chapter 5 of Title II of Book I of the Code of Civil Procedure, Code of Civil Procedure Arts. 591, 592, 594, and 611, and the heading of Section 2 of Chapter 5 of Title II of Book I of the Code of Civil Procedure, to enact Code of Civil Procedure Art. 612, and to repeal Code of Civil Procedure Art. 593.1, 596, and 597, relative to class and derivative actions; to provide for procedural requirements for the filing, maintaining, and certification of class actions; to provide for notice to class members; to provide for judgments and other orders relative to class actions; to provide for dismissal or compromise of a class action; to provide for procedures and requirements for filing and maintaining derivative actions; and to provide for related matters.

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

HOUSE BILL NO. 1987—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To amend and reenact R.S. 56:326(A)(introductory paragraph), relative to fishing; to provide relative to size and possession limits for commercial fish; to delete references to certain repealed sections of law; and to provide for related matters.

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

HOUSE BILL NO. 2099—
BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 23:1201.4, relative to workers' compensation; to provide that an inmate injured in an accident during a work release program in which he is paid at least minimum wage does not forfeit his right to medical benefits; and

to provide for related matters.

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

HOUSE BILL NO. 2113—

BY REPRESENTATIVE DIMOS

AN ACT

To amend and reenact R.S. 22:215.1, 215.2, 215.3, 215.4, 215.8(introductory paragraph), 215.10(A), 215.14(A) and (C), 227, 230.1(A) and (C), 2002(2), and 2016(A) and to enact R.S. 22:2016(F) and (G), relative to health maintenance organizations; to require health maintenance organizations to offer mandated health benefits options; to require health maintenance organizations to provide coverage for mandated health benefits; 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. 2149—

BY REPRESENTATIVES MCDONALD AND DOWNER

AN ACT

To enact R.S. 17:3042.32(D), relative to the Louisiana Honors Scholarship Program; to provide for the application of scholarships awarded pursuant to such program and to the combination of such scholarships with disbursements from the Louisiana Student Tuition Assistance and Revenue Trust Program account; to provide for the expenditure of any remaining balance of a scholarship award; and to provide for related matters.

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

HOUSE BILL NO. 2154—

BY REPRESENTATIVES MCDONALD AND DOWNER

AN ACT

To enact R.S. 17:3026(J), relative to the Tuition Assistance Plan; to provide relative to the application of grants awarded pursuant to such plan and the combination of such grants with disbursements from the Louisiana Student Tuition Assistance and Revenue Trust Program account; to provide for the expenditure of any remaining balance of a grant award; and to provide for related matters.

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

HOUSE BILL NO. 2211—

BY REPRESENTATIVE JACK SMITH

AN ACT

To enact R.S. 23:1036, relative to workers' compensation; to provide benefits for volunteer firefighters; to provide for the amount of benefits; to provide for definitions; to provide for termination of benefits; to provide for offsets; to provide for defenses; and to provide for related matters.

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

HOUSE BILL NO. 2238—

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact R.S. 17:3351(A)(5), relative to tuition at public institutions of higher education; to provide for the powers, duties, and responsibilities of public higher education management boards; to provide relative to determining certain tuition amounts and increasing such amounts; to provide guidelines and limitations; and to provide for related matters.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

AGRICULTURE

Senator Cain, Chairman on behalf of the Committee on Agriculture, submitted the following report:

April 22, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 1458—

BY SENATORS THEUNISSEN, BAGNERIS, BAJOIE, BARHAM, BEAN, BRANCH, CAIN, COX, CRAVINS, DYESS, ELLINGTON, EWING, GUIDRY, HINES, JONES, LAMBERT, ROMERO, SIRACUSA, SMITH AND TARVER AND REPRESENTATIVES R. ALEXANDER, BARTON, BAUDOIN, BRUCE, CARTER, COPELIN, CURTIS, DAMICO, DANIEL, DIEZ, DOERGE, DUPRE, DURAND, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREAU, HAMMETT, HEATON, HEBERT, HILL, HOPKINS, HUDSON, HUNTER, JETSON, KENNARD, KENNEY, LEBLANC, LONG, MARIONNEAU, McCALLUM, MCDONALD, MICHOT, MONTGOMERY, MURRAY, ODINET, PIERRE, PINAC, POWELL, PRATT, RIDDLE, ROUSSELLE, SALTER, JACK SMITH, JOHN SMITH, STRAIN, THOMAS, THOMPSON, WALSWORTH, WARNER, WELCH, AND WRIGHT

AN ACT

To amend and reenact R.S. 3:3221(A), relative to registration of pesticides; to provide for annual registration fee; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
JAMES DAVID CAIN
Chairman

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

Senator Cain 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. 1458—

BY SENATORS THEUNISSEN, BAGNERIS, BAJOIE, BARHAM, BEAN, BRANCH, CAIN, COX, CRAVINS, DYESS, ELLINGTON, EWING, GUIDRY, HINES, JONES, LAMBERT, ROMERO, SIRACUSA, SMITH AND TARVER AND REPRESENTATIVES R. ALEXANDER, BARTON, BAUDOIN, BRUCE, CARTER, COPELIN, CURTIS, DAMICO, DANIEL, DIEZ, DOERGE, DUPRE, DURAND, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREAU, HAMMETT, HEATON, HEBERT, HILL, HOPKINS, HUDSON, HUNTER, JETSON, KENNARD, KENNEY, LEBLANC, LONG, MARIONNEAU, McCALLUM, MCDONALD, MICHOT, MONTGOMERY, MURRAY, ODINET, PIERRE, PINAC, POWELL, PRATT, RIDDLE, ROUSSELLE, SALTER, JACK SMITH, JOHN SMITH, STRAIN, THOMAS, THOMPSON, WALSWORTH, WARNER, WELCH, AND WRIGHT

AN ACT

To amend and reenact R.S. 3:3221(A), relative to registration of pesticides; to provide for annual registration fee; and to provide for related matters.

Reported with amendments by the Committee on Agriculture.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture to Original Senate Bill No. 1458 by Senator Theunissen

AMENDMENT NO. 1

On page 2, line 1 between "1998" and "After" insert a period "."

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

Rules Suspended to Recommit

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of recommitting Senate Bill No. 453 which was on third reading and final passage to the Committee on Finance.

Rules Suspended to Recommit

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of recommitting Senate Bill No. 333 which was on third reading and final passage to the Committee on Finance.

Reconsideration

On motion of Senator Short, pursuant to the previous notice given, the vote by which the following bill failed to pass on April 21, 1997 was reconsidered.

SENATE BILL NO. 37—
BY SENATOR SHORT

A JOINT RESOLUTION

Proposing to amend Article I, Section 3 and to add Article XII, Section 15 of the Constitution of Louisiana; to prohibit marriage between persons of the same sex; to provide for the effect of a same sex marriage performed in another state, territory, or possession of the United States or by an Indian tribe; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

Special Order of the Day

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

HOUSE BILL NO. 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, GAUTREAUX, 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.

Floor Amendments Sent Up

Senator Ellington sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Reengrossed House Bill No. 491 by Representative Forster

AMENDMENT NO. 1

On page 48, line 25, change "11, and 12" to "11, 12, and 13"

AMENDMENT NO. 2

On page 49, between lines 8 and 9, insert:

"Section 13. The governor shall appoint the principals to the Occupational Forecasting Conference, as provided in R.S. 23:76(C)(1)(c) through (e) by December 1, 1997. The principals shall hold their first meeting no later than forty-five days after the appointment of the third member appointed by the governor, at which meeting they shall select the remaining two principals, as provided in R.S. 23:76(C)(1)(f)."

AMENDMENT NO. 3

In Amendment No. 11 proposed by the Senate Committee on Labor and Industrial Relations on April 17, 1997 and adopted by the Senate on April 17, 1997 on line 11, change "13" to "14"

On motion of Senator Ellington, the amendments were adopted.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Reengrossed House Bill No. 491 by Representative Forster, et al.

AMENDMENT NO. 1

On page 10, between lines 2 and 3, insert the following:

"(g) All appointed members of the conference shall be subject to Senate confirmation."

AMENDMENT NO. 2

On page 16, between lines 21 and 22, insert the following:

"D. Each commission appointee shall be subject to Senate confirmation."

On motion of Senator Landry, the amendments were adopted.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Landry and Cravins to Reengrossed House Bill No. 491 by Representative Forster, et al.

AMENDMENT NO. 1

On page 32, line 4, after "head" delete the remainder of the line and delete lines 5 and 6 in their entirety and at the beginning of line 7, delete "with this Subsection"

On motion of Senator Landry, the amendments were adopted.

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

Total—39

NAYS

Total—0

ABSENT

Total—0

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.

Special Order of the Day

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

SENATE BILL NO. 1272—

BY SENATORS DARDENNE, EWING, HAINKEL, BARHAM AND ELLINGTON AND REPRESENTATIVES DOWNER AND DEWITT
AN ACT

To amend and reenact R.S. 17:3126(B), 3128(A) and (B)(1) and (2), 3129(B) and (D)(3), 3130, 3131, 3132, 3134(A) and (C)(1)(d), 3302(A), 3303, the introductory paragraph of R.S. 17:3351(A) and 3351(A)(3) and (11), to enact R.S. 17:3121(E), 3134(C)(1)(e), and Part XI of Chapter 26 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3399.5, relative to the

powers and duties of the Board of Regents; to provide relative to the responsibility of the Board of Regents for representing public higher education; to provide relative to the requirements for a college or university to institute certain new programs; to provide relative to the formulation and revision of a master plan for higher education, including institutional mission statements and a recommended formula for funding higher education institutions; to provide relative to constitutionally reserved management powers; to provide relative to a higher education accountability process; to provide relative to a process for allocating funding among higher education institutions; to provide relative to the selection of and conditions of holding office of the university system presidents; to provide relative to the selection of and conditions of holding office of the heads of colleges and universities; to provide relative to the general powers of the management boards of the colleges and universities; to provide relative to gubernatorial appointment of higher education board members; to provide relative to the establishment and operation of certain standing committees on all four higher education boards; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 1272 by Senator Dardenne

AMENDMENT NO. 1

On page 9, line 12, between "boards;" and "functions", insert "cross membership;"

AMENDMENT NO. 2

On page 9, between lines 25 and 26, insert the following:

"C.(1) Each standing committee of the Board of Regents listed in Subsection A of this Section shall include as a member, a member of each of the higher education management boards as designated by each board. If the management board member on any regents committee is unable to attend any meeting, an alternate management board member previously designated by that board may attend and vote on his behalf.

(2) In determining the number of members necessary to have a quorum as well as in determining whether or not a quorum exists, all higher education management board members who are serving on a standing committee of the Board of Regents shall be counted by such committee.

(3) All higher education management board members who are serving on a standing committee of the Board of Regents shall have, as such a committee member, all the same rights and privileges as any other member of the committee, including the right to vote."

Senator Dardenne moved adoption of the amendments.

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-----------|
| Mr. President | Dyess | Lambert |
| Bagneris | Ellington | Robichaux |
| Bajoie | Guidry | Romero |

April 22, 1997

| | | |
|----------|-----------|------------|
| Barham | Hainkel | Schedler |
| Bean | Heitmeier | Siracusa |
| Branch | Hines | Smith |
| Cain | Hollis | Tarver |
| Casanova | Irons | Theunissen |
| Cravins | Johnson | Ullo |
| Dardenne | Jones | |
| Dean | Jordan | |

Total—31

NAYS

| | | |
|----------|---------|--------|
| Campbell | Greene | Malone |
| Cox | Landry | Short |
| Fields | Lentini | |

Total—8

ABSENT

Total—0

The Chair declared the amendments were adopted.

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. 1272 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 3, after "(C)(1)(d)," delete the remainder of the line

AMENDMENT NO. 2

On page 2, delete lines 1 through 4 and insert "higher education institutions; to provide relative to the general"

AMENDMENT NO. 3

On page 8, delete lines 2 through 27 and on page 9, delete lines 1 through 5

AMENDMENT NO. 4

On page 9, line 6, change "Section 3" to "Section 2"

Senator Cain moved adoption of the amendments.

Senator Hines objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|----------|-----------|-----------|
| Bagneris | Guidry | Landry |
| Bajoie | Heitmeier | Lentini |
| Cain | Irons | Robichaux |
| Cox | Johnson | Romero |
| Cravins | Jones | Short |
| Fields | Lambert | Tarver |

Total—18

NAYS

| | | |
|---------------|-----------|------------|
| Mr. President | Dean | Jordan |
| Barham | Dyess | Malone |
| Bean | Ellington | Schedler |
| Branch | Greene | Siracusa |
| Campbell | Hainkel | Smith |
| Casanova | Hines | Theunissen |
| Dardenne | Hollis | Ullo |

Total—21

ABSENT

Total—0

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Engrossed Senate Bill No. 1272 by Senator Dardenne

AMENDMENT NO. 1

On page 9, between lines 25 and 26 insert the following:

"Section 4. The state of Louisiana and the four boards currently governing public higher education in Louisiana shall comply with the provisions of the settlement agreement in Civil Action No. 80-3300, United States of America vs. State of Louisiana. Each of the three management boards, the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, the Board of Supervisors of Southern University and Agricultural and Mechanical College, and the Board of Trustees of State Colleges and Universities, shall be responsible for compliance by each institution within its system. In the performance of its responsibilities under Louisiana law, the Regents shall ensure compliance with the settlement agreement in accordance with sound educational and fiscal policies ensuring equal educational opportunities."

AMENDMENT NO. 2

On page 9, after "Section" change "4" to "5"

On motion of Senator Jones, the amendments were adopted.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 1272 by Senator Dardenne

AMENDMENT NO. 1

On page 4, line 24, after "improvements." delete the remainder of the line and delete lines 25 through 27 in their entirety

Senator Landry moved adoption of the amendments.

Senator Jordan objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|----------|-----------|-----------|
| Bagneris | Cravins | Johnson |
| Bajoie | Fields | Jones |
| Bean | Guidry | Lambert |
| Cain | Heitmeier | Landry |
| Casanova | Hines | Lentini |
| Cox | Irons | Robichaux |

Total—18

NAYS

| | | |
|---------------|-----------|------------|
| Mr. President | Ellington | Schedler |
| Barham | Greene | Short |
| Branch | Hainkel | Smith |
| Campbell | Hollis | Tarver |
| Dardenne | Jordan | Theunissen |
| Dean | Malone | Ullo |
| Dyess | Romero | |
| Total—20 | | |

ABSENT

Syracusa
Total—1

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator Johnson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Johnson to Engrossed Senate Bill No. 1272 by Senator Dardenne

AMENDMENT NO. 1
On page 1, line 3, after "3302(A)," delete the remainder of the line

AMENDMENT NO. 2
On page 2, delete lines 3 and 4 and insert "provide relative to the general"

AMENDMENT NO. 3
On page 8, line 2, change "and 3303 are" to "is"

AMENDMENT NO. 4
On page 8, delete lines 18 through 27 and on page 9, delete lines 1 through 5

Senator Johnson moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|----------|-----------|-----------|
| Bagneris | Fields | Jones |
| Bajoie | Guidry | Lambert |
| Cain | Heitmeier | Landry |
| Cox | Irons | Robichaux |
| Cravins | Johnson | Tarver |
| Total—15 | | |

NAYS

| | | |
|---------------|-----------|------------|
| Mr. President | Dyess | Malone |
| Barham | Ellington | Romero |
| Bean | Greene | Schedler |
| Branch | Hainkel | Short |
| Campbell | Hines | Syracusa |
| Casanova | Hollis | Smith |
| Dardenne | Jordan | Theunissen |
| Dean | Lentini | Ullo |
| Total—24 | | |

ABSENT

Total—0

The Chair declared the amendments were rejected.

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. 1272 by Senator Dardenne

AMENDMENT NO. 1
On page 5, line 20, after "shall be" insert "promulgated and issued to and"

On motion of Senator Landry, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|------------|
| Mr. President | Dyess | Lentini |
| Bagneris | Ellington | Schedler |
| Barham | Hainkel | Short |
| Bean | Heitmeier | Syracusa |
| Branch | Hines | Smith |
| Casanova | Hollis | Tarver |
| Dardenne | Johnson | Theunissen |
| Dean | Jordan | Ullo |
| Total—24 | | |

NAYS

| | | |
|----------|--------|-----------|
| Bajoie | Fields | Lambert |
| Cain | Greene | Landry |
| Campbell | Guidry | Malone |
| Cox | Irons | Robichaux |
| Cravins | Jones | Romero |
| Total—15 | | |

ABSENT

Total—0

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.

Senate Resolutions on Second Reading, Subject to Call

The following Senate Resolutions, subject to call, were read and acted upon as follows:

Called from the Calendar

Senator Lentini asked that Senate Resolution No. 3 be called from the Calendar at this time.

SENATE RESOLUTION NO. 3—
BY SENATOR LENTINI

A RESOLUTION

To amend and readopt Senate Rules No. 6.8 and to adopt Senate Rule 11.6.1 of the Rules of Order of the Senate of the Legislature of Louisiana, to provide for a motion to limit debate while a speaker has the floor.

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

April 22, 1997

**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. 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 by the Committee on Retirement.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

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

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

**Senate Bills and Joint Resolutions on
Third Reading
and Final Passage**

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

**SENATE BILL NO. 1162—
BY SENATOR DARDENNE
AN ACT**

To enact R.S. 30:2153(1)(b)(iv), relative to the definition of solid waste; to exclude from the definition of solid waste automotive fluff from automobile shredding; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

| | | |
|---------|-------|--------|
| Greene | Hines | Jordan |
| Total—3 | | |

The Chair declared the 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.

**SENATE BILL NO. 1264—
BY SENATOR LANDRY
AN ACT**

To enact Chapter 19-B of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:3151 through 3153, relative to the sale of animals; to provide for definitions; to provide for requirements relating to sale; to provide for a right of action; to provide for damages; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|----------|-----------|------------|
| Bagneris | Ellington | Romero |
| Bajoie | Fields | Schedler |
| Barham | Guidry | Short |
| Bean | Heitmeier | Siracusa |
| Branch | Irons | Smith |
| Cain | Johnson | Tarver |
| Campbell | Jones | Theunissen |
| Cox | Lambert | Ullo |
| Cravins | Landry | |
| Dyess | Lentini | |
| Total—28 | | |

NAYS

| | | |
|----------|---------|--------|
| Casanova | Hainkel | Jordan |
| Dardenne | Hines | Malone |
| Dean | Hollis | |
| Total—8 | | |

ABSENT

| | | |
|---------------|--------|-----------|
| Mr. President | Greene | Robichaux |
| Total—3 | | |

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

SENATE BILL NO. 1276—
BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT
AN ACT

To amend and reenact R.S. 30:2351.1(1), (2), (4)(a), (5), (12), (14), (16), (17), (18), (19), (21), (22), and (23), 2351.2, 2351.3(A) and (B), 2351.4(A), (B)(1)(introductory paragraph), (a) and (b), 2351.5(A), (B)(3), and (C), 2351.6(A), (C), (D)(introductory paragraph), (D)(2), (3), and (4), (E), and (G), 2351.7, 2351.9, 2351.10(B)(2), 2351.11, 2351.12, 2351.21, 2351.23, 2351.25(A) and (B), 2351.26(A), 2351.27(A), 2351.28, 2351.29, 2351.51(B) and (D), 2351.56, 2351.57, to enact R.S. 30:2351.1(24), and to repeal R.S. 30:2351.4(B)(3) and (5), 2351.25(D) and (E), 2351.27(C), 2351.52, and 2351.54(B), relative to lead-based paint activities; to provide for certification and licensing requirements and standards; to provide for categories; to provide for the authority of the secretary of the Department of Environmental Quality; to provide for regulations; to provide for training courses; to provide for the applicability of the law; to provide for notifications; to provide for enforcement and appeals; to provide for medical surveillance; to provide for federal consistency; 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. 1306—
BY SENATOR COX
AN ACT

To amend and reenact Children's Code Article 857(A), relative to transfers for criminal prosecution; to provide for transfer of criminal prosecution of forcible rape when the rape is committed upon a child at least two years younger than the rapist; and to provide for related matters.

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. 1306 by Senator Cox

AMENDMENT NO. 1

On page 2, delete lines 13 through 16 in their entirety and insert three asterisks "*" * *"

On motion of Senator Bagneris, the amendments were adopted.

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. 1306 by Senator Cox

AMENDMENT NO. 1

On page 1, line 4, after "forcible rape" delete the remainder of the line and on line 5, delete "younger than the rapist"

AMENDMENT NO. 2

On page 2, line 10, after "forcible rape" delete the remainder of the line and delete line 11 and insert a period "."

Senator Jordan moved adoption of the amendments.

Senator Cox objected.

ROLL CALL

The roll was called with the following result:

Table with columns for YEAS and NAYS, listing names of senators and their counts for each bill.

The Chair declared the amendments were rejected.

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:

Table with columns for YEAS and NAYS, listing names of senators and their counts for the amended bill.

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.

April 22, 1997

SENATE BILL NO. 1362—
BY SENATOR COX

AN ACT

To amend and reenact R.S. 15:542(A) and the introductory paragraph of 542(B), relative to registration of sex offenders; to require certain juvenile sex offenders to register with law enforcement authorities; 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. 1362 by Senator Cox

AMENDMENT NO. 1

On page 2, line 7, before "crime" insert "the"

On motion of Senator Bagneris, 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 | Ellington | Landry |
| Bagneris | Fields | Lentini |
| Bajoie | Greene | Malone |
| Barham | Guidry | Robichaux |
| Bean | Hainkel | Romero |
| Branch | Heitmeier | Schedler |
| Cain | Hines | Short |
| Campbell | Hollis | Siracusa |
| Casanova | Irons | Smith |
| Cox | Johnson | Tarver |
| Cravins | Jones | Theunissen |
| Dardenne | Jordan | Ullo |
| Dean | Lambert | |
| Total—38 | | |

NAYS

Total—0

ABSENT

Dyess
Total—1

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.

Motion to Make Special Order

Senator Casanova asked for a suspension of the rules for the purpose of making Senate Bill No. 1200, which is on Third Reading and Final Passage, Special Order of the Day No. 2 on Wednesday, April 23, 1997 immediately following the Morning Hour.

Senator Hollis objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|----------|-----------|------------|
| Barham | Greene | Robichaux |
| Bean | Hainkel | Romero |
| Branch | Heitmeier | Schedler |
| Cain | Hines | Short |
| Campbell | Jordan | Siracusa |
| Casanova | Lambert | Smith |
| Dardenne | Landry | Theunissen |
| Dean | Malone | Ullo |
| Total—24 | | |

NAYS

| | | |
|----------|--------|---------|
| Bagneris | Fields | Johnson |
| Bajoie | Guidry | Jones |
| Cox | Hollis | Lentini |
| Cravins | Irons | Tarver |
| Total—12 | | |

ABSENT

| | | |
|---------------|-------|-----------|
| Mr. President | Dyess | Ellington |
| Total—3 | | |

The Chair declared the rules were suspended.

Motion

Senator Hollis moved that the Senate adjourn until 1:30 P.M. on Wednesday, April 23, 1997.

Senator Cain objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|----------|---------|---------|
| Bagneris | Cox | Lentini |
| Bajoie | Hollis | Malone |
| Bean | Johnson | |
| Total—8 | | |

NAYS

| | | |
|---------------|-----------|------------|
| Mr. President | Guidry | Romero |
| Barham | Hainkel | Schedler |
| Branch | Heitmeier | Short |
| Cain | Hines | Siracusa |
| Campbell | Irons | Smith |
| Casanova | Jones | Tarver |
| Cravins | Jordan | Theunissen |
| Dardenne | Lambert | Ullo |
| Dean | Landry | |
| Greene | Robichaux | |
| Total—28 | | |

ABSENT

| | | |
|---------|-----------|--------|
| Dyess | Ellington | Fields |
| Total—3 | | |

The Chair declared the Senate refused to adjourn.

Motion

Senator Casanova moved that Senate Bill No. 1200 be made Special Order of the Day 2 on Wednesday, April 23, 1997 immediately

following the Morning Hour.

Motion

Senator Johnson moved as a substitute motion that the bill be made Special Order No.1 on Tuesday, April 29, 1997.

Senator Landry objected.

ROLL CALL

The roll was called on the substitute motion with the following result:

YEAS

| | | |
|----------|-----------|---------|
| Bagneris | Fields | Johnson |
| Bajoie | Heitmeier | Jones |
| Bean | Hines | Landry |
| Branch | Hollis | Malone |
| Cravins | Irons | Tarver |
| Total—15 | | |

NAYS

| | | |
|-----------|-----------|------------|
| Barham | Greene | Schedler |
| Cain | Hainkel | Short |
| Campbell | Jordan | Siracusa |
| Casanova | Lambert | Smith |
| Dardenne | Lentini | Theunissen |
| Dean | Robichaux | Ullo |
| Ellington | Romero | |
| Total—20 | | |

ABSENT

| | |
|---------------|--------|
| Mr. President | Dyess |
| Cox | Guidry |
| Total—4 | |

The Chair declared the motion failed to pass.

Motion

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

Senator Johnson objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|----------|-----------|------------|
| Bagneris | Dean | Romero |
| Barham | Ellington | Schedler |
| Branch | Fields | Short |
| Cain | Greene | Siracusa |
| Campbell | Hainkel | Smith |
| Casanova | Jones | Theunissen |
| Cravins | Malone | |
| Dardenne | Robichaux | |
| Total—22 | | |

NAYS

| | | |
|-----------|---------|---------|
| Bajoie | Hollis | Lambert |
| Bean | Irons | Landry |
| Heitmeier | Johnson | Lentini |
| Hines | Jordan | Ullo |
| Total—12 | | |

ABSENT

| | | |
|---------------|--------|--------|
| Mr. President | Dyess | Tarver |
| Cox | Guidry | |
| Total—5 | | |

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

Senator Casanova moved that Senate Bill No. 1200 be made Special Order of the Day No. 2 on Wednesday, April 23, 1997 immediately following the Morning Hour.

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|-----------|-----------|------------|
| Bajoie | Greene | Romero |
| Barham | Hainkel | Schedler |
| Branch | Heitmeier | Short |
| Cain | Irons | Siracusa |
| Campbell | Jones | Smith |
| Casanova | Jordan | Tarver |
| Cravins | Lambert | Theunissen |
| Dardenne | Lentini | Ullo |
| Dean | Malone | |
| Ellington | Robichaux | |
| Total—28 | | |

NAYS

| | | |
|----------|---------|--------|
| Bagneris | Hines | Landry |
| Bean | Hollis | |
| Fields | Johnson | |
| Total—7 | | |

ABSENT

| | |
|---------------|--------|
| Mr. President | Dyess |
| Cox | Guidry |
| Total—4 | |

The Chair declared the Senate Bill No. 1200 was made Special Order of the Day No.2 on Wednesday, April 23, 1997.

Motion to Make Special Order

Senator Heitmeier asked for a suspension of the rules for the purpose of making Senate Bill No. 28, which is on Third Reading and Final Passage Subject to Call, Special Order of the Day No. 1 on Monday, April 28, 1997 immediately following the Morning Hour.

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|----------|-----------|------------|
| Bajoie | Fields | Malone |
| Barham | Greene | Robichaux |
| Bean | Hainkel | Romero |
| Branch | Heitmeier | Schedler |
| Cain | Hines | Short |
| Campbell | Hollis | Siracusa |
| Casanova | Irons | Smith |
| Cox | Johnson | Tarver |
| Cravins | Jones | Theunissen |
| Dardenne | Jordan | Ullo |

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Dean
Ellington
Total—34

Lambert
Lentini

NAYS

Landry
Total—1

ABSENT

Mr. President
Bagneris
Total—4

Dyess
Guidry

The Chair declared the rules were suspended.

Motion

Senator Heitmeier moved that Senate Bill No. 28 be made Special Order of the Day 1 on Monday, April 28, 1997 immediately following the Morning Hour.

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie
Barham
Bean
Branch
Cain
Campbell
Casanova
Cravins
Dardenne
Dean
Ellington
Total—31

Fields
Greene
Hainkel
Heitmeier
Hines
Hollis
Irons
Johnson
Jones
Jordan
Lentini

Malone
Romero
Schedler
Short
Siracusa
Smith
Tarver
Theunissen
Ullo

NAYS

Landry
Total—2

Robichaux

ABSENT

Mr. President
Bagneris
Total—6

Cox
Dyess
Guidry
Lambert

The Chair declared Senate Bill No. 28 was made Special Order of the Day No. 1 on Monday, April 28, 1997.

Motion to Make Special Order

Senator Irons asked for a suspension of the rules for the purpose of making Senate Bill No. 1292, which is on Third Reading and Final Passage, Special Order of the Day No. 3 on Wednesday, April 23, 1997 immediately following the Morning Hour.

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie
Barham
Bean
Branch
Cain
Campbell
Casanova
Cox
Cravins
Dardenne
Dean
Total—31

Ellington
Fields
Hainkel
Heitmeier
Hines
Hollis
Irons
Johnson
Jones
Lentini
Malone

Robichaux
Romero
Schedler
Short
Siracusa
Smith
Tarver
Theunissen
Ullo

NAYS

Landry
Total—1

ABSENT

Mr. President
Bagneris
Dyess
Total—7

Greene
Guidry
Jordan
Lambert

The Chair declared the rules were suspended.

Motion

Senator Irons moved that Senate Bill No. 1292 be made Special Order of the Day 3 on Wednesday, April 23, 1997 immediately following the Morning Hour.

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bagneris
Bajoie
Barham
Bean
Cain
Campbell
Casanova
Cox
Cravins
Dardenne
Dean
Total—31

Ellington
Fields
Greene
Heitmeier
Hines
Hollis
Irons
Johnson
Jones
Jordan
Lentini

Malone
Robichaux
Romero
Schedler
Short
Siracusa
Smith
Tarver
Theunissen

NAYS

Landry
Total—1

ABSENT

Mr. President
Branch
Dyess
Total—7

Guidry
Hainkel
Lambert
Ullo

The Chair declared Senate Bill 1292 was made Special Order of the Day No. 3 on Wednesday, April 23, 1997.

Motion

Senator Greene moved to suspend the rules to advance to the order of Senate Bills on Third Reading and Final Passage, to take up Senate Bill No. 345 out of its regular order.

Without objection, so ordered.

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 Greene asked that Senate Bill No. 345 be called from the Calendar at this time.

SENATE BILL NO. 345—
BY SENATOR GREENE

AN ACT

To enact R.S. 30:2154(E) and (F) and R.S. 30:2158(C), relative to solid waste management; to provide for issuance, non-issuance, or imposition of permitting conditions for solid waste disposal facilities; to authorize establishment of regional solid waste management districts; to provide for participation of parishes, areas of parishes, or municipalities in such districts; and to provide for related matters.

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

Motion to Make Special Order

Senator Jordan asked for a suspension of the rules for the purpose of making House Bill No. 1162, which is Special Order of the Day No. 1 on Wednesday, April 23, 1997, Special Order of the Day No. 1 on Wednesday April 30, 1997.

Senator Hines objected.

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|----------|---------|---------|
| Bajoie | Cravins | Johnson |
| Casanova | Fields | Jordan |
| Total—6 | | |

NAYS

| | | |
|-----------|-----------|-----------|
| Barham | Hainkel | Robichaux |
| Bean | Heitmeier | Romero |
| Branch | Hines | Schedler |
| Cain | Hollis | Short |
| Campbell | Irons | Smith |
| Dardenne | Jones | Theuissen |
| Dean | Landry | Ullo |
| Ellington | Lentini | |
| Greene | Malone | |
| Total—25 | | |

ABSENT

| | | |
|---------------|--------|----------|
| Mr. President | Dyess | Siracusa |
| Bagneris | Guidry | Tarver |

| | |
|---------|---------|
| Cox | Lambert |
| Total—8 | |

The Chair declared the Senate refused to suspend the rules.

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. 1464—
BY SENATOR LAMBERT

AN ACT

To enact Part IV of Chapter 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 56:1949 and 1950, relative to historic roads; to designate Old Perkins Road as an historic road; and to provide for related matters.

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

SENATE BILL NO. 1465—
BY SENATOR CAIN AND REPRESENTATIVES JOHN, SMITH AND ILES

AN ACT

To designate that portion of Louisiana Highway 171 within the town of Rosepine in Vernon Parish as the Johnny B. Hall Memorial Highway.

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

SENATE BILL NO. 1466—
BY SENATOR ROMERO

AN ACT

To enact R. S. 45:816(9) and Chapter 8-E of Title 45 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 45:841 through 845, relative to telephone calls; to provide for calls placed to inform the public of an emergency; to define terms; to provide for emergency alert services; to provide for listed and unlisted telephone numbers; to authorize the use of automatic dialing and announcing devices; and to provide for related matters.

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

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. 17—
BY SENATOR CRAVINS

A RESOLUTION

To urge and request the office of motor vehicles within the Department of Transportation and Development to place portable weigh scales on the portion of Louisiana Highway 94 between the cities of Breaux Bridge and Lafayette.

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

SENATE CONCURRENT RESOLUTION NO. 80— BY SENATOR JONES

A CONCURRENT RESOLUTION

To authorize the governor, on behalf of the state, to enter into one or more cooperative endeavor agreements with the states of Arkansas and Mississippi for the purpose of enhancing or maintaining the economic well-being of the tri-state delta region.

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

SENATE CONCURRENT RESOLUTION NO. 81— BY SENATOR ROMERO

A CONCURRENT RESOLUTION

To commend the staff and students of Iberia Middle School on their efforts in proposing, promoting and celebrating Peace Week.

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

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, Cox, Dardenne, Dean, Total—32; Ellington, Fields, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Jones, Jordan, Landry; Lentini, Malone, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns of names: Casanova, Cravins, Dyess, Total—7; Guidry, Johnson, Lambert; Robichaux.

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

Messages from the House

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

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

April 22, 1997

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally concurred in the following Senate Concurrent Resolutions:

SENATE CONCURRENT RESOLUTION NO. 41— BY SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To designate September as "American Alligator Resource Month".

Reported without amendments.

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

April 22, 1997

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 128— BY REPRESENTATIVE KENNARD

A CONCURRENT RESOLUTION

To urge and request the Louisiana Wildlife and Fisheries Commission and the Department of Wildlife and Fisheries to allow senior citizens to use the limited access roads and all-terrain vehicle (ATV) trails on wildlife management areas that have been designated as "handicapped only" trails.

HOUSE CONCURRENT RESOLUTION NO. 126— BY REPRESENTATIVE WILKERSON

A CONCURRENT RESOLUTION

To commend the New York Yankees organization and its owner, George Steinbrenner, for the team's recent visit to Grambling State University and for playing the Grambling Tiger baseball team in an exhibition baseball game honoring football coach, Eddie Robinson.

HOUSE CONCURRENT RESOLUTION NO. 125— BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To commend the Supreme Court of Louisiana for establishing and implementing the Judicial Ride-Along Program, and to commend all of the judges for their efforts to improve communication and collaboration between judges and legislators by participating in this program, as well as for their success at increasing the awareness of legislators of the role, responsibilities, and operations of the Louisiana Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 123— BY REPRESENTATIVE ALARIO

A CONCURRENT RESOLUTION

To commend Mr. Lester Kabacoff, a longtime resident of New Orleans, for a lifetime of contributions to the development and vitality of the city of New Orleans and the metropolitan area and to congratulate him on receiving the Times-Picayune Loving Cup for 1996.

HOUSE CONCURRENT RESOLUTION NO. 122— BY REPRESENTATIVE WILLARD-LEWIS

A CONCURRENT RESOLUTION

To commend Columbia/HCA Healthcare Corporation for its outstanding efforts and services provided for Louisiana residents and for promoting Louisiana Good Government Day by hosting a reception celebrating Louisiana Good Government Day in Baton Rouge honoring Louisiana state legislators.

HOUSE CONCURRENT RESOLUTION NO. 132—
 BY REPRESENTATIVES POWELL, FONTENOT, KENNARD, MCMAINS,
 PERKINS, AND TRAVIS

A CONCURRENT RESOLUTION

To commend and congratulate the Albany High School Lady Hornets on their winning the 1997 state championship for Class 3A girls basketball.

HOUSE CONCURRENT RESOLUTION NO. 133—
 BY REPRESENTATIVE WELCH

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Carl Stewart, the legendary basketball coach of Southern University, and to record the tribute of the legislature for this remarkable man who has left a significant legacy to the state in the young people he guided and inspired.

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 which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 122—
 BY REPRESENTATIVE WILLARD-LEWIS

A CONCURRENT RESOLUTION

To commend Columbia/HCA Healthcare Corporation for its outstanding efforts and services provided for Louisiana residents and for promoting Louisiana Good Government Day by hosting a reception celebrating Louisiana Good Government Day in Baton Rouge honoring Louisiana state legislators.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|------------|
| Mr. President | Greene | Malone |
| Bajoie | Hainkel | Robichaux |
| Barham | Heitmeier | Romero |
| Bean | Hines | Schedler |
| Branch | Hollis | Short |
| Cain | Irons | Siracusa |
| Dardenne | Jones | Smith |
| Dean | Jordan | Tarver |
| Ellington | Landry | Theunissen |
| Fields | Lentini | Ullo |
| Total—30 | | |

NAYS

Total—0

ABSENT

| | | |
|----------|---------|---------|
| Bagneris | Cox | Guidry |
| Campbell | Cravins | Johnson |
| Casanova | Dyess | Lambert |
| Total—9 | | |

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

HOUSE CONCURRENT RESOLUTION NO. 123—
 BY REPRESENTATIVE ALARIO

A CONCURRENT RESOLUTION

To commend Mr. Lester Kabacoff, a longtime resident of New Orleans, for a lifetime of contributions to the development and vitality of the city of New Orleans and the metropolitan area and to congratulate him on receiving the Times-Picayune Loving Cup for 1996.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|------------|
| Mr. President | Fields | Malone |
| Bajoie | Greene | Robichaux |
| Barham | Hainkel | Romero |
| Bean | Heitmeier | Schedler |
| Branch | Hines | Short |
| Cain | Hollis | Siracusa |
| Campbell | Irons | Smith |
| Cox | Jones | Tarver |
| Cravins | Jordan | Theunissen |
| Dardenne | Landry | Ullo |
| Dean | Lentini | |
| Total—32 | | |

NAYS

Total—0

ABSENT

| | | |
|----------|-----------|---------|
| Bagneris | Ellington | Lambert |
| Casanova | Guidry | |
| Dyess | Johnson | |
| Total—7 | | |

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

HOUSE CONCURRENT RESOLUTION NO. 125—
 BY REPRESENTATIVE QUEZAIRE

A CONCURRENT RESOLUTION

To commend the Supreme Court of Louisiana for establishing and implementing the Judicial Ride-Along Program, and to commend all of the judges for their efforts to improve communication and collaboration between judges and legislators by participating in this program, as well as for their success at increasing the awareness of legislators of the role, responsibilities, and operations of the Louisiana Judiciary.

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

ROLL CALL

The roll was called with the following result:

YEAS

| | | |
|---------------|-----------|-----------|
| Mr. President | Ellington | Lentini |
| Bajoie | Fields | Malone |
| Barham | Greene | Robichaux |
| Bean | Hainkel | Romero |
| Branch | Heitmeier | Schedler |
| Cain | Hines | Short |
| Campbell | Hollis | Siracusa |
| Cox | Irons | Smith |
| Cravins | Jones | Tarver |

April 22, 1997

| | | |
|---------------------------------|------------------|--------------------|
| Dardenne Dean Total—33 | Jordan Landry | Theunissen Ullo |
| | NAYS | |
| Total—0 | | |
| | ABSENT | |
| Bagneris Casanova Total—6 | Dyess Guidry | Johnson Lambert |

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

HOUSE CONCURRENT RESOLUTION NO. 126—
BY REPRESENTATIVE WILKERSON
A CONCURRENT RESOLUTION

To commend the New York Yankees organization and its owner, George Steinbrenner, for the team's recent visit to Grambling State University and for playing the Grambling Tiger baseball team in an exhibition baseball game honoring football coach, Eddie Robinson.

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

ROLL CALL

The roll was called with the following result:

| | | |
|---------------|-----------|------------|
| YEAS | | |
| Mr. President | Ellington | Malone |
| Bagneris | Fields | Robichaux |
| Bajoie | Greene | Romero |
| Barham | Hainkel | Schedler |
| Bean | Heitmeier | Short |
| Branch | Hines | Siracusa |
| Cain | Hollis | Smith |
| Campbell | Irons | Tarver |
| Cox | Jones | Theunissen |
| Cravins | Jordan | Ullo |
| Dardenne | Landry | |
| Dean | Lentini | |
| Total—34 | | |
| NAYS | | |
| Total—0 | | |
| ABSENT | | |
| Casanova | Guidry | Lambert |
| Dyess | Johnson | |
| Total—5 | | |

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

HOUSE CONCURRENT RESOLUTION NO. 128—
BY REPRESENTATIVE KENNARD
A CONCURRENT RESOLUTION

To urge and request the Louisiana Wildlife and Fisheries Commission and the Department of Wildlife and Fisheries to allow senior citizens to use the limited access roads and all-terrain vehicle (ATV) trails on wildlife management areas that have been designated as "handicapped only" trails.

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

HOUSE CONCURRENT RESOLUTION NO. 132—
BY REPRESENTATIVES POWELL, FONTENOT, KENNARD, MCMAINS,
PERKINS, AND TRAVIS

A CONCURRENT RESOLUTION

To commend and congratulate the Albany High School Lady Hornets on their winning the 1997 state championship for Class 3A girls basketball.

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

ROLL CALL

The roll was called with the following result:

| | | |
|---------------|-----------|------------|
| YEAS | | |
| Mr. President | Dean | Malone |
| Bagneris | Ellington | Robichaux |
| Bajoie | Fields | Romero |
| Barham | Greene | Schedler |
| Bean | Hainkel | Short |
| Branch | Heitmeier | Siracusa |
| Cain | Hines | Smith |
| Campbell | Hollis | Tarver |
| Casanova | Irons | Theunissen |
| Cox | Jones | Ullo |
| Cravins | Landry | |
| Dardenne | Lentini | |
| Total—34 | | |
| NAYS | | |
| Total—0 | | |
| ABSENT | | |
| Dyess | Johnson | Lambert |
| Guidry | Jordan | |
| Total—5 | | |

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

HOUSE CONCURRENT RESOLUTION NO. 133—
BY REPRESENTATIVE WELCH
A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Carl Stewart, the legendary basketball coach of Southern University, and to record the tribute of the legislature for this remarkable man who has left a significant legacy to the state in the young people he guided and inspired.

The resolution was read by title. Senator Fields 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 |
| Bajoie | Fields | Robichaux |
| Barham | Greene | Romero |
| Bean | Hainkel | Schedler |
| Branch | Heitmeier | Short |
| Cain | Hines | Siracusa |
| Campbell | Hollis | Smith |
| Casanova | Irons | Theunissen |
| Cox | Jones | Ullo |
| Cravins | Jordan | |

| | | |
|----------|---------|--------|
| Dardenne | Landry | |
| Total—34 | | |
| | NAYS | |
| Total—0 | | |
| | ABSENT | |
| Dyess | Johnson | Tarver |
| Guidry | Lambert | |
| Total—5 | | |

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

JUDICIARY B

Senator Cravins, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

April 22, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 223—
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 15:705(A), relative to prisons and prisoners; to require prisoners to reimburse the sheriff for expenses of incarceration; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 536—
BY SENATORS DARDENNE, HAINKEL AND EWING
AN ACT

To amend and reenact R.S. 27:11(B)(3)(c) and (e), relative to the Louisiana Gaming Control Board; to change educational requirements of some board members; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 537—
BY SENATORS DARDENNE, HAINKEL AND EWING
AN ACT

To amend and reenact R.S. 27:25(A)(1) and (B)(1) and to enact R.S. 27:25(A)(3), relative to the Louisiana Gaming Control Board; to provide that the hearing officer does not have to be a full-time board employee; to provide that the board may contract with attorneys to provide hearing officer services; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 538—
BY SENATORS DARDENNE, HAINKEL AND EWING
AN ACT

To enact R.S. 18:1300.22, relative to gaming elections; to specify that certain referendum election required by the constitution may be called only by law; to provide that certain such elections may be called by the parish governing authority; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 683—
BY SENATOR LANDRY

AN ACT

To amend and reenact Code of Criminal Procedure Articles 591 and 775 and to repeal Article 595, relative to criminal trial proceedings; to provide relative to the granting of a mistrial and the definition of double jeopardy; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 684—
BY SENATOR LANDRY

AN ACT

To amend and reenact Code of Criminal Procedure Articles 679 and 684, relative to the recusation of judges; to provide for procedures for recusation of appellate judges; to provide for appointment of judges sitting in place of recused judges or justices; to provide for review of recusation ruling; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 686—
BY SENATOR LANDRY

AN ACT

To enact Code of Criminal Procedure Art. 517, relative to joint representation of co-defendants; to require the court to advise co-defendants of their right to separate trials; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 753—
BY SENATOR SIRACUSA

AN ACT

To amend and reenact R.S. 33:4861.26(E) and (F), relative to the Charitable Raffles, Bingo and Keno Licensing Law; to provide for a second progressive bingo game; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 812—
BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To amend and reenact R.S. 15:587(A)(1)(a) and (B) and R.S. 46:236.1(D)(1)(a), relative to use of criminal history records and certain motor vehicle and law enforcement systems in connection with support enforcement; to provide with respect to access to such records and systems and use thereof by the Department of Social Services; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1442—
BY SENATOR SIRACUSA

AN ACT

To enact R.S. 33:4861.28, relative to charitable gaming; to exempt certain fund raising activities conducted by a candidate for public office from certain state gaming laws; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DONALD R. CRAVINS
Chairman

REPORT OF COMMITTEE ON
JUDICIARY C

Senator Jordan, Chairman on behalf of the Committee on Judiciary C, submitted the following report:

April 22, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 943—
BY SENATOR CASANOVA

AN ACT

To enact R.S. 14:87.3 and R.S. 40:1299.35, relative to abortion; to provide for the crime of partial birth abortion; to provide for penalties; to provide for the prohibition of the performance of partial birth abortions by a physician or any other person except where necessary to preserve the life of the mother; to provide for civil remedies; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1243—
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact Code of Criminal Procedure Art. 893(D)(1), relative to suspension and deferral of sentence and probation in felony cases; to provide that courts shall not defer a sentence for an attempt of a crime of violence; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1244—
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact Code of Criminal Procedure Art. 893(A), relative to suspension and deferral of sentence and probation in felony cases; to provide that attempted crimes of violence be considered in deferral of sentence and probation in felony cases; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1273—
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact Code of Criminal Procedure Art. 890.1, relative to sentencing; to provide with respect to sentences imposed on crimes of violence; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
J. LOMAX JORDAN, JR.
Chairman

**REPORT OF COMMITTEE ON
ENVIRONMENTAL QUALITY**

Senator Lambert, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

April 22, 1997

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 25—
BY SENATOR COX

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to adopt an amendment to the Constitution of the United States to provide each citizen with a constitutional right to a clean and healthful environment and protection of our other natural resources.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 26—
BY SENATOR COX

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to adopt an amendment to the Constitution of the United States to guarantee the American people a clean and healthful environment.

Reported favorably.

SENATE BILL NO. 694—
BY SENATOR CAIN

AN ACT

To enact R.S. 30:2053(4),(5),(6) and (7) and 2055.1, relative to noise pollution and nuisance actions; to exempt sport shooting ranges from noise and nuisance actions; to provide for definitions; to provide for limits and exemptions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 867—
BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 33:1236(31) and R.S. 30:2057(B), relative to governmental regulation; to allow property owners in certain parishes to burn yard waste under certain conditions; to exclude such burn activities from the provisions of the Louisiana Air Control Law; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1765 —
BY REPRESENTATIVES DAMICO AND DEWITT

AN ACT

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

Reported favorably.

HOUSE BILL NO. 1767—
BY REPRESENTATIVES DAMICO AND DEWITT

AN ACT

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

Reported favorably.

Respectfully submitted,
LOUIS LAMBERT
Chairman

**REPORT OF COMMITTEE ON
JUDICIARY A**

Senator Ullo, Chairman on behalf of the Committee on Judiciary A, submitted the following report:

April 22, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 58—
BY SENATOR GUIDRY

AN ACT

To enact R.S. 49:1015(F), relative to employee drug testing; to require drug testing prior to the hiring of certain public employees; to require random drug testing of certain public employees; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 242—
BY SENATOR LENTINI

AN ACT

To enact Code of Civil Procedure Art. 5183(A)(3), relative to affidavits of poverty; to authorize the clerk of court's office to make recommendations to the court as to indigent status; to provide other factors for the courts consideration; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 751—
BY SENATOR GUIDRY

AN ACT

To enact Chapter 4 of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2800.70 through 2800.83, and Civil Code Art. 2315.8, relative to liability for certain damages; to provide for the "Drug Dealer Liability Act"; to provide for definitions; to provide for civil liability; to provide for recovery of damages; to provide for limited recovery of damages; to provide for third party suits; to provide for the targeting of an illegal drug market; to provide for joinder of parties; to provide for comparative fault; to provide for contribution among and recovery from multiple defendants; to provide for a standard of proof; to provide for prejudgment attachment and execution of judgments; to provide for prescription; to provide for a stay of action; to provide for exemplary damages; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 866—
BY SENATOR CAIN

AN ACT

To enact R.S. 9:2800.11, relative to liability of suppliers of liquefied petroleum gas; to provide for limitations of liability of suppliers of such gas; to provide for limitations of liability on such suppliers for damages relative to unauthorized alterations of liquefied petroleum gas works; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 883—
BY SENATOR LANDRY

AN ACT

To amend and reenact Children's Code Art. 424(B)(1) and R.S. 15:587.1(A) and (D), relative to the access of information and court-appointed special advocates; to provide for the fingerprinting of court-appointed special advocates; to provide for a fee waiver for criminal history checks for juvenile court judges; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 884—
BY SENATOR LANDRY

AN ACT

To amend and reenact Civil Code Article 2321, relative to civil liability for damage caused by an animal; to provide for elements of proof; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1086—
BY SENATOR HAINKEL

AN ACT

To amend and reenact Code of Civil Procedure Art. 123 (B) and (C), relative to forum non conveniens; to provide for transfer of certain civil cases to another court; to provide for dismissal of an action to a more convenient forum outside the state; to authorize a court to impose reasonable conditions in an order of dismissal; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1104—
BY SENATOR ROBICHAUX

AN ACT

To amend and reenact R.S. 37:1731(A), relative to the Good Samaritan Law; to provide immunity from liability for certain professional medical corporations; to extend the immunity from liability to certain insurers; to provide for qualified immunity from liability for emergency care rendered at a licensed public or private hospital or other health care facility; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
CHRIS ULLO
Chairman

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

Senator Ullo 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. 58—
BY SENATOR GUIDRY

AN ACT

To enact R.S. 49:1015(F), relative to employee drug testing; to require drug testing prior to the hiring of certain public employees; to require random drug testing of certain public employees; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 58 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 13, after "whose" insert "principal"

AMENDMENT NO. 2

On page 2, line 1, delete "who" and insert "whose principal responsibility is to"

AMENDMENT NO. 3

On page 2, line 6, after "state" delete the remainder of the line and insert a "."

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

SENATE BILL NO. 223—
BY SENATOR THEUNISSEN
AN ACT

To amend and reenact R.S. 15:705(A), relative to prisons and prisoners; to provide relative to the reimbursement by prisoners for certain costs incurred by reason of the incarceration of an inmate; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 223 by Senator Theunissen

AMENDMENT NO. 1
On page 1, delete line 3 and insert in lieu thereof "provide relative to the reimbursement by prisoners for certain costs incurred by reason of the"

AMENDMENT NO. 2
On page 1, line 4, after "incarceration" insert "of an inmate"

AMENDMENT NO. 3
On page 1, line 14, after "(2)" insert "(a)" and change "is hereby" to "may"

AMENDMENT NO. 4
On page 1, line 15, delete "authorized to" and change "any" to "certain"

AMENDMENT NO. 5
On page 2, line 1, after "incarceration" insert "in accordance with the requirements of Subparagraph (b) of this Paragraph"

AMENDMENT NO. 6
On page 2, delete lines 2 through 16 and insert in lieu thereof the following:

"(b) The sheriff of any parish may collect reimbursement for the costs of room and board from any inmate incarcerated in a parish facility provided such reimbursement is approved by the judge who sentenced the inmate and provided the amount of such reimbursement in a uniform and reasonable amount established by the Department of Public Safety and Corrections by rule."

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

SENATE BILL NO. 242—
BY SENATOR LENTINI
AN ACT

To enact Code of Civil Procedure Art. 5183(A)(3), relative to affidavits of poverty; to authorize the clerk of court's office to make recommendations to the court as to indigent status; to provide other factors for the courts consideration; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 242 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 16, after "(3)" delete "A" and insert "The court may, by local rule, require a"

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

SENATE BILL NO. 536—
BY SENATORS DARDENNE, HAINKEL AND EWING
AN ACT

To amend and reenact R.S. 27:11(B)(3)(c) and (e), relative to the Louisiana Gaming Control Board; to change educational requirements of some board members; and to provide for related matters.

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

SENATE BILL NO. 537—
BY SENATORS DARDENNE, HAINKEL AND EWING
AN ACT

To amend and reenact R.S. 27:25(A)(1) and (B)(1) and to enact R.S. 27:25(A)(3), relative to the Louisiana Gaming Control Board; to provide that the hearing officer does not have to be a full-time board employee; to provide that the board may contract with attorneys to provide hearing officer services; and to provide for related matters.

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

SENATE BILL NO. 538—
BY SENATORS DARDENNE, HAINKEL AND EWING
AN ACT

To enact R.S. 18:1300.22, relative to gaming elections; to specify that certain referendum elections required by the constitution may be called only by law; to provide that certain such elections may be called by the parish governing authority; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 538 by Senator Dardenne

AMENDMENT NO. 1
On page 1, line 3, change "election" to "elections"

AMENDMENT NO. 2
On page 1, line 13, change "law" to "an enactment of the legislature which specifically authorizes each such election"

AMENDMENT NO. 3
On page 1, line 14, after "(C)" insert "(2)"

AMENDMENT NO. 4
On page 1, line 14, after "election" insert "is"

AMENDMENT NO. 5
On page 1, line 15, after "Louisiana" delete the remainder of the line and delete line 16 and on page 2, delete lines 1 and 2 and insert ", then such an"

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

SENATE BILL NO. 683—

BY SENATOR LANDRY (On Recommendation of the Louisiana State Law Institute)

AN ACT

To amend and reenact Code of Criminal Procedure Articles 591 and 775 and to repeal Article 595, relative to criminal trial proceedings; to provide relative to the granting of a mistrial and the definition of double jeopardy; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 683 by Senator Landry

AMENDMENT NO. 1

On page 1, line 11, insert a comma "," after "except" and delete the comma "," after "when"

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

SENATE BILL NO. 684—

BY SENATOR LANDRY

AN ACT

To amend and reenact Code of Criminal Procedure Articles 679 and 684, relative to the recusation of judges; to provide for procedures for recusation of appellate judges; to provide for appointment of judges sitting in place of recused judges or justices; to provide for review of recusation ruling; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 684 by Senator Landry

AMENDMENT NO. 1

On page 2, line 8, after "himself" insert a comma ","

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

SENATE BILL NO. 686—

BY SENATOR LANDRY

AN ACT

To enact Code of Criminal Procedure Art. 517, relative to joint representation of co-defendants; to require the court to advise co-defendants of their right to separate trials; and to provide for related matters.

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

SENATE BILL NO. 694—

BY SENATOR CAIN

AN ACT

To enact R.S. 30:2053(4),(5),(6) and (7) and 2055.1, relative to noise pollution and nuisance actions; to exempt sport shooting ranges from noise and nuisance actions; to provide for definitions; to provide for limits and exemptions; and to provide for related matters.

Reported with amendments by the Committee on Environmental Quality.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Environmental Quality to Original Senate Bill No. 694 by Senator Cain

AMENDMENT NO. 1

On page 1, line 2, change "(4), (5), (6) and (7)" to "(6), (7), (8) and (9)"

AMENDMENT NO. 2

On page 1, line 7, change "(4), (5), (6) and (7)" to "(6), (7), (8) and (9)"

AMENDMENT NO. 3

On page 1, line 15, change "(4)" to "(6)"

AMENDMENT NO. 4

On page 2, line 2, change "(5)" to "(7)"

AMENDMENT NO. 5

On page 2, line 5, change "(6)" to "(8)"

AMENDMENT NO. 6

On page 2, line 10, change "(7)" to "(9)"

AMENDMENT NO. 7

On page 2, between lines 12 and 13, insert "* * *"

AMENDMENT NO. 8

On page 3, line 1, change "Act" to "Section"

AMENDMENT NO. 9

On page 3, at the beginning of line 9, after "established" insert "constructed, or operated"

AMENDMENT NO. 10

On page 3, line 12, after "years" delete "from the beginning" and insert in lieu thereof "of the date" and between "of" and "substantial" change "the" to "a"

AMENDMENT NO. 11

On page 3, line 13, after "change" add "in use"

AMENDMENT NO. 12

On page 3, line 15, between "established" and "after" insert "constructed, or operated"

AMENDMENT NO. 13

On page 3, line 22, change "Act" to "Section"

AMENDMENT NO. 14

On page 3, line 26, change "Act" to "Section"

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

SENATE BILL NO. 751—

BY SENATOR GUIDRY

AN ACT

To enact Chapter 4 of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2800.70 through 2800.83, and Civil Code Art. 2315.8, relative to liability for certain damages; to provide for the "Drug Dealer Liability Act"; to provide for definitions; to provide for civil liability; to provide for recovery of damages; to provide for limited recovery of damages; to provide for third party suits; to provide for the targeting of an illegal drug market; to provide for joinder of parties; to provide for comparative fault; to provide for contribution among and recovery from multiple defendants; to provide for a standard of proof; to provide for prejudgment attachment and execution of judgments; to provide for prescription; to provide for a stay of action; to provide for exemplary damages; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 751 by Senator Guidry

AMENDMENT NO. 1

On page 2, lines 7, 10, 12, 14, 19, and 25, change ";" to "."

AMENDMENT NO. 2

On page 3, lines 4, 8, 15, 19 and 25, change ";" to "."

AMENDMENT NO. 3

On page 4, line 4, change ";" to "." and on line 9, change ";" and " to "."

AMENDMENT NO. 4

On page 5, lines 6, 7, and 17, change ";" to "."

AMENDMENT NO. 5

On page 5, line 8, change ";" and " to "."

AMENDMENT NO. 6

On page 5, line 20, change "the" to "The"

AMENDMENT NO. 7

On page 5, line 22, change "," to "."

AMENDMENT NO. 8

On page 5, line 23, change "the" to "The"

AMENDMENT NO. 9

On page 5, line 25, change "," and " to "."

AMENDMENT NO. 10

On page 5, line 26, change "the" to "The"

AMENDMENT NO. 11

On page 6, lines 7, 12 and 13 change "i" to "."

AMENDMENT NO. 12

On page 6, line 14, change ";" and " to "."

AMENDMENT NO. 13

On page 6, line 27, change "i" to "."

AMENDMENT NO. 14

On page 7, lines 2 and 16, change ";" and " to "."

AMENDMENT NO. 15

On page 7, line 15, change ";" to "."

AMENDMENT NO. 16

On page 8, lines 3 and 6, change ";" to "."

AMENDMENT NO. 17

On page 8, line 9, change ";" and " to "."

AMENDMENT NO. 18

On page 10, line 23, change "section" to "action"

AMENDMENT NO. 19

On page 10, line 27, after "agency that seized the assets." insert the following:

"The seizure, for forfeiture in accordance with LSA-R.S. 40:2601, et seq., and LSA-R.S. 15:1351, et seq., shall preempt any action under this part, and shall result in a superior lien or security interest in any property which is the subject of an action pursuant to this part. Discovery of both the state and law enforcement's files shall be available only at the conclusion of the state's case or investigation involving any party in the criminal or civil actions, and thereafter, only in accordance with LSA-R.S. 44:3 et seq. Under no circumstances shall any

intelligence files or information regarding illegal activity, including but not limited to drug activity accumulated by law enforcement or the district attorney that does not result in an arrest and bill of information or indictment be susceptible to discovery. The district attorney may, upon timely application, intervene in a civil action or proceeding brought under this statute if he certifies that in his opinion the action is of general public importance. In such actions or proceedings, the state shall be entitled to the same relief as if the district attorney had instituted the action or proceeding. A law enforcement officer or agency, the state, or any person acting at the direction of a law enforcement officer or agency or the state in an undercover investigation or operation is not liable for participating in the marketing of an illegal controlled substance if the participation is in furtherance of an official investigation. On motion by a governmental entity involved in an investigation or prosecution involving an illegal controlled dangerous substance, an action brought under this Chapter shall be continued until the completion of the criminal investigation or prosecution that gave rise to the motion for continuance of the action."

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

SENATE BILL NO. 753— BY SENATOR SIRACUSA

AN ACT

To amend and reenact R.S. 33:4861.26(E) and (F), relative to the Charitable Raffles, Bingo and Keno Licensing Law; to provide for a second progressive bingo game; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 753 by Senator Siracusa

AMENDMENT NO. 1

On page 2, line 15, after "division" insert "for" and change "that" to "in which"

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

SENATE BILL NO. 812—

BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS

AN ACT

To amend and reenact R.S. 15:587(A)(1)(a) and (B) and R.S. 46:236.1(D)(1)(a), relative to use of criminal history records and certain motor vehicle and law enforcement systems in connection with support enforcement; to provide with respect to access to such records and systems and use thereof by the Department of Social Services; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 812 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 2, delete "and (B)"

AMENDMENT NO. 2

On page 1, line 16, delete "including but not limited to the"

AMENDMENT NO. 3

On page 2, line 1, delete "office of family support,"

AMENDMENT NO. 4

On page 2, delete lines 12 through 23

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

SENATE BILL NO. 866—
BY SENATOR CAIN

AN ACT

To enact R.S. 9:2800.11, relative to liability of suppliers of liquefied petroleum gas; to provide for limitations of liability of suppliers of such gas; to provide for limitations of liability on such suppliers for damages relative to unauthorized alterations of liquefied petroleum gas works; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 866 by Senator Cain

AMENDMENT NO. 1

On page 1, lines 2, 3, and 4 change "suppliers" to "dealers"

AMENDMENT NO. 2

On page 1, line 9, change "supplier" to "dealer"

AMENDMENT NO. 3

On page 1, line 11, change "Suppliers" to "Dealers"

AMENDMENT NO. 4

On page 1, lines 15 and 16, change "supplier" to "dealer"

AMENDMENT NO. 5

On page 2, line 2, change "supplier" to "dealer"

AMENDMENT NO. 6

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

"This Section shall not limit the liability of any dealer who acts negligently or violates any law or regulation."

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

SENATE BILL NO. 867—
BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 33:1236(31) and R.S. 30:2057(B), relative to governmental regulation; to allow property owners in certain parishes to burn yard waste under certain conditions; to exclude such burn activities from the provisions of the Louisiana Air Control Law; and to provide for related matters.

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

SENATE BILL NO. 883—
BY SENATOR LANDRY

AN ACT

To amend and reenact Children's Code Art. 424(B)(1) and R.S. 15:587.1(A) and (D), relative to the access of information and court-appointed special advocates; to provide for the fingerprinting of court-appointed special advocates; to provide for a fee waiver for criminal history checks for juvenile court judges; and to provide for related matters.

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

SENATE BILL NO. 884—
BY SENATOR LANDRY

AN ACT

To amend and reenact Civil Code Article 2321, relative to civil liability for damage caused by an animal; to provide for elements of proof; and to provide for related matters.

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

SENATE BILL NO. 943—
BY SENATOR CASANOVA

AN ACT

To enact R.S. 14:87.3 and R.S. 40:1299.35, relative to abortion; to provide for the crime of partial birth abortion; to provide for penalties; to provide for the prohibition of the performance of partial birth abortions by a physician or any other person except where necessary to preserve the life of the mother; to provide for civil remedies; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 943 by Senator Casanova

AMENDMENT NO. 1

On page 2, line 18 delete ".35" and insert in lieu thereof ".35.3", and on line 20, delete ".35" and insert ".35.3"

AMENDMENT NO. 2

On page 2, line 21 delete "physician" and insert in lieu thereof "licensed physician or any other person"

AMENDMENT NO. 3

On page 3, line 1, after the word "physician" and before and before the word "whereby" insert "or any other person"

AMENDMENT NO. 4

On page 3, to the end of line 20, delete ".35" and insert in lieu thereof ".35.3"

AMENDMENT NO. 5

On page 3 delete lines 16 through 23 in their entirety

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

SENATE BILL NO. 1086—
BY SENATOR HAINKEL

AN ACT

To amend and reenact Code of Civil Procedure Art. 123 (B) and (C), relative to forum non conveniens; to provide for transfer of certain civil cases to another court; to provide for dismissal of an action to a more convenient forum outside the state; to authorize a court to impose reasonable conditions in an order of dismissal; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 1086 by Senator Hainkel

April 22, 1997

AMENDMENT NO. 1

On page 1, line 13, change "Subsection" to "Paragraph"

AMENDMENT NO. 2

On page 1, line 14, after "defendant" change "in" to ","

AMENDMENT NO. 3

On page 1, line 15, after "state" delete the remainder of the line and delete line 16 and insert the following:

"may be dismissed on the grounds of forum non conveniens. In considering forum non conveniens the court shall apply the following analysis:

- (1) The court shall decide whether an available and adequate foreign forum exists.
- (2) If the court concludes an alternate forum exists, it shall then consider all of the relevant private interests. Private interest factors to be considered are:
 - (a) Relative ease of access to sources of proof.
 - (b) The availability of compulsory process for the attendance of unwilling witnesses.
 - (c) The cost of obtaining attendance of willing witnesses.
 - (d) The possibility of view of the premises, if appropriate.
 - (e) All other practical problems that make trial easy, expeditious, and inexpensive.
- (3) The court should balance those factors weighing in favor of dismissal with deference given to plaintiff's choice of forum. The court need go no further if the private interest factors weigh in favor of dismissal on the grounds of forum non conveniens.
- (4) If the private interest factors do not weigh in favor of dismissal, the court shall then consider the public interest factors. Public interest factors to be considered are:
 - (a) The administrative difficulties flowing from court congestion.
 - (b) The unfairness of burdening citizens in an unrelated forum with jury duty.
 - (c) The interest in having the trial in a forum that is familiar with the law that must govern the action.
 - (d) The avoidance of unnecessary problems in conflicts of law, or in the application of foreign law.
 - (e) The local interest in having localized controversies decided at home."

AMENDMENT NO. 4

On page 2, delete lines 1 through 10 in their entirety

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

SENATE BILL NO. 1104—

BY SENATOR ROBICHAUX

AN ACT

To amend and reenact R.S. 37:1731(A), relative to the Good Samaritan Law; to provide immunity from liability for certain professional medical corporations; to extend the immunity from liability to certain insurers; to provide for qualified immunity from liability for emergency care rendered at a licensed public or private hospital or other health care facility; and to provide for related matters.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 1104 by Senator Robichaux

AMENDMENT NO. 1

On page 1, at the end of line 3, insert "or limited liability"

AMENDMENT NO. 2

On page 1, line 4, after "corporations;" delete the remainder of the line in its entirety

AMENDMENT NO. 3

On page 1, line 15, after "Title", delete "or" and insert a comma ","

AMENDMENT NO. 4

On page 2, line 1, after "et seq." insert "or his limited liability corporation,"

AMENDMENT NO. 5

On page 2, at the end of line 11, insert "or limited liability"

AMENDMENT NO. 6

On page 2, line 13, after "interns," insert "or" and after "resident" delete ", or other employee"

AMENDMENT NO. 7

On page 2, line 27, after "medical", insert "or limited liability"

AMENDMENT NO. 8

On page 3, delete lines 4 through 7, in their entirety

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

SENATE BILL NO. 1243—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact Code of Criminal Procedure Art. 893(D)(1), relative to suspension and deferral of sentence and probation in felony cases; to provide that courts shall not defer a sentence for an attempt of a crime of violence; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. 1243 by Senator Theunissen

AMENDMENT NO. 1

On page 2, line 4 change "attempt" to "attempted" and delete "of an" between "attempted" and "offense"

AMENDMENT NO. 2

On page 2, line 4 after "defined" and before "as" insert "or enumerated"

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

SENATE BILL NO. 1244—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact Code of Criminal Procedure Art. 893(A), relative to suspension and deferral of sentence and probation in felony cases; to provide that attempted crimes of violence be considered in deferral of sentence and probation in felony cases; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. SB1244 by Senator Theunissen

AMENDMENT NO. 1

On page 2, line 3, after "defined" delete "and enumerated" and after "or" insert "of a crime or".

AMENDMENT NO. 2

On page 2, line 3, change "attempt" to "attempted"

AMENDMENT NO. 3

On page 2, line 4, before "crime", delete "of a" and before "enumerated" delete "as defined and".

AMENDMENT NO. 4

On page 2, at the end of line 4 after "R.S. 14:2(13), delete the remainder of the line and line 5 in its entirety.

AMENDMENT NO. 5

On page 2, at the beginning of line 6 and before ", or", delete "(x), (bb), (cc), or (dd)"

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

SENATE BILL NO. 1273—

BY SENATOR THEUNISSEN

AN ACT

To amend and reenact Code of Criminal Procedure Art. 890.1, relative to sentencing; to provide with respect to sentences imposed on crimes of violence; and to provide for related matters.

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Original Senate Bill No. SB1273 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 11, before "violence" delete "of" and insert "of violence or an attempted crime of"

AMENDMENT NO. 2

On page 1, at the end of line 11, delete "provided for in" and insert "defined or enumerated in"

AMENDMENT NO. 3

On page 1, line 12 after "R.S. 14:2(13)" delete the remainder of the line and line 13 in its entirety and insert in lieu thereof a period "."

AMENDMENT NO. 4

On page 1, at the end of line 15 after "defined" insert "or enumerated"

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

SENATE BILL NO. 1442—

BY SENATOR SIRACUSA

AN ACT

To enact R.S. 33:4861.28, relative to charitable gaming; to exempt certain fund raising activities conducted by a candidate for public office from certain state gaming laws; and to provide for related matters.

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 1442 by Senator Siracusa

AMENDMENT NO. 1

On page 1, line 13, after "prize" insert ", raffle,"

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

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

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

HOUSE BILL NO. 1765 —

BY REPRESENTATIVES DAMICO AND DEWITT

AN ACT

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

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

HOUSE BILL NO. 1767—

BY REPRESENTATIVES DAMICO AND DEWITT

AN ACT

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

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

April 22, 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. 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.

April 22, 1997

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.

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.

Adjournment

Senator Bagneris moved that the Senate adjourn until Wednesday, April 23, 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 Wednesday, April 23, 1997.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk