

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

SIXTH 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 8, 1997

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

ROLL CALL

The roll was called with the following result:

PRESENT

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

ABSENT

Robichaux	Short	Tarver
Total—3		

The President of the Senate announced there were 36 Senators present and a quorum.

Prayer

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

Morning Hour

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 8, 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. 63—
BY SENATOR LAMBERT**

A CONCURRENT RESOLUTION

To commend and congratulate the city of Gonzales on its seventy-fifth anniversary and the tenth anniversary of its twinning with the city of Meylan, France.

Reported without amendments.

**Introduction of
Senate Concurrent Resolutions**

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

**SENATE CONCURRENT RESOLUTION NO. 64—
BY SENATOR DARDENNE**

A CONCURRENT RESOLUTION

To urge and request that reports electronically filed with the Board of Ethics be accessible via the Internet.

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

Messages from the House

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

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

April 7, 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. 10—
BY REPRESENTATIVES DUPRE, DOWNER, HEBERT, HILL, MICHOT,
ODINET, PIERRE, AND JACK SMITH AND SENATOR HINES**

A CONCURRENT RESOLUTION

To memorialize the United States Congress to reauthorize laws providing funding for projects under the federal Coastal Wetlands Planning, Protection and Restoration Act.

**HOUSE CONCURRENT RESOLUTION NO. 88—
BY REPRESENTATIVE LONG AND SENATOR SMITH**

A CONCURRENT RESOLUTION

To recognize and commend the players, coaches, and managers of the Atlanta High School Bulldogs on an impressive season and on capturing their third consecutive Class C high school basketball championship.

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. 10— BY REPRESENTATIVES DUPRE, DOWNER, HEBERT, HILL, MICHOT, ODINET, PIERRE, AND JACK SMITH AND SENATOR HINES A CONCURRENT RESOLUTION

To memorialize the United States Congress to reauthorize laws providing funding for projects under the federal Coastal Wetlands Planning, Protection and Restoration Act.

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

HOUSE CONCURRENT RESOLUTION NO. 88— BY REPRESENTATIVE LONG AND SENATOR SMITH A CONCURRENT RESOLUTION

To recognize and commend the players, coaches, and managers of the Atlanta High School Bulldogs on an impressive season and on capturing their third consecutive Class C high school basketball championship.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bagneris, Barham, Bean, Branch, Cain, Casanova, Cravins, Dardenne, Dean, Total—28; Dyess, Fields, Guidry, Heitmeier, Hines, Hollis, Irons, Jones, Jordan, Lambert; Lentini, Malone, Romero, Schedler, Siracusa, Smith, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns of names: Bajoié, Campbell, Cox, Ellington, Total—11; Greene, Hainkel, Johnson, Landry; Robichaux, Short, Tarver.

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

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 7, 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. 760— BY REPRESENTATIVE SALTER AN ACT

To amend and reenact Code of Criminal Procedure Art. 202, relative to warrant of arrest; to provide limitation on issuance of arrest warrants by a justice of the peace for certain individuals; and to provide for related matters.

HOUSE BILL NO. 777— BY REPRESENTATIVES WINDHORST, BRUCE, AND MARIONNEAUX AN ACT

To amend and reenact R.S. 14:123(A) and to enact R.S. 14:123(C)(4), relative to perjury; to provide for the crime of perjury before legislative committees; to provide for the crime of perjury in proceedings other than criminal cases; to provide penalties; and to provide for related matters.

HOUSE BILL NO. 886— BY REPRESENTATIVES MARIONNEAUX AND BRUCE AN ACT

To enact R.S. 14:34.5, relative to the crime of battery; to create the crime of aggravated second degree battery; to provide penalties; and to provide for related matters.

HOUSE BILL NO. 908— BY REPRESENTATIVE BRUCE AN ACT

To amend and reenact Code of Criminal Procedure Art. 881(B) and to enact Code of Criminal Procedure Arts. 822 and 881(C), relative to post-conviction motions and sentencing of criminal defendants; to provide that the district attorney shall be notified of such motions; to provide that such motions shall be tried contradictorily; to provide for commencement of execution of consecutive sentences; and to provide for related matters.

HOUSE BILL NO. 942— BY REPRESENTATIVE MCCAIN AN ACT

To enact Code of Criminal Procedure Art. 556.1, relative to guilty pleas in felony cases; to provide that the court must inform the defendant of the charge and its penalty, his rights as a defendant, and the effect of a guilty plea; to provide that the court must determine if the plea is voluntary; to provide for a verbatim record of these proceedings; and to provide for related matters.

HOUSE BILL NO. 943— BY REPRESENTATIVE MCCAIN AN ACT

To amend and reenact Code of Criminal Procedure Art. 832, relative to the presence of the defendant at criminal proceedings; to provide for the waiver of the right to be present; to allow for simultaneous audio-visual transmission; and to provide for related matters.

HOUSE BILL NO. 945— BY REPRESENTATIVE MCCAIN AN ACT

To amend and reenact Code of Criminal Procedure Art. 880, relative to credit for prior custody; to delete the requirement that the court must give a defendant credit for prior custody in imposing

sentence; and to provide for related matters.

HOUSE BILL NO. 1100—
BY REPRESENTATIVE TRAVIS
AN ACT

To authorize and provide for the transfer or lease of certain state property to the town of St. Francisville from the Department of Health and Hospitals; to provide terms and conditions; and to provide for related matters.

HOUSE BILL NO. 1113—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To direct and empower the Department of Transportation and Development to transfer title to certain property located in St. John the Baptist Parish to the descendants of and buyers from the original owners; and to provide for related matters.

HOUSE BILL NO. 917—
BY REPRESENTATIVES DIEZ, DEWITT, AND BRUN
AN ACT

To amend and reenact R.S. 32:61 and 62, relative to maximum speed limits; to increase the maximum speed limits on the interstate and controlled access highways, multilane highways, and all other highways; and to provide for related matters.

HOUSE BILL NO. 445—
BY REPRESENTATIVES MARIONNEAUX AND MCCALLUM
AN ACT

To amend and reenact R.S. 14:34.2(B) and 34.3(B), relative to battery of a police officer and school teacher; to increase penalties; and to provide for related matters.

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 of Representatives with the view of acting on the same:

HOUSE BILL NO. 445—
BY REPRESENTATIVES MARIONNEAUX AND MCCALLUM
AN ACT

To amend and reenact R.S. 14:34.2(B) and 34.3(B), relative to battery of a police officer and school teacher; to increase penalties; 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. 760—
BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact Code of Criminal Procedure Art. 202, relative to warrant of arrest; to provide limitation on issuance of arrest warrants by a justice of the peace for certain individuals; 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. 777—
BY REPRESENTATIVES WINDHORST, BRUCE, AND MARIONNEAUX
AN ACT

To amend and reenact R.S. 14:123(A) and to enact R.S. 14:123(C)(4), relative to perjury; to provide for the crime of perjury before legislative committees; to provide for the crime of perjury in proceedings other than criminal cases; to provide penalties; 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. 886—
BY REPRESENTATIVES MARIONNEAUX AND BRUCE
AN ACT

To enact R.S. 14:34.5, relative to the crime of battery; to create the crime of aggravated second degree battery; to provide penalties; 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. 908—
BY REPRESENTATIVE BRUCE
AN ACT

To amend and reenact Code of Criminal Procedure Art. 881(B) and to enact Code of Criminal Procedure Arts. 822 and 881(C), relative to post-conviction motions and sentencing of criminal defendants; to provide that the district attorney shall be notified of such motions; to provide that such motions shall be tried contradictorily; to provide for commencement of execution of consecutive sentences; 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. 917—
BY REPRESENTATIVES DIEZ, DEWITT, AND BRUN
AN ACT

To amend and reenact R.S. 32:61 and 62, relative to maximum speed limits; to increase the maximum speed limits on the interstate and controlled access highways, multilane highways, and all other highways; 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. 942—
BY REPRESENTATIVE MCCAIN
AN ACT

To enact Code of Criminal Procedure Art. 556.1, relative to guilty pleas in felony cases; to provide that the court must inform the defendant of the charge and its penalty, his rights as a defendant, and the effect of a guilty plea; to provide that the court must determine if the plea is voluntary; to provide for a verbatim record of these proceedings; 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. 943—
BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact Code of Criminal Procedure Art. 832, relative to the presence of the defendant at criminal proceedings; to provide for the waiver of the right to be present; to allow for simultaneous audio-visual transmission; 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. 945—
BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact Code of Criminal Procedure Art. 880, relative to credit for prior custody; to delete the requirement that the court must give a defendant credit for prior custody in imposing sentence; 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.

April 8, 1997

HOUSE BILL NO. 1100—

BY REPRESENTATIVE TRAVIS

AN ACT

To authorize and provide for the transfer or lease of certain state property to the town of St. Francisville from the Department of Health and Hospitals; to provide terms and conditions; 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. 1113—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To direct and empower the Department of Transportation and Development to transfer title to certain property located in St. John the Baptist Parish to the descendants of and buyers from the original owners; 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.

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 8, 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. 16—

BY SENATOR CAIN

AN ACT

To enact Part I-C of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:741 through 743, relative to inmate litigation; to provide for loss of privileges, sanctions or forfeiture of good time when litigation instituted by an inmate is determined by the court to be frivolous or malicious; to provide for definitions; to require inmates to pay for court cost and fees; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 31—

BY SENATOR HOLLIS

AN ACT

To repeal R.S. 15:574.15 and 574.16, relative to elected officials parole power; to repeal parole power granted to certain state, parochial, and municipal elected officers in municipalities having a population of more than four hundred fifty thousand inhabitants; to delete penalties for refusal by an officer detaining an arrestee to parole him; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 45—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 27:319(A), relative to allowing minors to play video draw poker devices; to provide for the minimum age to play such devices; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 46—

BY SENATOR DARDENNE

AN ACT

To enact R.S. 4:149.4 and 216.1 and R.S. 33:1485.10, relative to assistance for compulsive gambling; to provide for posting of certain signage at horse racing facilities, off track wagering facilities, and charitable gaming facilities; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 685—

BY SENATOR LANDRY

AN ACT

To repeal Chapter 21-A of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:1831 through 1839, relative to criminal victim's escrow accounts; to repeal provisions of law relating to such accounts, including notice of intent to file claim, notice to victims, release of and payments from escrow accounts, proration of payments, and void actions.

Reported favorably.

SENATE BILL NO. 695—

BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 15:570, relative to execution of sentence; to provide with respect to capital cases; to provide for officials and witnesses present at execution; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 856—

BY SENATOR BRANCH

AN ACT

To amend and reenact R.S. 15:893, relative to prisons and correctional institutions; to provide for additional facilities; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1015—

BY SENATOR SIRACUSA

AN ACT

To amend and reenact R.S. 15:824(B)(1)(a), relative to correctional institutions, to provide for payment for holding certain persons in parish jails; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1016—

BY SENATOR SIRACUSA

AN ACT

To amend and reenact R.S. 15:901(C), relative to juvenile institutions; to provide for custody of an adjudicated juvenile; to provide for reimbursement of local governments; and to provide for related matters.

Reported favorably.

Respectfully submitted,
DONALD R. CRAVINS
Chairman

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

Senator Cravins 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. 16—
BY SENATOR CAIN

AN ACT

To enact Part I-C of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:741 through 743, relative to inmate litigation; to provide for loss of privileges, sanctions or forfeiture of good time when litigation instituted by an inmate is determined by the court to be frivolous or malicious; to provide for definitions; to require inmates to pay for court cost and fees; and to provide for related matters.

Reported by substitute by the Committee on Judiciary B. The bill was read by title; the committee substitute bill was read.

Regular Session, 1997
SENATE BILL NO. (Substitute for SB No. 16 by Senator Cain)
BY SENATOR CAIN

CIVIL PROCEDURE. Provides for loss of privileges or possible sanctions if an inmate files a lawsuit which is determined by the court to be frivolous or malicious. (Governor's signature)

AN ACT

To amend and reenact R.S. 15:571.4(B)(4) and to enact Part I-C of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:741 through 743 and R.S. 15:571.4(B)(5), relative to inmate litigation; to provide for loss of privileges, sanctions, or forfeiture of good time when litigation instituted by an inmate is determined by the court to be frivolous or malicious; to provide for definitions; to require inmates to pay for court cost and fees; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:
Section 1. R.S. 15:571.4(B)(4) is hereby amended and reenacted and Part I-C of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, comprised of R.S. 15:741 through 743, and R.S. 15:571.4(B)(5) are hereby enacted to read as follows:

PART I-C. INMATE LITIGATION

Part I-C is all proposed new law.

§741. Purpose

R.S. 15:741 is all proposed new law.

The purpose of this Part is to deter inmate lawsuits which are frivolous or malicious. The number of these inmate suits are increasing each year and clog the courts and overwhelm the legal system. The defense of these suits waste legal resources, law-enforcement time, and place an unnecessary financial burden on the taxpayers of the state.

§742. Definitions

R.S. 15:742 is all proposed new law.

As used in this Part the following terms shall mean:

- (1) "Department" means the Department of Public Safety and Corrections.
- (2) "Lacked substantial justification" means frivolous, legally unsupportable, or factually groundless.
- (3) "Frivolous" means without merit, having no rational argument or basis in law or fact in which to support a claim or defense.
- (4) "Malicious legal action" means any legal action filed with the knowledge that the allegations contained therein are baseless or false or with a reckless disregard of whether or not the allegations are baseless or false.

§743. Frivolous or malicious lawsuits; denial of privileges; sanctions

R.S. 15:743 is all proposed new law.

A. Any person committed to and in the physical custody of the department who files a lawsuit or any legal action, which relates to his incarceration, against the state, any state agency, board, commission, or against any governmental officer, official, employee, or agent, in violation of this Part, shall be subject to loss of certain privileges and imposition of sanctions as provided in this

Part.

B.(1)(a) If a state court finds that a lawsuit or any legal action or any part thereof filed by an inmate lacks substantial justification or is frivolous, the court shall order the department to conduct an inmate disciplinary proceeding at the facility where the inmate is held to determine the appropriate sanctions for filing of a frivolous claim or a claim lacking substantial justification.

(b) Such sanctions shall include any one or more of the loss of privileges including, but not limited to the following: loss or restriction of visitation, television, radio, entertainment systems, cigarettes, and access to the canteen. If the department denies television privileges pursuant to this Subsection, it may allow a person to watch television for educational purposes, including public television broadcast transmitted to or available to the facility.

(2)(a) If a state court finds that a lawsuit or any legal action or any part thereof filed by an inmate, was malicious or intended to harass or if the court finds that the inmate testified falsely or otherwise presented false evidence or information to the court in a lawsuit filed by the inmate regarding or relating to his incarceration, the court shall order the department to conduct an inmate disciplinary proceeding at the facility where the inmate is held to determine appropriate sanctions of such inmate for the filing of such claims.

(b) Such sanctions shall include any one or more of the following:

- (i) The performance of extra duty.
- (ii) Confinement to a room or cell.
- (iii) A custody change.
- (iv) Forfeiture of the good conduct time credits as provided for in R.S. 15:571.4.

C. Any disciplinary proceeding conducted pursuant to this Section shall afford the inmate the right to be present, to be represented by counsel, and to offer exculpatory evidence or evidence in mitigation. The department shall promulgate and adopt rules and regulations for the conducting of such disciplinary proceedings in accordance with the Administrative Procedure Act.

D. If an inmate is successful in any legal action against the state, any state agency, board, commission, or against any governmental officer, official, employee, or agent and receives a monetary award, the court shall first deduct an amount sufficient to pay all or part of any outstanding judgment against the inmate, including but not limited to judgments for taxes and child support.

E.(1) Notwithstanding Code of Civil Procedure Art. 5181, an inmate who files a lawsuit or other action or appeal regarding or relating to his incarceration shall pay in full all associated fees and costs. However, if the inmate can demonstrate to the court's satisfaction that due to physical or mental limitations, the inmate is unable to pay as provided in this Subsection, the court may waive all or part of the fees and cost.

(2) Upon filing of a lawsuit or other legal action or appeal regarding or relating to his incarceration, the court shall order the inmate to pay a minimum of twenty percent of the required filing fee before the court may take any further action on the inmate's action or appeal and also shall order the inmate to make monthly payments of at least ten percent of all outstanding fees or costs associated with the inmates action or appeal.

(3) If the inmate has an inmate account established by the department, those monies maintained in the account shall be automatically withdrawn for the payment of fees and costs associated with the inmate's action or appeal pursuant to court order until the required fees or costs are paid in full. The inmate shall file a certified copy of the inmate's account balance with the court at the time the action or appeal is filed.

(4) An inmate may authorize the department to make or the inmate may make an initial or subsequent payment beyond that required by this Subsection.

F. The court may dismiss any civil action or appeal regarding or relating to an inmate's incarceration if the inmate has previously failed to pay fees and cost which were ordered by a court pursuant to this Subsection or has filed an affidavit of inability to pay and the allegation is determined to be false.

April 8, 1997

§571.4. Forfeiture of diminution of sentence

B.

(4) An inmate who is sentenced to the custody of the department and who files a lawsuit or any legal action in which a court finds, pursuant to R.S. 15:743(B)(2), that such action or any part thereof is malicious or designed to harass or that such inmate testified falsely or otherwise presented false evidence or information to the court may forfeit good time earned prior to the filing of the lawsuit, up to a maximum of one hundred eighty days.

(5) In all other cases, forfeiture of good time may include up to a maximum of one hundred eighty days.

Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval.

On motion of Senator Cravins, the committee substitute bill was adopted and becomes Senate Bill No. 1436 by Senator Cain, substitute for Senate Bill No. 16 by Senator Cain.

SENATE BILL NO. 1436 (Substitute for SB No. 16 by Senator Cain)—

BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 15:571.4(B)(4) and to enact Part I-C of Chapter 7 of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:741 through 743 and R.S. 15:571.4(B)(5), relative to inmate litigation; to provide for loss of privileges, sanctions, or forfeiture of good time when litigation instituted by an inmate is determined by the court to be frivolous or malicious; to provide for definitions; to require inmates to pay for court cost and fees; and to provide for related matters.

The bill was read by title; lies over under the rules.

SENATE BILL NO. 31—

BY SENATOR HOLLIS

AN ACT

To repeal R.S. 15:574.15 and 574.16, relative to elected officials parole power; to repeal parole power granted to certain state, parochial, and municipal elected officers in municipalities having a population of more than four hundred fifty thousand inhabitants; to delete penalties for refusal by an officer detaining an arrestee to parole him; 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. 45—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 27:319(A), relative to allowing minors to play video draw poker devices; to provide for the minimum age to play such devices; 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. 45 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 10, change "Part" to "Chapter"

AMENDMENT NO. 2

On page 1, line 14, change "the Part" to "this Chapter"

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

SENATE BILL NO. 46—

BY SENATOR DARDENNE

AN ACT

To enact R.S. 4:149.4 and 216.1 and R.S. 33:1485.10, relative to assistance for compulsive gambling; to provide for posting of certain signage at horse racing facilities, off track wagering facilities, and charitable gaming facilities; 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. 46 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 33:" to "R.S. 40:"

AMENDMENT NO. 2

On page 2, line 18, change "R.S. 33:" to "R.S. 40:"

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. 685—

BY SENATOR LANDRY

AN ACT

To repeal Chapter 21-A of Title 46 of the Louisiana Revised Statutes of 1950, comprised of R.S. 46:1831 through 1839, relative to criminal victim's escrow accounts; to repeal provisions of law relating to such accounts, including notice of intent to file claim, notice to victims, release of and payments from escrow accounts, proration of payments, and void actions.

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. 695—

BY SENATOR CAIN

AN ACT

To amend and reenact R.S. 15:570, relative to execution of sentence; to provide with respect to capital cases; to provide for officials and witnesses present at execution; and to provide for related matters.

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. 695 by Senator Cain

AMENDMENT NO. 1

On page 2, line 10, after "children" insert "who have indicated to the secretary that they desire such notice"

AMENDMENT NO. 2

On page 2, line 15, after "attend." delete the remainder of the line and delete lines 16 and 17 and insert "The number of victim relationship witnesses may be limited to two. If more than two of the aforementioned parties desire to attend the execution, then the secretary is authorized to select, from the interested parties, the two victim relationship witnesses who will be authorized to attend."

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. 856—
BY SENATOR BRANCH

AN ACT

To amend and reenact R.S. 15:893, relative to prisons and correctional institutions; to provide for additional facilities; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The bill was read by title, ordered engrossed, and recommitted to the Committee on Finance.

SENATE BILL NO. 1015—
BY SENATOR SIRACUSA

AN ACT

To amend and reenact R.S. 15:824(B)(1)(a), relative to correctional institutions, to provide for payment for holding certain persons in parish jails; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The bill was read by title, ordered engrossed, and recommitted to the Committee on Finance.

SENATE BILL NO. 1016—
BY SENATOR SIRACUSA

AN ACT

To amend and reenact R.S. 15:901(C), relative to juvenile institutions; to provide for custody of an adjudicated juvenile; to provide for reimbursement of local governments; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The bill was read by title, ordered engrossed, and recommitted to the Committee on Finance.

SENATE BILL NO. 334—

BY SENATORS GREENE, BRANCH, CASANOVA, DEAN, HOLLIS, JORDAN, SCHEDLER AND SHORT AND REPRESENTATIVES BOWLER, BRUNEAU, DONELON, FORSTER, JENKINS, LANCASTER, MARTINY, PERKINS, SCALISE, STELLY, VITTER, WALSWORTH AND WINSTON

A JOINT RESOLUTION

Proposing to amend Sections 3(A), 5, 6, 7, 8(B), and 12 of Article VIII of the Constitution of Louisiana and to add Article VIII, Section 16 thereof, relative to public education; to provide relative to the jurisdiction of the State Board of Elementary and Secondary Education; to create a Board of Governors to govern, manage, and have budgetary responsibility for all public institutions of post-secondary education; to provide relative to the membership, terms, and qualifications of the members of such board; to provide for their powers and duties; to provide for the creation of a master plan and the defining of institutional role, scope, and mission; to provide for the creation of certain councils and the duties thereof; to provide for the selection of the chief executive officers of the board and each institution; to provide relative to the powers and duties of such officers; to provide relative to the creation or conversion of institutions; to provide relative to appropriations for higher education; to eliminate the Board of Regents and all boards vested with management responsibilities for higher education systems; to provide for the transfer of certain rights, powers, and property and the assumption of obligations; to provide for transition and initial appointments; to specify an effective date; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Motion

On motion of Senator Greene, Senate Bill No. 334 was made Special Order of the Day, No. 1 on Tuesday, April 15, 1997 immediately following the Morning Hour.

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. 22—
BY SENATOR CAMPBELL

AN ACT

To amend and reenact R.S. 47:463.45(C) and R.S. 56:10(B)(6), relative to the black bear prestige license plates; to provide for a notice on hunting and fishing licenses as to the availability of the black bear prestige license plate; to require that five percent of the net proceeds from the additional fee imposed to acquire the black bear prestige license plate be used for the promotion of the plate; 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. 22 by Senator Campbell

AMENDMENT NO. 1

On page 1, line 10, following "45" and before "is" insert "(C)"

AMENDMENT NO. 2

On page 2 between lines 23 and 24 insert

"B. * * *"

On motion of Senator Bagneris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dean	Jordan
Bagneris	Dyess	Lambert
Barham	Ellington	Lentini
Bean	Greene	Malone
Branch	Guidry	Romero
Cain	Hainkel	Schedler
Campbell	Heitmeier	Siracusa
Casanova	Hines	Smith
Cox	Hollis	Ullo
Cravins	Irons	
Dardenne	Johnson	
Total—31		

NAYS

Total—0

ABSENT

Bajoie	Landry	Tarver
Fields	Robichaux	Theunissen
Jones	Short	
Total—8		

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

April 8, 1997

which the bill was passed and laid the motion on the table.

SENATE BILL NO. 27—
BY SENATOR HAINKEL

AN ACT

To redesignate Columbus Drive in Tangipahoa Parish as University Avenue; and to provide for related matters.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Engrossed Senate Bill No. 27 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 2, between "redesignate" and "Columbus" insert "a portion of Wardline Road and a portion of"

AMENDMENT NO. 2

On page 1, line 5, between "Section 1." and "Columbus" insert "A portion of Wardline Road from Interstate 55 to Louisiana Highway 51 and a portion of"

AMENDMENT NO. 3

On page 1, line 5, after "from" delete the remainder of the line and insert in lieu thereof "Highway 51 to Louisiana Highway 1065 in the city of Hammond"

AMENDMENT NO. 4

On page 1, line 6, delete "Hammond to the campus of Southeastern Louisiana University"

On motion of Senator Hainkel, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dean	Jordan
Bagneris	Dyess	Lambert
Barham	Ellington	Landry
Bean	Fields	Lentini
Branch	Greene	Malone
Cain	Hainkel	Romero
Campbell	Heitmeier	Schedler
Casanova	Hines	Siracusa
Cravins	Hollis	Smith
Dardenne	Johnson	Ullo
Total—30		

NAYS

Total—0

ABSENT

Bajoie	Irons	Short
Cox	Jones	Tarver
Guidry	Robichaux	Theunissen
Total—9		

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

SENATE BILL NO. 51—
BY SENATOR HINES

AN ACT

To designate the outdoor conservation arboretum and education classroom at Chicot State Park in Ville Platte, Louisiana, as the Dupré Outdoor Conservation Arboretum and Education Classroom; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Jordan
Bagneris	Ellington	Lambert
Barham	Fields	Landry
Bean	Greene	Lentini
Branch	Guidry	Malone
Cain	Hainkel	Romero
Campbell	Heitmeier	Schedler
Casanova	Hines	Siracusa
Cox	Hollis	Smith
Cravins	Irons	Ullo
Dardenne	Johnson	
Total—32		

NAYS

Total—0

ABSENT

Bajoie	Robichaux	Theunissen
Dean	Short	
Jones	Tarver	
Total—7		

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

SENATE BILL NO. 62—
BY SENATOR CAIN AND REPRESENTATIVE ILES
AN ACT

To enact R.S. 56:1948.5(57), relative to highways; to designate a section of U.S. Highway 190 as a Louisiana Byway; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Robichaux	Tarver
Jones	Short	Theunissen
Total—6		

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

SENATE BILL NO. 66—
BY SENATOR LANDRY

AN ACT

To repeal R.S. 32:295.1(I), relative to traffic violations; to provide relative to moving violations; to repeal provision for decrease in fine under certain conditions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Cox	Heitmeier
Bagneris	Cravins	Hines
Barham	Dardenne	Hollis
Bean	Dean	Jordan
Branch	Dyess	Landry
Cain	Ellington	Malone
Campbell	Greene	Siracusa
Casanova	Hainkel	Smith
Total—24		

NAYS

Fields	Johnson	Schedler
Guidry	Lentini	Ullo
Irons	Romero	
Total—8		

ABSENT

Bajoie	Robichaux	Theunissen
Jones	Short	
Lambert	Tarver	
Total—7		

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. 150—
BY SENATOR JORDAN

AN ACT

To enact R.S. 32:410(A)(3)(a)(ix), relative to motor vehicles; to require parish code of residence on driver's license; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lambert
Bagneris	Fields	Landry
Barham	Greene	Lentini
Bean	Guidry	Malone
Cain	Hainkel	Romero
Campbell	Heitmeier	Schedler
Casanova	Hines	Siracusa
Cox	Hollis	Smith
Cravins	Irons	Ullo
Dardenne	Johnson	
Dyess	Jordan	
Total—31		

NAYS

Branch	Dean
Total—2	

ABSENT

Bajoie	Robichaux	Tarver
Jones	Short	Theunissen
Total—6		

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

SENATE BILL NO. 195—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:181(A)(1) and (2), 511(2), 1162(A)(3), and 1302(A)(6), relative to state retirement systems; to provide for the composition of the boards of trustees of state systems; to provide that the chairman of the Senate Committee on Retirement serve as ex officio member of such boards of trustees; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Robichaux	Tarver
Jones	Short	Theunissen
Total—6		

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

April 8, 1997

bill was passed and laid the motion on the table.

SENATE BILL NO. 196— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:403(19) and (20) and 413(3), relative to Louisiana State Employees' Retirement System; to provide for eligibility and definitions of certain persons who may or may not be members or receive benefits from the system; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dean Jordan
Bagneris Dyess Lambert
Barham Ellington Landry
Bean Fields Lentini
Branch Greene Malone
Cain Guidry Romero
Campbell Hainkel Schedler
Casanova Heitmeier Siracusa
Cox Hines Smith
Cravins Irons Ullo
Dardenne Johnson
Total—32

NAYS

Hollis
Total—1

ABSENT

Bajoie Robichaux Tarver
Jones Short Theunissen
Total—6

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

SENATE BILL NO. 197— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:701(5)(a), relative to the Teachers' Retirement System of Louisiana; to provide for the definition of average compensation; to provide for an effective date; 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. 197 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 2, following "reenact" and before "R.S. 11:" insert "the introductory Subparagraph of"

AMENDMENT NO. 2

On page 1, line 8, before "R.S. 11:" insert "The introductory Subparagraph of"

On motion of Senator Bagneris, the amendments were adopted.

The bill was read by title. Senator Heitmeier 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
Barham Fields Lentini
Bean Greene Malone
Branch Guidry Romero
Cain Hainkel Schedler
Campbell Heitmeier Siracusa
Casanova Hines Smith
Cox Hollis Ullo
Dardenne Johnson
Dean Jordan
Total—31

NAYS

Total—0

ABSENT

Bajoie Jones Tarver
Cravins Robichaux Theunissen
Irons Short
Total—8

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

SENATE BILL NO. 198— BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:701(5)(c), relative to the Teachers' Retirement System of Louisiana; to provide for limitations on the computation of average compensation; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Jones	Tarver
Cravins	Robichaux	Theunissen
Irons	Short	
Total—8		

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

SENATE BILL NO. 199—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:162(C), relative to certain retirement systems; to provide for membership eligibility for certain part-time, seasonal, or temporary employees; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Jones	Tarver
Cravins	Robichaux	Theunissen
Irons	Short	
Total—8		

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

SENATE BILL NO. 200—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:728(B)(1) and (F), relative to the Teachers' Retirement System of Louisiana; to provide for establishing credit for certain teaching service; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dean	Jordan
Bagneris	Dyess	Lambert

Barham	Ellington	Landry
Bean	Fields	Lentini
Branch	Greene	Malone
Cain	Guidry	Romero
Campbell	Heitmeier	Schedler
Casanova	Hines	Siracusa
Cox	Hollis	Smith
Dardenne	Johnson	Ullo
Total—30		

NAYS

Total—0

ABSENT

Bajoie	Irons	Short
Cravins	Jones	Tarver
Hainkel	Robichaux	Theunissen
Total—9		

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

SENATE BILL NO. 395—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:511(4) and (5), relative to the Louisiana State Employees' Retirement System; to provide for term limits for elected members of the board of trustees; to provide for the composition of the board of trustees; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Jordan
Bagneris	Ellington	Lambert
Barham	Fields	Landry
Bean	Greene	Lentini
Branch	Guidry	Malone
Cain	Hainkel	Romero
Campbell	Heitmeier	Schedler
Casanova	Hines	Siracusa
Cravins	Hollis	Smith
Dardenne	Johnson	Ullo
Total—30		

NAYS

Total—0

ABSENT

Bajoie	Irons	Short
Cox	Jones	Tarver
Dean	Robichaux	Theunissen
Total—9		

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

April 8, 1997

SENATE BILL NO. 399—
BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:462, relative to Louisiana State Employees' Retirement System; to provide for an optional disability enhancement benefit program and rehabilitation program; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bajoie	Robichaux	Tarver
Jones	Short	Theunissen
Total—6		

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

SENATE BILL NO. 425—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:181(A) and to repeal R.S. 11:182, relative to state and statewide retirement systems; to provide for the composition of the governing boards of state systems; to provide that the chairman of the Senate Committee on Retirement serve as ex officio member of such boards; to provide for per diem paid for board members to attend meetings; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bagneris	Cox	Johnson
Bajoie	Dyess	Landry
Bean	Heitmeier	Lentini
Branch	Hines	Siracusa
Cain	Irons	
Total—14		

NAYS

Mr. President	Greene	Romero
---------------	--------	--------

Barham	Guidry	Schedler
Casanova	Hainkel	Smith
Dardenne	Hollis	Ullo
Dean	Jordan	
Ellington	Malone	
Total—16		

ABSENT

Campbell	Jones	Short
Cravins	Lambert	Tarver
Fields	Robichaux	Theunissen
Total—9		

The Chair declared the bill failed to pass.

Notice of Reconsideration

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

Personal Privilege

Senator Branch asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 425. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Personal Privilege

Senator Cain asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on Senate Bill No. 425. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

SENATE BILL NO. 433—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:144 and to enact R.S. 11:158(D), relative to state and statewide retirement systems; to authorize the partial repayment of refunds; to authorize the partial purchase of service credit; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dean	Johnson
Bagneris	Dyess	Jordan
Bajoie	Ellington	Lambert
Barham	Fields	Landry
Bean	Greene	Lentini
Branch	Guidry	Malone
Cain	Hainkel	Romero
Campbell	Heitmeier	Schedler
Casanova	Hines	Smith
Cox	Hollis	Ullo
Dardenne	Irons	
Total—32		

NAYS

Total—0

ABSENT

Cravins	Short	Theunissen
Jones	Siracusa	
Robichaux	Tarver	
Total—7		

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

SENATE BILL NO. 434—
BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:751, relative to the Teachers' Retirement System of Louisiana; to provide for rounding of service credit at retirement or beginning participation in the Deferred Retirement Option Plan; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Jordan
Bagneris	Ellington	Lambert
Bajoie	Fields	Landry
Barham	Greene	Lentini
Bean	Guidry	Malone
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Siracusa
Cox	Hollis	Smith
Dardenne	Irons	Ullo
Dean	Johnson	
Total—32		

NAYS

Total—0

ABSENT

Casanova	Robichaux	Theunissen
Cravins	Short	
Jones	Tarver	
Total—7		

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

SENATE BILL NO. 435—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:701(9), relative to the Teachers' Retirement System of Louisiana; to provide for certain compensation not included in the definition of earnable compensation; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Jones	Short	Theunissen
Robichaux	Tarver	
Total—5		

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

SENATE BILL NO. 436—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:723(A) and (B), relative to Teachers' Retirement System of Louisiana; to provide for retaining membership in the retirement system; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Cravins	Robichaux	Tarver
Jones	Short	Theunissen
Total—6		

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

April 8, 1997

SENATE BILL NO. 438—
BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:164, relative to all state and statewide retirement systems; to provide for payment of funds or benefits to a succession; to provide for an effective date; 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. 438 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, lines 2, 7, 8 and 9, following R.S. 11: change "164" to "165"

On motion of Senator Bagneris, the amendments were adopted.

The bill was read by title. Senator Heitmeier 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	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Siracusa
Campbell	Hines	Smith
Casanova	Hollis	Ullo
Cox	Johnson	
Dardenne	Jordan	
Total—31		

NAYS

Total—0

ABSENT

Cravins	Jones	Tarver
Dean	Robichaux	Theunissen
Irons	Short	
Total—8		

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

SENATE BILL NO. 439—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:762(B)(1), relative to the Teachers' Retirement System of Louisiana; to provide for the computation of benefits for a surviving spouse; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Jordan
Bagneris	Dean	Lambert
Bajoie	Dyess	Landry
Barham	Ellington	Lentini
Bean	Fields	Malone
Branch	Guidry	Romero
Cain	Hainkel	Schedler
Campbell	Heitmeier	Siracusa
Casanova	Hines	Smith
Cox	Hollis	Ullo
Cravins	Johnson	
Total—32		

NAYS

Total—0

ABSENT

Greene	Robichaux	Theunissen
Irons	Short	
Jones	Tarver	
Total—7		

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

SENATE BILL NO. 440—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:752(D), relative to the Teachers' Retirement System of Louisiana; to provide for conversion of sick leave to membership service credit; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Lambert
Bagneris	Dyess	Landry
Bajoie	Ellington	Lentini
Barham	Fields	Malone
Bean	Guidry	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Siracusa
Campbell	Hines	Smith
Casanova	Hollis	Ullo
Cox	Johnson	
Cravins	Jordan	
Total—31		

NAYS

Dean
Total—1

ABSENT

Greene	Robichaux	Theunissen
Irons	Short	
Jones	Tarver	
Total—7		

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

SENATE BILL NO. 461—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 56:1681(A)(2)(b) and (f) and to enact R.S. 56:1681(A)(2)(j), relative to the State Parks and Recreation Commission; to provide relative to the membership of the State Parks and Recreation Commission; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Jones	Short	Theunissen
Robichaux	Tarver	
Total—5		

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

SENATE BILL NO. 509—
BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 56:722 and 727, and to repeal Sections 2, 3, 4, 5, 6, 8, 9, 10 and 11 of Act 261 of the 1940 Regular Session of the Legislature, Act 226 of the 1946 Regular Session of the Legislature, Act 462 of the 1960 Regular Session of the Legislature, Section 11 of Act 455 of the 1966 Regular Session of the Legislature, and Act 129 of the 1995 Regular Session of the Legislature, relative to parish game and fish commissions; to provide for composition of parish commissions; to provide for rules and regulations proposed by parish commissions; to provide for promulgation of rules and regulations; to provide for penalties; to abolish the Spanish Lake Game and Fish Commission as a state agency; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Jones	Robichaux	Tarver
Malone	Short	Theunissen
Total—6		

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

SENATE BILL NO. 517—
BY SENATORS CAIN AND LANDRY AND REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 48:220, relative to roads and highways; to authorize placement of fences up to right-of-way in Wards 1 and 5 in Beauregard Parish; 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. 517 by Senator Cain

AMENDMENT NO. 1

On page 1, line 10, before "The" change "(A)" to "A."

On motion of Senator Bagneris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Irons
Bagneris	Dean	Johnson
Bajoie	Dyess	Jordan
Barham	Ellington	Lambert
Bean	Fields	Landry
Branch	Greene	Lentini
Cain	Guidry	Romero
Campbell	Hainkel	Schedler
Casanova	Heitmeier	Siracusa

April 8, 1997

Cox	Hines	Smith
Cravins	Hollis	Ullo
Total—33		
	NAYS	
Total—0		
	ABSENT	
Jones	Robichaux	Tarver
Malone	Short	Theunissen
Total—6		

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

SENATE BILL NO. 574—
 BY SENATORS HAINKEL, DARDENNE, EWING AND ROMERO
 AN ACT
 To amend and reenact R.S. 56:10(B)(1)(d) and to enact R.S. 47:463.46, relative to motor vehicles; to establish the Ducks Unlimited license plate; to provide for a fee; to provide for the use of the revenues from the license plate; to provide relative to the Louisiana Duck Stamp Fund; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Dardenne	Irons
Bagneris	Dean	Johnson
Bajoie	Dyess	Jordan
Barham	Ellington	Lambert
Bean	Fields	Landry
Branch	Greene	Lentini
Cain	Guidry	Romero
Campbell	Hainkel	Schedler
Casanova	Heitmeier	Siracusa
Cox	Hines	Smith
Cravins	Hollis	Ullo
Total—33		
	NAYS	
Total—0		
	ABSENT	
Jones	Robichaux	Tarver
Malone	Short	Theunissen
Total—6		

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

SENATE BILL NO. 632—
 BY SENATOR JORDAN
 AN ACT
 To amend and reenact R.S. 32:296, relative to driving on highway shoulders; to permit driving on the shoulder of a roadway in an emergency; 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. 632 by Senator Jordan

AMENDMENT NO. 1
 On page 1, line 2, following "296" and before ", relative" insert "(B)"

On motion of Senator Bagneris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Dardenne	Johnson
Bagneris	Dean	Jordan
Bajoie	Dyess	Lambert
Barham	Ellington	Landry
Bean	Fields	Lentini
Branch	Greene	Romero
Cain	Guidry	Schedler
Campbell	Hainkel	Siracusa
Casanova	Heitmeier	Smith
Cox	Hines	Ullo
Cravins	Irons	
Total—32		
	NAYS	
Total—0		
	ABSENT	
Hollis	Robichaux	Theunissen
Jones	Short	
Malone	Tarver	
Total—7		

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

SENATE BILL NO. 676—
 BY SENATOR LANDRY
 AN ACT
 To amend and reenact R.S. 38:2212(E)(1)(a) and (2), relative to public contract; to limit use of maintenance employees of a public body to maintenance of public utilities; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Dardenne	Jordan
Bagneris	Dean	Lambert
Bajoie	Ellington	Landry
Barham	Fields	Lentini
Bean	Guidry	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Siracusa
Campbell	Hines	Smith
Casanova	Hollis	Ullo
Cox	Irons	
Cravins	Johnson	

Total—31

NAYS

Total—0

ABSENT

Dyess	Malone	Tarver
Greene	Robichaux	Theunissen
Jones	Short	
Total—8		

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. 677—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 38:2241(A)(2), relative to public contracts; to provide relative to public works; to increase amount at which a bond is required; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Greene	Robichaux	Tarver
Jones	Short	Theunissen
Total—6		

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. 678—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 38:2212(B), relative to public contracts; to repeal provisions relative to contract limits for the division of administration; 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. 678 by Senator Landry

AMENDMENT NO. 1

On page 1, between lines 7 and 8, insert "§2212. Advertisement and letting to lowest responsible bidder"

On motion of Senator Bagneris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Jones	Short	Theunissen
Robichaux	Tarver	
Total—5		

The Chair declared the amended 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. 679—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 38:2212(A)(3)(a)(i) and (ii) and to enact R.S. 2211(A)(12), relative to public contracts; to define design professional; to provide for authorization to prepare certain contract cost estimates; 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. 679 by Senator Landry

AMENDMENT NO. 1

On page 1, line 3, following "R.S." and before "2211(A)(12)" insert "38:"

AMENDMENT NO. 2

On page 1, between lines 11 and 12 insert asterisks "* * *"

On motion of Senator Bagneris, the amendments were adopted.

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

April 8, 1997

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Greene Robichaux Tarver
Jones Short Theunissen
Total—6

The Chair declared the amended 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. 687—
BY SENATORS LANDRY, CAIN AND SMITH
AN ACT

To amend and reenact R.S. 32:387(C)(3)(f)(ii), relative to motor vehicles; to provide relative to vehicles transporting recyclable waste paper products; to require width limits; and to provide for related matters.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 687 by Senator Landry

AMENDMENT NO. 1

On page 1, line 4, after between "limits;" and "and" insert "to provide for effective date;"

AMENDMENT NO. 2

On page 2, after line 11, insert the following:

"Section 2. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

On motion of Senator Landry, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Jones Short Theunissen
Robichaux Tarver
Total—5

The Chair declared the amended 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. 691—
BY SENATOR LANDRY
AN ACT

To amend and reenact R.S. 38:2212(A)(1)(c) and to enact R.S. 39:1594(C)(2)(d), relative to public contracts; to provide relative to bids for state contracts; to require signature of authorization on all bids; 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. 691 by Senator Landry

AMENDMENT NO. 1

On page 3, between lines 5 and 6, insert asterisks "* * *"

AMENDMENT NO. 2

On page 4, following line 8, insert asterisks "* * *"

On motion of Senator Bagneris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dean Jordan
Bagneris Dyess Lambert
Bajoie Ellington Landry
Barham Fields Lentini

Bean	Greene	Malone
Branch	Guidry	Romero
Cain	Hainkel	Schedler
Campbell	Heitmeier	Siracusa
Casanova	Hines	Smith
Cox	Hollis	Ullo
Cravins	Irons	
Dardenne	Johnson	
Total—34		

NAYS

Total—0

ABSENT

Jones	Short	Theunissen
Robichaux	Tarver	
Total—5		

The Chair declared the amended 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. 772—
BY SENATOR HEITMEIER

AN ACT

To enact R.S. 32:142(C), relative to traffic safety; to authorize police officers to remove unattended vehicles from the Crescent City Connection; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Jones	Short	Theunissen
Robichaux	Tarver	
Total—5		

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

SENATE BILL NO. 782—
BY SENATOR FIELDS

AN ACT

To enact R.S. 40:1501(D)(3), relative to fire protection districts; to allow the governing authority of District 6 Fire Protection District of East Baton Rouge Parish to call an election for the purpose of levying a millage, subject to voter approval; and to provide for

related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Jones	Short	Theunissen
Robichaux	Tarver	
Total—5		

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

SENATE BILL NO. 976—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:701(5)(a) and (c) and (9), 723, 728(B)(1) and (F), and 752(D) and to enact R.S. 11:751, relative to the Teachers' Retirement System of Louisiana; to provide for the definition of compensation; to provide for retaining membership; to provide for establishing credit for certain teaching service; to provide for rounding of service credit; to provide for conversion of sick leave to service credit; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Jordan
Bagneris	Dyess	Lambert
Bajoie	Ellington	Landry
Barham	Fields	Lentini
Bean	Greene	Malone
Branch	Guidry	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Ullo
Cravins	Johnson	
Total—32		

NAYS

April 8, 1997

Dean		
Total—1		
	ABSENT	
Hainkel	Robichaux	Tarver
Jones	Short	Theunissen
Total—6		

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

SENATE BILL NO. 983—
BY SENATOR ELLINGTON AN ACT

To amend and reenact R.S. 23:1842(1), 1843(A), 1862(B), and 2023(A) and R.S. 36:309(G)(3), relative to job training; to change the name of the Louisiana Employment and Training Council to the Governor's State Job Training Coordinating Council; 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. 983 by Senator Ellington

AMENDMENT NO. 1
On page 1, line 7, following the comma ",", change "(A)" to "(1)"

AMENDMENT NO. 2
On page 3, line 8, following "**Training**" and before "**Coordinating**" delete "**and**"

On motion of Senator Bagneris, 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	Dardenne	Johnson
Bagneris	Dean	Jordan
Bajoie	Dyess	Lambert
Barham	Ellington	Landry
Bean	Fields	Lentini
Branch	Greene	Malone
Cain	Guidry	Romero
Campbell	Hainkel	Schedler
Casanova	Heitmeier	Siracusa
Cox	Hines	Smith
Cravins	Hollis	Ullo
Total—33		
	NAYS	
Total—0		
	ABSENT	
Irons	Robichaux	Tarver
Jones	Short	Theunissen
Total—6		

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

which the bill was passed and laid the motion on the table.

SENATE BILL NO. 987—
BY SENATOR ELLINGTON AN ACT

To direct the Louisiana State Law Institute to change certain references in the law in matters of workers' compensation; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

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

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

SENATE BILL NO. 989—
BY SENATOR ELLINGTON AN ACT

To enact R.S. 23:12, relative to the Department of Labor; to provide with respect to the administration of records by the department; to provide for electronically digitizing of records; to deem the use of copies of such electronically digitized produced records as an original record; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Dardenne	Johnson
Bagneris	Dyess	Jordan
Bajoie	Ellington	Lambert
Barham	Fields	Landry
Bean	Greene	Lentini
Branch	Guidry	Malone
Cain	Hainkel	Romero
Campbell	Heitmeier	Schedler
Casanova	Hines	Siracusa

Cox	Hollis	Smith
Cravins	Irons	Ullo
Total—33		
	NAYS	
Total—0		
	ABSENT	
Dean	Robichaux	Tarver
Jones	Short	Theunissen
Total—6		

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

SENATE BILL NO. 990—
BY SENATOR ELLINGTON

AN ACT

To enact R.S. 47:302.31, relative to the proceeds of the state sales tax on hotel occupancy in certain parishes; to provide for the creation of the Franklin Visitor Enterprise Fund; to provide for uses of monies in the fund; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 997—
BY SENATOR ELLINGTON

AN ACT

To repeal R.S. 23:1601(1)(b) and (2)(b), relative to unemployment compensation; to repeal provisions relative to reduction of benefits upon requalification; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Johnson	Short	Tarver
Robichaux	Siracusa	Theunissen
Total—6		

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

SENATE BILL NO. 1001—
BY SENATOR ELLINGTON

AN ACT

To enact R.S. 23:1660(E) and (F), relative to unemployment compensation; to provide with respect to records and reports; to provide relative to the release and access of unemployment records; to provide for the reimbursement of costs for releases of any unemployment compensation records to governmental entities; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Johnson	Short	Tarver
Robichaux	Siracusa	Theunissen
Total—6		

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

SENATE BILL NO. 1002—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 23:1622 and 1693(A), and to enact R.S. 23:1693(I), relative to unemployment compensation benefits; to provide for withholding and collection of payable unemployment compensation benefits for over issuance of food stamp allotments; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Irons
Bagneris	Dean	Jones
Bajoie	Dyess	Lambert
Barham	Ellington	Landry
Bean	Fields	Lentini
Branch	Greene	Malone
Cain	Guidry	Romero
Campbell	Hainkel	Schedler
Casanova	Heitmeier	Smith

April 8, 1997

Cox	Hines	Ullo
Cravins	Hollis	
Total—32		
	NAYS	
Total—0		
	ABSENT	
Johnson	Short	Theunissen
Jordan	Siracusa	
Robichaux	Tarver	
Total—7		

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

SENATE BILL NO. 1032—
BY SENATOR HEITMEIER
AN ACT

To enact R.S. 47:322.1, relative to the proceeds of state sales tax on hotel occupancy in the city of Gretna; to create the Gretna Tourist Commission Enterprise Fund; to dedicate a portion of such tax collected in the city of Gretna to the fund; to provide for deposit of monies into the fund and allowable uses of the fund; and to provide for related matters.

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

SENATE BILL NO. 1034—
BY SENATOR THEUNISSEN
AN ACT

To amend and reenact R.S. 47:1605, relative to taxation; to provide relative to certain reports; to provide relative to certain penalties; and to provide for related matters.

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

SENATE BILL NO. 1047—
BY SENATOR ELLINGTON AND REPRESENTATIVE FORSTER
AN ACT

To amend and reenact R.S. 23:1397(A) and (C), 1404(B), 1405, and 1411(C), relative to the Louisiana Workers' Compensation Corporation; to transfer to the board of directors the authority to approve capitalization debt; to require the corporation to seek United States Department of Labor approval to write USL&H coverage without the full faith and credit guarantee; to provide for the disposition of assets upon dissolution of the corporation; to correlate the restrictions on the permitted types of corporate investments to the Louisiana Insurance Code; to remove the authority of the legislative auditor to audit the corporation after the full faith and credit guarantee has expired; and to provide for related matters.

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. 1047 by Senator Ellington

AMENDMENT NO. 1

On page 3, line 13, after "corporation" insert ", less the amount contributed by the state for start up which shall revert to the state general fund,"

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	Ellington	Jones
Bagneris	Fields	Jordan
Barham	Greene	Landry
Bean	Guidry	Malone
Branch	Hainkel	Romero
Casanova	Heitmeier	Schedler
Cravins	Hines	Siracusa
Dardenne	Hollis	Smith
Dean	Irons	Theunissen
Dyess	Johnson	Ullo
Total—30		

NAYS

Bajoie	Cox	Lentini
Campbell	Lambert	
Total—5		

ABSENT

Cain	Short
Robichaux	Tarver
Total—4	

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.

Personal Privilege

Senator Cain asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on Senate Bill No. 1047. He had intended to vote yea on the bill. He asked that the Official Journal so state.

SENATE BILL NO. 1089—
BY SENATOR HAINKEL
AN ACT

To amend and reenact R.S. 47:2262, relative to tax adjudicated property; to clarify the procedure for the redemption of tax adjudicated property by a tax debtor; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bagneris	Fields	Landry
Bajoie	Greene	Lentini
Barham	Guidry	Malone
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Theunissen
Cravins	Johnson	Ullo
Dardenne	Jones	

Dean	Jordan	
Total—34		
	NAYS	
Total—0		
	ABSENT	
Campbell	Robichaux	Tarver
Ellington	Short	
Total—5		

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

SENATE BILL NO. 1126—
BY SENATOR ELLINGTON AND REPRESENTATIVE FORSTER
AN ACT

To amend and reenact R.S. 23:1035(A), relative to workers' compensation; to provide with respect to covered employees; to provide for a limited liability company to elect out of coverage of workers' compensation laws; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

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

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

SENATE BILL NO. 1215—
BY SENATOR EWING
AN ACT

To amend and reenact R.S. 47:285, 318(A), 615(introductory paragraph), 645(A), 680, 695, 727(A), 832, 1010, 1040, 1061(A)(4), 1307, and 2418 and to enact R.S. 47:1521, relative to the taxes collected by the Department of Revenue and Taxation; to require all monies collected by the Department of Revenue and Taxation to be paid into the state treasury immediately upon receipt; and to provide for related matters.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 1215 by Senator Ewing

AMENDMENT NO. 1

On page 2, line 1 after collection delete "immediately upon" and insert in lieu thereof "within two working days of receipt"

AMENDMENT NO. 2

On page 2, line 9 after treasury, delete "upon" and insert "within two working days of".

AMENDMENT NO. 3

On page 2, line 24 delete "immediately upon" and insert "within two working days of".

AMENDMENT NO. 4

On page 3, line 5 delete "immediately upon" and insert "within two working days of"

AMENDMENT NO. 5

On page 3, line 13 delete "immediately" and at the beginning of line "upon" and insert "within two working days of"

AMENDMENT NO. 6

On page 4, line 1 delete "immediately upon" and insert "within two working days of"

AMENDMENT NO. 7

On page 4, line 10 delete "immediately upon" and insert "within two working days of"

AMENDMENT NO. 8

On page 4, line 22 delete "immediately upon" and insert "within two working days of"

AMENDMENT NO. 9

On page 4, line 25 delete "immediately upon" and insert "Within two working days of"

AMENDMENT NO. 10

On page 5, line 8 delete "immediately upon" and insert "within two working days of"

AMENDMENT NO. 11

On page 5, line 18 delete "immediately upon" and insert "within two working days of"

AMENDMENT NO. 12

On page 6, line 2 delete "immediately upon" and insert "within two working days of"

AMENDMENT NO. 13

On page 6, line 11 delete "immediately upon" and insert "within two working days of".

On motion of Senator Landry, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Dean	Jones
Bagneris	Dyess	Jordan
Bajoie	Ellington	Lambert

April 8, 1997

Barham	Fields	Landry
Bean	Greene	Lentini
Branch	Guidry	Malone
Cain	Hainkel	Schedler
Campbell	Heitmeier	Siracusa
Casanova	Hines	Smith
Cox	Hollis	Theunissen
Cravins	Irons	Ullo
Dardenne	Johnson	
Total—35		

NAYS

Total—0

ABSENT

Robichaux	Short
Romero	Tarver
Total—4	

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

SENATE BILL NO. 1221—
BY SENATOR EWING

AN ACT

To amend and reenact R.S. 39:128(B), relative to certain higher education capital outlay projects; to index the threshold for the exemption of such projects for the capital outlay process; and to provide for related matters.

Floor Amendments Sent Up

Senator Ewing sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ewing to Engrossed Senate Bill No. 1221 by Senator Ewing

AMENDMENT NO. 1

On page 2, at the end of line 4, insert "or de-escalated"

On motion of Senator Ewing, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Robichaux	Siracusa
Short	Tarver
Total—4	

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

SENATE BILL NO. 1222—
BY SENATOR EWING

AN ACT

To amend and reenact R.S. 39:126, relative to public contracts; to increase change order thresholds; and to provide for related matters.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 1222 by Senator Ewing

AMENDMENT NO. 1

On page 2, line 3, between "Statistics" and the period "." insert ", provided that in no case shall the base be less than fifty thousand dollars"

On motion of Senator Landry, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Hainkel	Robichaux	Tarver
Lambert	Short	
Total—5		

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

SENATE BILL NO. 1302—
BY SENATOR THEUNISSEN

AN ACT

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

Floor Amendments Sent Up

Senator Theunissen sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Theunissen to Engrossed Senate Bill No. 1302 by Senator Theunissen.

AMENDMENT NO. 1

On page 2, line 5, between "**residents**" and the comma "," insert "**which takes action pursuant to the provisions of Part V of this Chapter**"

AMENDMENT NO. 2

On page 8, after line 9, insert the following:

"F. Any tax levied by the district pursuant to Part I of this Chapter shall cease to be levied and collected if, as, and when, the tax authorized by this Part is levied and collected."

On motion of Senator Theunissen, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Irons	Short
Robichaux	Tarver
Total—4	

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

SENATE BILL NO. 1320—
BY SENATOR THEUNISSEN

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Robichaux	Short	Tarver
Total—3		

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

SENATE BILL NO. 1366—
BY SENATOR COX

AN ACT

To amend and reenact R.S. 47:302.12(A) and 302.14(A), relative to the proceeds of the state sales and use tax on hotel occupancy in certain parishes; to provide for the proceeds of additional state sales and use taxes on hotel occupancy in Calcasieu Parish; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 1412—
BY SENATOR EWING

AN ACT

To amend and reenact R.S. 33:4754(A)(1) and (2), (B)(1) and (2), and (E)(1) and (2), relative to building regulations; to make certain clarifications relative to local governing authorities' authority to take action regarding the removal and securing of dangerous structures; to authorize certain parishes to charge an interest on costs incurred for services relative to the dangerous structures; to authorize certain parishes to request the removal and demolition of condemned buildings, structures, or public nuisances by the national guard; to remove any liability from certain parishes relative to such structures when all procedural protections and substantive restraints have been followed; and to provide for related matters.

April 8, 1997

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. 1412 by Senator Ewing

AMENDMENT NO. 1

On page 2, line 23, and page 3, lines 5 and 13, following "in" and before "(A)(1)" change "Subsection" to "Paragraph"

On motion of Senator Bagneris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Bagneris, Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Ellington, Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Lentini, Malone, Romero, Schedler, Siracusa, Smith, Theunissen, Ullo.

NAYS

Landry Total—1

ABSENT

Robichaux Total—3 Short Tarver

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

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

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

Called from the Calendar

Senator Theunissen asked that Senate Bill No. 1034 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 1034— BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 47:1605, relative to taxation; to provide relative to certain reports; to provide relative to certain penalties; and to provide for related matters.

Floor Amendments Sent Up

Senator Theunissen sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Theunissen to Engrossed Senate Bill No. 1034 by Senator Theunissen

AMENDMENT NO. 1

On page 1, line 9, at the beginning of the line insert "A."

AMENDMENT NO. 2

On page 1, line 10, between "grossly incorrect" and "or" insert "report, or a false"

AMENDMENT NO. 3

On page 1, line 16, delete "collector" and insert "secretary"

AMENDMENT NO. 4

On page 2, after line 6, insert the following:

"R.S. 47:1605(B) is all proposed new law.

B. For the purposes of this Section, the following terms shall have the following meanings:

(1) "Grossly incorrect report" means any report filed where there is a substantial understatement of tax for any taxable period. The understatement is substantial if it exceeds the greater of:

(a) Ten percent of the tax required to be shown on the return for the taxable period, or

(b) Ten thousand dollars.

(2) "False or fraudulent report" means any report filed with the intent to evade taxes, or a willful attempt to defraud or evade taxes that are due."

On motion of Senator Theunissen, the amendments were adopted.

Floor Amendments Sent Up

Senator Dean sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dean to Engrossed Senate Bill No. 1034 by Senator Theunissen

AMENDMENT NO. 1

Amend line 16 of Senate Floor Amendment No. 4 proposed by Senator Theunissen and adopted by the Senate on April 8, 1997 as follows:

"(a) Twenty percent of the tax required to be shown on the"

Senator Dean moved adoption of the amendments.

Senator Theunissen objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Dean, Dyess, Fields, Guidry, Irons, Johnson, Landry, Ullo.

Total—8

NAYS

Mr. President	Cox	Lambert
Bagneris	Cravins	Lentini
Bajoie	Dardenne	Malone
Barham	Ellington	Romero
Bean	Greene	Schedler
Branch	Heitmeier	Siracusa
Cain	Hines	Smith
Campbell	Hollis	Theunissen
Casanova	Jones	
Total—26		

ABSENT

Hainkel	Robichaux	Tarver
Jordan	Short	
Total—5		

The Chair declared the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Jordan	Landry
Total—2	
	ABSENT
Hainkel	Short
Robichaux	Tarver
Total—4	

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

Called from the Calendar

Senator Hines asked that Senate Bill No. 503 be called from the Calendar at this time for its final passage.

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

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

Floor Amendments Sent Up

Senator Lambert sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lambert to Engrossed Senate Bill No. 503 by Senator Hines

AMENDMENT NO. 1

On page 1, line 2, after "836" insert "and 836(7)"

AMENDMENT NO. 2

On page 1, line 3, after "836(14)," insert "(15) and (16)"

AMENDMENT NO. 3

On page 1, line 4, at the end of the line delete "an additional member" and insert "additional members"

AMENDMENT NO. 4

On page 1, line 8, after "836" delete "is" and insert " and 836(7) are"

AMENDMENT NO. 5

On page 1, line 9, after "836(14)" delete "is" and insert ", (15) and (16) are"

AMENDMENT NO. 6

On page 1, line 12, delete "fourteen" and insert "nineteen"

AMENDMENT NO. 7

On page 1, between lines 15 and 16 insert the following:

"(7) ~~One member~~ **Four members** to be appointed by the governor."

* * *

AMENDMENT NO. 8

On page 2, after line 1, insert the following:

"**(15) One member to be appointed by the president of the Senate.**
(16) One member to be appointed by the speaker of the House."

On motion of Senator Lambert, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

April 8, 1997

Total—0
ABSENT

Hainkel Short
Robichaux Tarver
Total—4

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

Rules Suspended

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

Petitions, Memorials and Communications

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

State of Louisiana
Department of Justice
Baton Rouge
70804-9005

April 3, 1997

Honorable Randy Ewing
President, Louisiana State Senate
State Capitol
Baton Rouge, La 70804

Dear Senator Ewing:

Pursuant to Article IV, Section 13 of the Louisiana Constitution (1974), and LSA-R.S. 36:703, I am submitting the name of Constance A. Koury, whom I have appointed as First Assistant Attorney General. Ms. Koury has served as my First Assistant since March 10, 1997.

Very truly yours,
RICHARD P. IEYOUB
Attorney General

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. 1437—
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 6:2(10), 201(3), and 215(B) and (C) and to enact R.S. 6:201(18) and 215(D), relative to mutual state banks; to provide a definition; to provide for what shall constitute the capital of a mutual state bank; 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.

SENATE BILL NO. 1438—
BY SENATOR FIELDS

AN ACT

To amend and reenact R.S. 30:2014(A), relative to facilities permitted by the Department of Environmental Quality; to provide for determination of eligibility before purchasers of certain facilities

can operate pursuant to an existing permit, license, registration, variance, or compliance schedule; and to provide for related matters.

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

SENATE BILL NO. 1439—
BY SENATORS FIELDS AND HINES
AN ACT

To amend and reenact R.S. 17:1206(A), relative to city and parish school system noncertificated employees; to prohibit certain reductions in salary for employees on approved leave; and to provide for related matters.

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 65—
BY SENATORS SCHEDLER, HAINKEL, AND SHORT AND REPRESENTATIVES SCHNEIDER, STRAIN, THORNHILL, AND WINSTON
A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of James Champagne, husband, father, financial advisor, community leader, and friend.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Greene	Robichaux	Tarver
Hollis	Short	
Total—5		

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

SENATE CONCURRENT RESOLUTION NO. 66—

BY SENATOR CAMPBELL

A CONCURRENT RESOLUTION

To offer the condolences of the Louisiana Legislature on behalf of its members and staff, past and present, as well as the citizens of the state to the family of Polly Rayburn Rizan, a beloved long time member of the Senate staff.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Robichaux	Short	Tarver
Total—3		

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

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

April 8, 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. 1205—

BY REPRESENTATIVES HEATON, BRUCE, JENKINS, KENNARD, PERKINS, AND WINDHORST

AN ACT

To amend and reenact R.S. 15:574.2(C)(9), relative to the written notification of parole hearings; to provide for written notice of hearings to be made to crime victims; to provide for the time and contents of the written notice; and to provide for related matters.

HOUSE BILL NO. 1360—

BY REPRESENTATIVE TRAVIS

AN ACT

To authorize and empower the Department of Public Safety and Corrections to transfer title to certain property located in East Feliciana Parish to the East Feliciana Parish Fire Protection District; and to provide for related matters.

HOUSE BILL NO. 1472—

BY REPRESENTATIVE POWELL

AN ACT

To authorize and provide for the transfer of certain state property to the Louisiana Agricultural Finance Authority from the Department of Agriculture and Forestry; and to provide for related matters.

HOUSE BILL NO. 1617—

BY REPRESENTATIVE WIGGINS

AN ACT

To authorize and provide for the lease of certain state property to the Volunteers of America from the Department of Health and Hospitals; and to provide for related matters.

HOUSE BILL NO. 1855—

BY REPRESENTATIVE KENNEY

AN ACT

To authorize and empower the Department of Transportation and Development to transfer title to certain described property, together with all buildings and improvements thereon, located within the parish of Franklin, to the village of Baskin; and to provide for related matters.

HOUSE BILL NO. 2253—

BY REPRESENTATIVES MORRELL AND WINDHORST

(On Recommendation of the Louisiana State Law Institute)

AN ACT

To amend and reenact Code of Criminal Procedure Arts. 844(A) and 916(5), relative to appellate court procedures; to provide for the filing of a written designation of errors with the appellate court; to require copies of the assignment of errors to be furnished to the trial court and counsel; to provide for time for filing; to provide for divesting of jurisdiction of the trial court; and to provide for related matters.

HOUSE BILL NO. 61—

BY REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 46:1802(7) and (10)(a), relative to the Crime Victims Reparations Act; to extend coverage of the Act to include peace officers, firemen, and certain others; and to provide for related matters.

HOUSE BILL NO. 248—

BY REPRESENTATIVE TRAVIS

AN ACT

To enact R.S. 33:1236(55)(c), relative to powers of parish governing authorities; to authorize the governing authority of East Feliciana Parish to enact ordinances to require the clerk of court to impose additional charges on certain filings to be used for expenses of the clerk's office; and to provide for related matters.

HOUSE BILL NO. 87—

BY REPRESENTATIVE JOHN SMITH

AN ACT

To enact R.S. 13:2111, relative to the clerk of the city court of Leesville; to require an assessment of a nonrefundable fee for filing of a civil suit or proceeding; to provide for the disposition of such fee; and to provide for related matters.

April 8, 1997

HOUSE BILL NO. 297—

BY REPRESENTATIVE TRICHE

AN ACT

To repeal R.S. 11:1767, relative to the Municipal Employees' Retirement System of Louisiana; to repeal the authorization for certain optional transfers between benefit plans within the system; and to provide for related matters.

HOUSE BILL NO. 1162—

BY REPRESENTATIVES R. ALEXANDER, DOWNER, DEWITT, BAYLOR, BRUCE, CLARKSON, CRANE, DEVILLE, DOERGE, DUPRE, FLAVIN, KENNARD, MCMAINS, POWELL, RIDDLE, SHAW, JACK SMITH, THOMAS, THOMPSON, TOOMY, WALSWORTH, DANIEL, MCCALLUM, MONTGOMERY, AND PERKINS AND SENATORS DARDENNE, HINES, EWING, BARHAM, BEAN, CRAVINS, ELLINGTON, GREENE, ROBICHAUX, SCHEDLER, AND TARVER

AN ACT

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

HOUSE BILL NO. 408—

BY REPRESENTATIVE SALTER

AN ACT

To amend and reenact R.S. 13:998(A) and (E)(1)(introductory paragraph), relative to fees in certain civil matters; to require the clerks of the district courts in Sabine and DeSoto Parishes to assess an additional fee, in certain civil matters, for support of various nonprofit organizations providing shelter for battered women and their children; to provide for the disposition of such fee; and to provide for related matters.

HOUSE BILL NO. 455—

BY REPRESENTATIVE TOOMY

AN ACT

To repeal R.S. 26:272(D)(3), relative to applications for special Class "R" restaurant permits; to repeal the requirement that the application contain a copy of an affidavit from the local health department.

HOUSE BILL NO. 629—

BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 11:263(E) and to enact R.S. 11:267, relative to the Louisiana State Employees' Retirement System, the Teachers' Retirement System of Louisiana, the Louisiana School Employees' Retirement System, and the State Police Pension and Retirement System; to provide with respect to investment of funds held in trust by each such system; to further provide with respect to investment limitations and guidelines applicable to the governing board of each such system; and to provide for related matters.

HOUSE BILL NO. 895—

BY REPRESENTATIVE WINDHORST

AN ACT

To amend and reenact R.S. 49:964(G)(6) and to enact R.S. 49:964(G)(7), relative to judicial review of adjudication proceedings; to provide a standard of review for findings of fact in adjudication proceedings; and to provide for related matters.

HOUSE BILL NO. 1071—

BY REPRESENTATIVE MCCALLUM

AN ACT

To repeal R.S. 9:5201, 5202, and 5203, relative to duties of the clerks of court; to repeal provisions concerning the duty to provide notice of tax sales.

HOUSE BILL NO. 1432—

BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 11:761 and 768, relative to the Teachers' Retirement System of Louisiana; to provide with respect to retirement eligibility requirements; to provide for certain actuarial reduction of benefits; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 1714—

BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 11:511(4) and (5), relative to the Louisiana State Employees' Retirement System; to provide with respect to the board of trustees and the composition thereof; to further provide with respect to limitation on service as a trustee; to provide an effective date; and to provide for related matters.

HOUSE BILL NO. 1251—

BY REPRESENTATIVES WINDHORST AND DEWITT

AN ACT

To amend and reenact R.S. 15:574.4(A)(2)(e), relative to the intensive incarceration and intensive parole supervision program for certain inmates; to provide for the duration of intensive incarceration; and to provide for related matters.

HOUSE BILL NO. 1514—

BY REPRESENTATIVES DOWNER, ANSARDI, DONELON, AND JOHN SMITH

AN ACT

To enact R.S. 39:14(6), relative to state lands; to exempt the Military Department, state of Louisiana, from certain provisions relative to the administration of state lands; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 600—

BY REPRESENTATIVES DOWNER, ANSARDI, BRUNEAU, DONELON, GREEN, LANCASTER, AND MCMAINS AND SENATORS BEAN AND SHORT

AN ACT

To enact Part XXIV-B of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.60 through 1299.64, relative to declarations concerning life-sustaining procedures; to enact the Military Advance Medical Directives Act; and to provide for related matters.

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. 61—

BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 46:1802(7) and (10)(a), relative to the Crime Victims Reparations Act; to extend coverage of the Act to include peace officers, firemen, and certain others; 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. 87—

BY REPRESENTATIVE JOHN SMITH
AN ACT

To enact R.S. 13:2111, relative to the clerk of the city court of Leesville; to require an assessment of a nonrefundable fee for filing of a civil suit or proceeding; to provide for the disposition of such fee; 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. 248—

BY REPRESENTATIVE TRAVIS
AN ACT

To enact R.S. 33:1236(55)(c), relative to powers of parish governing authorities; to authorize the governing authority of East Feliciana Parish to enact ordinances to require the clerk of court to impose additional charges on certain filings to be used for expenses of the clerk's office; 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. 297—

BY REPRESENTATIVE TRICHE
AN ACT

To repeal R.S. 11:1767, relative to the Municipal Employees' Retirement System of Louisiana; to repeal the authorization for certain optional transfers between benefit plans within the 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. 408—

BY REPRESENTATIVE SALTER
AN ACT

To amend and reenact R.S. 13:998(A) and (E)(1)(introductory paragraph), relative to fees in certain civil matters; to require the clerks of the district courts in Sabine and DeSoto Parishes to assess an additional fee, in certain civil matters, for support of various nonprofit organizations providing shelter for battered women and their children; to provide for the disposition of such fee; 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. 600—

BY REPRESENTATIVES DOWNER, ANSARDI, BRUNEAU, DONELON,
GREEN, LANCASTER, AND MCMAINS AND SENATORS BEAN AND SHORT
AN ACT

To enact Part XXIV-B of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1299.60 through 1299.64, relative to declarations concerning life-sustaining

procedures; to enact the Military Advance Medical Directives 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. 455—

BY REPRESENTATIVE TOOMY
AN ACT

To repeal R.S. 26:272(D)(3), relative to applications for special Class "R" restaurant permits; to repeal the requirement that the application contain a copy of an affidavit from the local health department.

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

HOUSE BILL NO. 629—

BY REPRESENTATIVE STELLY
AN ACT

To amend and reenact R.S. 11:263(E) and to enact R.S. 11:267, relative to the Louisiana State Employees' Retirement System, the Teachers' Retirement System of Louisiana, the Louisiana School Employees' Retirement System, and the State Police Pension and Retirement System; to provide with respect to investment of funds held in trust by each such system; to further provide with respect to investment limitations and guidelines applicable to the governing board of each such 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. 895—

BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 49:964(G)(6) and to enact R.S. 49:964(G)(7), relative to judicial review of adjudication proceedings; to provide a standard of review for findings of fact in adjudication proceedings; 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. 1071—

BY REPRESENTATIVE MCCALLUM
AN ACT

To repeal R.S. 9:5201, 5202, and 5203, relative to duties of the clerks of court; to repeal provisions concerning the duty to provide notice of tax sales.

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

HOUSE BILL NO. 1162—

BY REPRESENTATIVES R. ALEXANDER, DOWNER, DEWITT, BAYLOR,
BRUCE, CLARKSON, CRANE, DEVILLE, DOERGE, DUPRE, FLAVIN,
KENNARD, MCMAINS, POWELL, RIDDLE, SHAW, JACK SMITH, THOMAS,
THOMPSON, TOOMY, WALSWORTH, DANIEL, MCCALLUM,
MONTGOMERY, AND PERKINS AND SENATORS DARDENNE, HINES,
EWING, BARHAM, BEAN, CRAVINS, ELLINGTON, GREENE, ROBICHAUX,
SCHEDLER, AND TARVER
AN ACT

To amend and reenact R.S. 17:3215(6), R.S. 36:251(B), R.S. 38:2212(A)(1)(f)(iv) and (K), R.S. 39:1554(D)(4) and (5), R.S. 40:2018.1(A) and (B)(6), 2241(A)(3), 2251(A)(3), 2742(B)(1)(introductory paragraph), R.S. 45:836(introductory paragraph), and R.S. 46:160.8(A)(3)(a) and 1072(2)(b), to enact Subpart C-2 of Part II of Chapter 4 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1519 through 1519.8, R.S. 36:254(A)(14) and 259(FF), and R.S. 40:2742(B)(4), and to repeal R.S. 39:101(B)(3), R.S. 40:2742(B)(1)(f), R.S. 45:836(8), and Parts I and II of Chapter 6 of Title 46 of the Louisiana Revised Statutes of 1950, comprised

April 8, 1997

of R.S. 46:701 through 709 and 751 through 776, respectively, relative to the delivery of health care services; to transfer public hospitals and their funds, property, records, obligations, functions, and employees from the Louisiana Health Care Authority to the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College; to provide for the operation of public hospitals by the Louisiana State University Medical Center under the overall direction, supervision, and management of the board; to provide for the health care services division of the medical center; to provide for the powers and duties of board, the medical center and its chancellor, and the division, including provisions for funds and funding and the issuance of debt; to provide for legislative approval for certain actions and for certain reports to the legislature and legislative committees; to abolish the Louisiana Health Care Authority; to provide for the administration of the Medical Center of Louisiana at New Orleans; to provide for the administration of the Huey P. Long Medical Center; to create and provide for the membership, powers, and duties of the Medical Education Commission; to provide for membership on certain boards and commissions; to provide relative to the powers and duties of the secretary of the Department of Health and Hospitals; to repeal provisions related to Charity Hospital at New Orleans; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1205—
BY REPRESENTATIVES HEATON, BRUCE, JENKINS, KENNARD, PERKINS, AND WINDHORST

AN ACT

To amend and reenact R.S. 15:574.2(C)(9), relative to the written notification of parole hearings; to provide for written notice of hearings to be made to crime victims; to provide for the time and contents of the written notice; 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. 1251—
BY REPRESENTATIVES WINDHORST AND DEWITT

AN ACT

To amend and reenact R.S. 15:574.4(A)(2)(e), relative to the intensive incarceration and intensive parole supervision program for certain inmates; to provide for the duration of intensive incarceration; 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. 1360—
BY REPRESENTATIVE TRAVIS

AN ACT

To authorize and empower the Department of Public Safety and Corrections to transfer title to certain property located in East Feliciana Parish to the East Feliciana Parish Fire Protection District; 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. 1432—
BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 11:761 and 768, relative to the Teachers' Retirement System of Louisiana; to provide with respect to retirement eligibility requirements; to provide for certain actuarial reduction of benefits; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1472—
BY REPRESENTATIVE POWELL

AN ACT

To authorize and provide for the transfer of certain state property to the Louisiana Agricultural Finance Authority from the Department of Agriculture and Forestry; and to provide for related matters.

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

HOUSE BILL NO. 1514—
BY REPRESENTATIVES DOWNER, ANSARDI, DONELON, AND JOHN SMITH

AN ACT

To enact R.S. 39:14(6), relative to state lands; to exempt the Military Department, state of Louisiana, from certain provisions relative to the administration of state lands; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1617—
BY REPRESENTATIVE WIGGINS

AN ACT

To authorize and provide for the lease of certain state property to the Volunteers of America from the Department of Health and Hospitals; 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. 1714—
BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 11:511(4) and (5), relative to the Louisiana State Employees' Retirement System; to provide with respect to the board of trustees and the composition thereof; to further provide with respect to limitation on service as a trustee; to provide an effective date; and to provide for related matters.

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

HOUSE BILL NO. 1855—
BY REPRESENTATIVE KENNEY

AN ACT

To authorize and empower the Department of Transportation and Development to transfer title to certain described property, together with all buildings and improvements thereon, located within the parish of Franklin, to the village of Baskin; 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. 2253—
BY REPRESENTATIVES MORRELL AND WINDHORST
(On Recommendation of the Louisiana State Law Institute)

AN ACT

To amend and reenact Code of Criminal Procedure Arts. 844(A) and 916(5), relative to appellate court procedures; to provide for the filing of a written designation of errors with the appellate court; to require copies of the assignment of errors to be furnished to the trial court and counsel; to provide for time for filing; to provide for divesting of jurisdiction of the trial court; 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.

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

April 8, 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. 17— BY REPRESENTATIVE WILKERSON A CONCURRENT RESOLUTION

To urge and direct all state and statewide public retirement systems to furnish the office of the legislative actuary with a quarterly report and a consolidated annual report of all investments in derivative products held in the systems portfolio during the pertinent reporting periods.

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. 17— BY REPRESENTATIVE WILKERSON A CONCURRENT RESOLUTION

To urge and direct all state and statewide public retirement systems to furnish the office of the legislative actuary with a quarterly report and a consolidated annual report of all investments in derivative products held in the systems portfolio during the pertinent reporting periods.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON JUDICIARY C

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

April 8, 1997

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 39—

BY SENATOR JORDAN

A CONCURRENT RESOLUTION

To urge and request the Supreme Court of Louisiana to strictly construe the Constitution of Louisiana with respect to the declaration of individual rights and liberties contained therein.

Reported with amendments.

SENATE BILL NO. 29—

BY SENATOR HINES

AN ACT

To amend and reenact R.S. 40:966(A),(B)(2), and (C)(introductory paragraph) and (3), and to enact R.S. 40:966(G) and 969(D) relative to controlled dangerous substances; to increase penalties with respect to flunitrazepam; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 30—

BY SENATOR HINES

AN ACT

To amend and reenact R.S. 14:42.1(A) and 43(A)(1), relative to the crime of rape; to provide that a rape where the victim's condition is induced by administration of intoxicating, narcotic, anesthetic agent or controlled dangerous substance constitutes forcible rape; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 52—

BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 14:108.1 and to enact Code of Criminal Procedure Art. 814(A)(45.1), relative to offenses affecting law enforcement; to create the crime of aggravated flight from an officer; to provide a penalty; to provide for responsive verdicts; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 448—

BY SENATOR JORDAN

AN ACT

To enact Code of Criminal Procedure Art. 14.1, relative to general powers of courts; to provide with respect to the right of a person not to be compelled to give evidence against himself; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 660—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R. S. 14:70.2(C) and to enact R.S. 14:70.2(D), relative to refund or access device application fraud; to provide for graded penalties based on the value of the taking; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 890—

BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 32:393(A) and (C)(1), relative to traffic violations; to define final disposition; to provide for reports of persons charged with traffic violations; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 891—
BY SENATOR JORDAN

AN ACT

To amend and reenact Code of Civil Procedure Art. 4843(C) and to enact Code of Civil Procedure Art. 4843 (F), relative to the City Court of Lafayette; to provide relative to the jurisdiction of such court; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 893—
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 32:853(A)(1)(a) and (c)(ii) and (iii), the introductory paragraph of (3)(a), and (5), relative to operating records of drivers; to provide for the inclusion of certain offenses on operating records; to provide for the exclusion of certain arrests on operating records; to provide limitations on insurance companies based on the contents of an insured's operating record; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 916—
BY SENATOR LANDRY

AN ACT

To amend and reenact R. S. 14:2(13), relative to criminal law; to provide for the definition of "crime of violence"; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1037—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 15:574.2(C)(9), relative to the board of parole; to provide relative to parole hearings; to provide for written notification; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1067—
BY SENATOR IRONS

AN ACT

To enact R.S. 14:95.8, relative to offenses affecting the public safety; to provide with respect to possession of handguns by juveniles; to provide for the crime of illegal possession of a handgun by a juvenile; to provide for definition; to provide for exceptions; to provide for penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1097—
BY SENATOR LANDRY

AN ACT

To amend and reenact Children's Code Art. 603(3), relative to children in need of care; to redefine the term "caretaker"; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1141—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 15:834 and 857 and to repeal R.S. 15:858, relative to the authority of certain corrections officials; to provide with regard to the leasing of lands; to provide with regard to transferring certain functions to a non-profit corporation; and to provide for related matters.

Reported with amendments.

Respectfully submitted,

J. LOMAX JORDAN, JR.
Chairman

**REPORT OF COMMITTEE ON
JUDICIARY A**

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

April 8, 1997

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 35—
BY SENATORS HAINKEL, DARDENNE, EWING AND BARHAM
A CONCURRENT RESOLUTION

To memorialize the United States Congress to amend federal statutes 46 USCS §11108 and 11109, otherwise known as Seaman Protection and Relief Act, to remove the prohibition against states from withholding income tax from wages due or accruing to a master or seaman and the attachment of wages for tax payments.

Reported favorably.

SENATE BILL NO. 144—
BY SENATOR ROMERO

AN ACT

To enact R.S. 9:315.16, relative to child support; to require an accounting of the expenditure of child support payments under certain circumstances; to provide for the form, procedure, and term; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 385—
BY SENATOR JORDAN

AN ACT

To enact R.S. 9:2797.1, relative to limitation of liability; to provide civil immunity to health care providers who render gratuitous services in community health care clinics; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 388—
BY SENATOR GUIDRY

AN ACT

To enact R.S. 14:133(A)(4), relative to the filing of false public records; to provide for the crime of filing invalid or false liens or encumbrances with a clerk of court or recorder of mortgages; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 721—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 40:1299.58.2, 1299.58.3(D)(1) and (3), 1299.58.9(A), and 1299.58.10(B)(5), and to enact R.S. 40:1299.58.3(D)(1)(b), 1299.58.7(E), 1299.58.8(D)(1) and (2), relative to declarations concerning life-sustaining procedures; to provide for definitions; to provide for issuance of do-not-resuscitate identification bracelets by the secretary of state; to provide for procedures and limitation of liability for certified emergency medical technicians and certified first responders; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 734—
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 13:2561.2(A) and 2562.2(A), relative to civil jurisdiction for certain parish courts; to provide for the civil jurisdiction of certain parish courts; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 746—
BY SENATOR HAINKEL

AN ACT

To enact R.S. 46:1842(10) and 1844(Z) and the Louisiana Children's Code Arts. 116(29), 811.1(G) and 811.3(3), relative to juveniles; to provide with respect to the rights of victims; to provide for the rights of juvenile crime victims under the age of seventeen years; to provide for confidentiality; to provide definitions; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 750—
BY SENATOR CASANOVA

AN ACT

To amend and reenact R.S. 13:1875(12) and to enact R.S. 13:1874(G) and 1875(13), relative to city court judges; to prohibit city court judges from representing clients in lawsuits against certain governmental entities; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 756—
BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 9:315(6), relative to child support; to provide that proceeds of personal injury judgments and settlements may be considered as income for support purposes; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 908—
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 13:621.15, relative to district courts; to provide for an additional judgeship in the fifteenth judicial district; to provide for the election and term of office; to provide for qualifications; to provide relative to compensation; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1304—
BY SENATOR COX

AN ACT

To amend and reenact R.S. 15:542(B), relative to registration of sex offenders, to provide time period for registration; to require notification of school principals; to provide time period for notification; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1375—
BY SENATOR BAJOIE

AN ACT

To amend and reenact R.S. 13:46(A) and (B), relative to the duties and functions of the Judicial Compensation Commission; to require the commission to study and make recommendations relative to the salaries of the commissioners of district courts; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CHRIS ULLO
Chairman

**REPORT OF COMMITTEE ON
ENVIRONMENTAL QUALITY**

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

April 8, 1997

To the President and Members of the Senate:

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

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.

Reported with amendments.

SENATE BILL NO. 626—
BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT

AN ACT

To amend and reenact R.S. 30:2050.29, relative to legal remedies for environmental enforcement; to provide for writ of mandamus upon the department's failure to act; to eliminate de novo review of denial of an adjudicatory hearing; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 803—
BY SENATOR HAINKEL, DARDENNE, EWING AND LAMBERT

AN ACT

To enact R.S. 33:1243(C), relative to penalties for the violation of parish ordinances; to provide for the maximum penalty to be imposed for violation of parish ordinances regulating the use of or discharge to publicly owned waste treatment works by non-domestic users; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 951—
BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT

AN ACT

To amend and reenact R.S. 30:2011(C)(1)(c), the introductory paragraph of R.S. 30:2154(A), 2158(A)(1), 2160, 2180(B), 2195(B) and (E), the introductory paragraph of R. S. 30:2195.2(A) and 2195.2(B)(1)(c), 2195.4(C)(2), 2205(C) and (D), 2226(A), 2305(G), 2521, and 2522(A)(5), and R.S. 36:231(C)(1), the introductory paragraph of R. S. 30:238(D), and 238(D)(b), relative to the office of solid and hazardous waste; to reorganize and rename the office of solid and hazardous waste as the office of waste services; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1026—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 33:1974(C) and to enact R.S. 33:1974(D), relative to reimbursement of costs associated with the discharge of hazardous or nonhazardous materials; to provide for expenses fire departments may recover for performing remedial actions or fire fighting in conjunction with the discharge of hazardous or nonhazardous materials; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1166—

BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT
AN ACT

To amend and reenact R.S. 30:2011(D)(21)(b), 2073(1), 2074(B)(4), the introductory paragraph of 2154(A) and (B)(1)(a), (5), and (7), and to enact R.S. 30:2074(B)(1)(c) and (3)(e), and 2154(A)(4) and (5), relative to regulation of the use and disposal of sewage sludge; to clarify certain powers of the secretary of the Department of Environmental Quality to regulate use and disposal of sewage sludge; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1168—

BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT
AN ACT

To amend and reenact R.S. 30:2154(B)(2)(b) and (c), to enact R.S. 30:2154(B)(2)(f), and to repeal R.S. 30:2041, relative to the notification of waste disposal; to delete the notice requirement for the disposal of nonhazardous waste from certain abandoned and inactive sites; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1175—

BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT
AN ACT

To amend and reenact R. S. 30:2014(D)(1), and to repeal R. S. 30:2014(C), relative to the collection of fees by the Department of Environmental Quality; to eliminate the collection by the department of certain additional fees for hazardous waste permits, licenses, registrations, or variances; to permit the department to use existing revenues to provide for operating expenses of the department; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1336—

BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT
AN ACT

To amend and reenact R.S. 30:2050.21, relative to judicial review of matters before the Department of Environmental Quality; to provide for appeals, preparation of the record, hearings, modification of decisions, procedures, and a standard of review; and to provide for related matters.

Reported favorably.

Respectfully submitted,
LOUIS LAMBERT
Chairman

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

Senator Jordan 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. 29—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 40:966(A),(B)(2), and (C)(introductory paragraph) and (3), and to enact R.S. 40:966(G) and 969(D) relative to controlled dangerous substances; to increase penalties with respect to flunitrazepam; 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. 29 by Senator Hines

AMENDMENT NO. 1

On page 3, delete lines 8 and 9, and insert "dollars."

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. 30—

BY SENATOR HINES

AN ACT

To amend and reenact R.S. 14:42.1(A) and 43(A)(1), relative to the crime of rape; to provide that a rape where the victim's condition is induced by administration of intoxicating, narcotic, anesthetic agent or controlled dangerous substance constitutes forcible rape; 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. 30 by Senator Hines

AMENDMENT NO. 1

On page 2, line 5, delete "an intoxicating," and insert "a" and after "narcotic" delete the comma ","

AMENDMENT NO. 2

On page 2, delete line 7, and insert "by the offender and without the knowledge of the victim."

AMENDMENT NO. 3

On page 2, line 17, delete "from" and insert "produced by an intoxicating agent or" and delete the last word "or"

AMENDMENT NO. 4

On page 2, line 18, delete "with privity of" and after "offender" insert "and without the knowledge of the victim"

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. 52—

BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 14:108.1 and to enact Code of Criminal Procedure Art. 814(A)(45.1), relative to offenses affecting law enforcement; to create the crime of aggravated flight from an officer; to provide a penalty; to provide for responsive verdicts; 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. 52 by Senator Lentini

AMENDMENT NO. 1

On page 2, between lines 11 and 12 insert the following: "Circumstances wherein human life is endangered include, but are not limited to situations where the fleeing vehicle:

- 1. Leaves the roadway or forces another vehicle to leave the roadway.
- 2. Collides with another vehicle or object.
- 3. Exceeds the posted speed limit by at least twenty-five miles per hour.
- 4. Travels against the flow of traffic."

AMENDMENT NO. 2

On page 2, line 14, change "ten" to "five" and after "years" add a period "." and delete the remainder of the line and delete line 15

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. 144—
BY SENATOR ROMERO

AN ACT

To enact R.S. 9:315.16, relative to child support; to require an accounting of the expenditure of child support payments under certain circumstances; to provide for the form, procedure, and term; 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 and ordered engrossed and passed to a third reading.

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.

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. 345 by Senator Greene

AMENDMENT NO. 1

On page 2, line 21, change "1998" to "2000"

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. 385—
BY SENATOR JORDAN

AN ACT

To enact R.S. 9:2797.1, relative to limitation of liability; to provide civil immunity to health care providers who render gratuitous services in community health care clinics; 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. 385 by Senator Jordan

AMENDMENT NO. 1

On page 1, lines 2, 6 and 7, change "1" to "2"

AMENDMENT NO. 2

On page 1, line 14, change "provide" to "provides"

AMENDMENT NO. 3

On page 2, after line 23, insert the following:

"E. The health care provider shall print and keep posted at a convenient and conspicuous place a notice reading substantially as follows: "NOTICE - If you are hurt here because of things we do or because of things we did not do, you do not have the same legal recourse as you would have from other health care providers." The notice shall be printed in type size sufficient to be easily read by patients upon entering the facility. Failure to keep such a notice posted as provided herein shall negate the immunity from civil liability provided by this Section."

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. 388—
BY SENATOR GUIDRY

AN ACT

To enact R.S. 14:133(A)(4), relative to the filing of false public records; to provide for the crime of filing invalid or false liens or encumbrances with a clerk of court or recorder of mortgages; 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 and ordered engrossed and passed to a third reading.

SENATE BILL NO. 448—
BY SENATOR JORDAN

AN ACT

To enact Code of Criminal Procedure Art. 14.1, relative to general powers of courts; to provide with respect to the right of a person not to be compelled to give evidence against himself; and to provide for related matters.

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

SENATE BILL NO. 626—
BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT

AN ACT

To amend and reenact R.S. 30:2050.29, relative to legal remedies for environmental enforcement; to provide for writ of mandamus upon the department's failure to act; to eliminate de novo review of denial of an adjudicatory hearing; 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. 626 by Senator Hainkel, et al.

AMENDMENT NO. 1

On page 1, line 12, between "secretary" and "authorized" delete the comma ","

AMENDMENT NO. 2

On page 1, line 12, between "secretary" and "authorized" insert "or"

AMENDMENT NO. 3

On page 1, line 12, after "assistant secretary" delete ", or"

AMENDMENT NO. 4

On page 1, at the beginning of line 13, delete "hearing officer"

AMENDMENT NO. 5

On page 1, line 13, after "secretary" delete the comma ","

AMENDMENT NO. 6

On page 1, line 14, before "authorized" add "or"

AMENDMENT NO. 7

On page 1, line 14, after "secretary" delete ", or hearing officer"

AMENDMENT NO. 8

On page 2, line 1, after "secretary" delete the comma ","

AMENDMENT NO. 9

On page 2, line 1, between "secretary" and "authorized" insert "or"

AMENDMENT NO. 10

On page 2, line 2, after "secretary" delete ", or hearing officer"

AMENDMENT NO. 11

On page 2, line 3, after "court" add the following:

" , and if the adversely affected party prevails, the court shall award court costs and attorneys fees."

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. 660—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R. S. 14:70.2(C) and to enact R.S. 14:70.2(D), relative to refund or access device application fraud; to provide for graded penalties based on the value of the taking; and to provide for related matters.

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

SENATE BILL NO. 721—
BY SENATOR HINES

AN ACT

To amend and reenact R.S. 40:1299.58.2, 1299.58.3(D)(1) and (3), 1299.58.9(A), and 1299.58.10(B)(5), and to enact R.S. 40:1299.58.3(D)(1)(b), 1299.58.7(E), 1299.58.8(D)(1) and (2), relative to declarations concerning life-sustaining procedures; to provide for definitions; to provide for issuance of do-not-resuscitate identification bracelets by the secretary of state; to provide for procedures and limitation of liability for certified emergency medical technicians and certified first responders; 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 and ordered engrossed and passed to a third reading.

SENATE BILL NO. 734—
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 13:2561.2(A) and 2562.2(A), relative to civil jurisdiction for certain parish courts; to provide for the civil jurisdiction of certain parish courts; 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 and ordered engrossed and passed to a third reading.

SENATE BILL NO. 746—
BY SENATOR HAINKEL

AN ACT

To enact R.S. 46:1842(10) and 1844(Z) and the Louisiana Children's Code Arts. 116(29), 811.1(G) and 811.3(3), relative to juveniles; to provide with respect to the rights of victims; to provide for the rights of juvenile crime victims under the age of seventeen years; to provide for confidentiality; to provide definitions; 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 and ordered engrossed and passed to a third reading.

SENATE BILL NO. 750—
BY SENATOR CASANOVA

AN ACT

To amend and reenact R.S. 13:1875(12) and to enact R.S. 13:1874(G) and 1875(13), relative to city court judges; to prohibit city court judges from representing clients in lawsuits against certain governmental entities; 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 and ordered engrossed and passed to a third reading.

SENATE BILL NO. 756—
BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 9:315(6), relative to child support; to provide that proceeds of personal injury judgments and settlements may be considered as income for support purposes; 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. 756 by Senator Irons

AMENDMENT NO. 1

On page 1, line 2, after "(6)" insert "(c)"

AMENDMENT NO. 2

On page 1, line 14, change "(C)" to "(c)"

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. 803—
BY SENATOR HAINKEL, DARDENNE, EWING AND LAMBERT

AN ACT

To enact R.S. 33:1243(C), relative to penalties for the violation of parish ordinances; to provide for the maximum penalty to be imposed for violation of parish ordinances regulating the use of or discharge to publicly owned waste treatment works by non-domestic users; 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. 803 by Senator Hainkel, et al.

AMENDMENT NO. 1

On page 1, line 16, between "works" and "if" delete the comma ","

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. 890—
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 32:393(A) and (C)(1), relative to traffic violations; to define final disposition; to provide for reports of persons charged with traffic violations; and to provide for related matters.

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

SENATE BILL NO. 891—
BY SENATOR JORDAN

AN ACT

To amend and reenact Code of Civil Procedure Art. 4843(C) and to enact Code of Civil Procedure Art. 4843 (F), relative to the City Court of Lafayette; to provide relative to the jurisdiction of such court; 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. 891 by Senator Jordan

AMENDMENT NO. 1

On page 2, change "twenty" to "fifteen"

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. 893—
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 32:853(A)(1)(a) and (c)(ii) and (iii), the introductory paragraph of (3)(a), and (5), relative to operating records of drivers; to provide for the inclusion of certain offenses on operating records; to provide for the exclusion of certain arrests on operating records; to provide limitations on insurance companies based on the contents of an insured's operating record; and to provide for related matters.

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

SENATE BILL NO. 908—
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 13:621.15, relative to district courts; to provide for an additional judgeship in the fifteenth judicial district; to provide for the election and term of office; to provide for qualifications; to provide relative to compensation; and to provide for related matters.

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

SENATE BILL NO. 916—
BY SENATOR LANDRY

AN ACT

To amend and reenact R. S. 14:2(13), relative to criminal law; to provide for the definition of "crime of violence"; and to provide for related matters.

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

SENATE BILL NO. 951—
BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT

AN ACT

To amend and reenact R.S. 30:2011(C)(1)(c), the introductory paragraph of R.S. 30:2154(A), 2158(A)(1), 2160, 2180(B), 2195(B) and (E), the introductory paragraph of R. S. 30:2195.2(A) and 2195.2(B)(1)(c), 2195.4(C)(2), 2205(C) and (D), 2226(A), 2305(G), 2521, and 2522(A)(5), and R.S. 36:231(C)(1), the introductory paragraph of R. S. 30:238(D), and 238(D)(b), relative to the office of solid and hazardous waste; to reorganize and rename the office of solid and hazardous waste as the office of waste services; 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. 951 by Senator Hainkel, et al.

AMENDMENT NO. 1

On page 1, line 6, change "2522(A)(5)" to "2522(5)"

AMENDMENT NO. 2

On page 1, line 14, change "2522(A)(5)" to "2522(5)"

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. 1026—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 33:1974(C) and to enact R.S. 33:1974(D), relative to reimbursement of costs associated with the discharge of hazardous or nonhazardous materials; to provide for expenses fire departments may recover for performing remedial actions or fire fighting in conjunction with the discharge of hazardous or nonhazardous materials; 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. 1026 by Senator Landry

AMENDMENT NO. 1

On page 2, line 5, change "supplements" to "supplement"

AMENDMENT NO. 2

On page 2, line 6, after "Section" delete the comma ","

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.

April 8, 1997

SENATE BILL NO. 1037—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 15:574.2(C)(9), relative to the board of parole; to provide relative to parole hearings; to provide for written notification; and to provide for related matters.

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

SENATE BILL NO. 1067—
BY SENATOR IRONS

AN ACT

To enact R.S. 14:95.8, relative to offenses affecting the public safety; to provide with respect to possession of handguns by juveniles; to provide for the crime of illegal possession of a handgun by a juvenile; to provide for definition; to provide for exceptions; to provide for penalties; 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. 1067 by Senator Irons

AMENDMENT NO. 1

On page 2, line 15, delete "with" and on line 16 delete "or without" and insert "at"

AMENDMENT NO. 2

On page 3, line 5, after "trapping" delete the remainder of the line and delete line 6, and insert "; or"

AMENDMENT NO. 3

On page 3, line 10, after "property" delete the remainder of the line and delete lines 11 and 12, and insert "with the permission of the owner or lessee of the property; or"

AMENDMENT NO. 4

On page 3, line 17, after "means a" delete the remainder of the line and delete line 18 through 21, and insert "firearm as defined in R. S. 14:37.2, provided however, that the barrel length shall not exceed twelve inches."

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. 1097—
BY SENATOR LANDRY

AN ACT

To amend and reenact Children's Code Art. 603(3), relative to children in need of care; to redefine the term "caretaker"; and to provide for related matters.

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

SENATE BILL NO. 1141—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 15:834 and 857 and to repeal R.S. 15:858, relative to the authority of certain corrections officials; to provide with regard to the leasing of lands; to provide with regard to transferring certain functions to a non-profit corporation; 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. 1141 by Senator Heitmeier

AMENDMENT NO. 1

On page 2, line 15, delete "or other property"

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. 1166—

BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT

AN ACT

To amend and reenact R.S. 30:2011(D)(21)(b), 2073(1), 2074(B)(4), the introductory paragraph of 2154(A) and (B)(1)(a), (5), and (7), and to enact R.S. 30:2074(B)(1)(c) and (3)(e), and 2154(A)(4) and (5), relative to regulation of the use and disposal of sewage sludge; to clarify certain powers of the secretary of the Department of Environmental Quality to regulate use and disposal of sewage sludge; 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. 1166 by Senator Hainkel, et al.

AMENDMENT NO. 1

On page 3, line 7, between "Act" and "as" add a comma ","

AMENDMENT NO. 2

On page 4, line 5, after "use" add "or disposal"

AMENDMENT NO. 3

On page 4, line 9, between "variances," and "licenses" delete "as appropriate,"

AMENDMENT NO. 4

On page 4, line 11, after "state" add a comma ","

AMENDMENT NO. 5

On page 5, line 3, after "composting" add "facilities,"

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. 1168—

BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT

AN ACT

To amend and reenact R.S. 30:2154(B)(2)(b) and (c), to enact R.S. 30:2154(B)(2)(f), and to repeal R.S. 30:2041, relative to the notification of waste disposal; to delete the notice requirement for the disposal of nonhazardous waste from certain abandoned and inactive sites; 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. 1168 by Senator Hainkel, et al.

AMENDMENT NO. 1

On page 1, line 2, change "30:2154(B)(2)(b) and (c)," to "30:2154(B)(2)(b), (c), (d), and (e),"

AMENDMENT NO. 2

On page 1, line 8, change "30:2154(B)(2)(b) and (c)" to "30:2154(B)(2)(b), (c), (d), and (e)"

AMENDMENT NO. 3

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

"(c) Any person who operates a permitted commercial solid waste facility in this state shall publish in the official journal of the parish in which the facility is located not less than thirty days prior to commencement of disposal a notice of the pending disposal of any nonhazardous waste generated from the remediation of sites listed on the National Priorities List by the United States Environmental Protection Agency."

AMENDMENT NO. 4

On page 2, line 8, change "(c)" to "(d)"

AMENDMENT NO. 5

On page 2, delete lines 23 through 27 in their entirety and insert in lieu thereof the following:

"(e) Violations of this Paragraph may be subject to a fine of up to five hundred dollars per violation.

"(f) The provisions of Subparagraphs (2)(b), (d), and (e) of this Paragraph shall become effective January 1, 1993, and shall affect the disposal of solid wastes from a Superfund site at any commercial solid waste facility on or after thirty days from that date."

AMENDMENT NO. 6

On page 3, delete lines 1 through 4.

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. 1175—

BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT AN ACT

To amend and reenact R. S. 30:2014(D)(1), and to repeal R. S. 30:2014(C), relative to the collection of fees by the Department of Environmental Quality; to eliminate the collection by the department of certain additional fees for hazardous waste permits, licenses, registrations, or variances; to permit the department to use existing revenues to provide for operating expenses of the department; 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 and ordered engrossed and passed to a third reading.

SENATE BILL NO. 1304—

BY SENATOR COX AN ACT

To amend and reenact R.S. 15:542(B), relative to registration of sex offenders, to provide time period for registration; to require notification of school principals; to provide time period for notification; and to provide for related matters.

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. 1304 by Senator Cox.

AMENDMENT NO. 1

On page 1, delete lines 10 through 14 in their entirety and insert:

"* * *

AMENDMENT NO. 2

On page 2, line 21 change "throughout the school grounds" to "at the school"

AMENDMENT NO. 3

On page 2, at the end of line 22, insert the following:

"Failure to comply with the provisions of this subparagraph shall not be construed to impose civil liability on any person."

AMENDMENT NO. 4

On page 2, between lines 22 and 23 insert the following:

"(d) The lessor, landlord or owner of the residence or the property on which he resides."

AMENDMENT NO. 5

On page 3, line 10 delete "C."

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. 1336—

BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT AN ACT

To amend and reenact R.S. 30:2050.21, relative to judicial review of matters before the Department of Environmental Quality; to provide for appeals, preparation of the record, hearings, modification of decisions, procedures, and a standard of review; 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 and ordered engrossed and passed to a third reading.

SENATE BILL NO. 1375—

BY SENATOR BAJOE AN ACT

To amend and reenact R.S. 13:46(A) and (B), relative to the duties and functions of the Judicial Compensation Commission; to require the commission to study and make recommendations relative to the salaries of the commissioners of district courts; 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 and ordered engrossed and passed to a third reading.

Leaves of Absence

The following leaves of absence were asked for and granted:

Table with 4 columns: Name, Days, Short, Days. Rows: Robichaux (1 Day, Short, 1 Day), Tarver (1 Day, 1 Day)

Adjournment

Senator Bagneris moved that the Senate adjourn until Wednesday, April 9, 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 9, 1997.

MICHAEL S. BAER, III Secretary of the Senate

GAYE F. HAMILTON

Journal Clerk