

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

FORTY-THIRD DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, June 10, 1997

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

ROLL CALL

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

PRESENT

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

ABSENT

Bagneris
Total—1

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

Prayer

The prayer was offered by Senator Jones, 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 Jones, 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**

June 10, 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. 141—
BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Hans Schneider, husband, father, grandfather, businessman, interior decorator, musician, and civic leader.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 142—
BY SENATOR ROBICHAUX

A CONCURRENT RESOLUTION

To recognize and commend the members of the women's track and field team at Louisiana State University for winning the 1997 National Collegiate Athletic Association Outdoor Track and Field Championship for an unprecedented eleventh consecutive year.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 101—
BY SENATORS CAIN AND SMITH

A CONCURRENT RESOLUTION

To urge and request the Senate Committee on Agriculture and House Committee on Agriculture to function as a joint committee to study the various aspects surrounding fire ant eradication.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 128—
BY SENATORS CAIN AND COX

A CONCURRENT RESOLUTION

To urge and request United States Department of Agriculture (USDA) to investigate San Jacinto Port Corporation's alleged practices of employing illegal aliens and if such allegations are true, to consider suspension or debarment of San Jacinto Port Corporation as a contractor in its PL-480 cargo unloading program.

Reported without amendments.

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

**Message from the House
ASKING CONCURRENCE IN
HOUSE BILLS AND JOINT RESOLUTIONS**

June 10, 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. 2435—
BY REPRESENTATIVE FONTENOT

AN ACT

To enact R.S. 46:460.4 and Part V of Chapter 14 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:1021, relative to testing certain persons for use of drugs; to provide for legislative policy; to direct the secretary of the

Department of Social Services in consultation with the secretary of the Department of Health and Hospitals and the commissioner of administration to establish a mandatory drug testing program for certain adults in the Temporary Assistance for Needy Families Block Grant Program; to provide for the suspension of a program participant identified as an illegal drug user in certain circumstances; to provide for a program of education and rehabilitation; to provide for random drug tests for certain persons receiving something of value from the state; to provide for rules and regulations; and to provide for related matters.

HOUSE BILL NO. 460—

BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 37:2863(1) and (7) and to enact R.S. 36:409(N) and (O) and 602(D), R.S. 37:3274(A)(12) and R.S. 49:191(11)(a) and to repeal R.S. 32:703.1, R.S. 36:409(H), R.S. 37:2865, R.S. 49:191(9)(a), and R.S. 51:911.45 and 911.46(B), and R.S. 56:605(B)(4), relative to the Department of Public Safety and Corrections, including provisions to provide for the re-creation, termination, or transfer of the Department of Public Safety and Corrections and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; to provide for the termination of certain boards under the jurisdiction of the department, including the Motor Vehicle Advisory Board, the Certified Stress Analysts Board, the Liquefied Petroleum Gas Commission, and the board of review of Mobile Homes and Manufacturing; to provide for transfer of responsibilities from the Certified Stress Analysts Board to the Louisiana State Board of Private Security Examiners; to provide for transfer of responsibilities from the Liquefied Petroleum Gas Commission to the office of state police; to provide for the transfer of enforcement responsibilities for wildlife and fisheries laws and regulations from the Department of Wildlife and Fisheries to the Department of Public Safety and Corrections; and to provide for related matters.

HOUSE BILL NO. 2503—

BY REPRESENTATIVES GUILLORY, HOLDEN, JETSON, AND WESTON
AN ACT

To enact Part L of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.111 through 1300.114, relative to health care; to enact the Federal Qualified Health Centers (FQHCs) Preservation Act; to provide for legislative findings and purpose; to provide definitions; to provide for certain reimbursements in the state Medicaid plan; to provide for promulgation of such reimbursement provisions; and to provide for related matters.

HOUSE BILL NO. 2520 (Substitute for House Bill No. 510 by Representative Crane)—

BY REPRESENTATIVE CRANE
AN ACT

To enact R.S. 17:3386(C) and (D), relative to retention of surplus funds; to provide for limitations on surplus funds which may be retained from one fiscal year and carried forward to the next fiscal year; and to provide for related matters.

HOUSE BILL NO. 1137—

BY REPRESENTATIVE BRUN
AN ACT

To amend and reenact and as amended to arrange in proper statutory form and incorporate into the statutes the provisions of Article XIV, Section 15.1(6)(1)(3) of the Constitution of 1921, continued as statute by Article X, Section 18 of the Constitution of 1974, by amending and reenacting R.S. 33:2476(L)(3), relative to the salary of the secretary of municipal fire and police civil service boards in municipalities with populations of not less than thirteen thousand nor more than two hundred fifty thousand; to provide for the maximum salary for the secretary; to require the municipal governing authority to approve such salary; and to provide for related matters.

HOUSE BILL NO. 2521 (Substitute for House Bill No. 2244 By Representative Downer, et al.)—

BY REPRESENTATIVE DOWNER AND SENATOR EWING AND REPRESENTATIVES BRUNEAU, R. ALEXANDER, DIEZ, DIMOS, DUPRE, FORSTER, LEBLANC, MCCAIN, MCDONALD, MCMAINS, PIERRE, JOHN SMITH, STELLY, AND TRICHE
AN ACT

To amend and reenact R.S. 47:6011(A)(2), to enact R.S. 24:38(D), (E), and (F) and Part II-A of Chapter 1 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:41 through 48, and to repeal R.S. 49:135 and 150.1, relative to the state capitol complex; to define the state capitol complex boundaries; to provide for the authority of the Legislative Budgetary Control Council relative to the state capitol complex; to provide for the composition, duties, and powers of the commission; to create the office of capitol complex facility management; to provide for its duties and responsibilities with respect to the state capitol complex; to provide relative to security for the state capitol complex; to provide for the allocation of space within the state capitol complex; and to provide for related matters.

HOUSE BILL NO. 1651—

BY REPRESENTATIVE STELLY
AN ACT

To enact R.S. 33:2740.35, relative to taxing authorities which levy certain taxes in Calcasieu Parish and certain other parishes; to authorize such authorities to levy and collect a tax on complimentary hotel rooms; to provide relative to such tax; and to provide for related matters.

HOUSE BILL NO. 2142—

BY REPRESENTATIVE HOLDEN
AN ACT

To enact Subpart H of Part II of Chapter 4 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:2181 through 2185, relative to the rights of fire department employees under investigation; to define fire employee; to provide for the minimum standards to be followed during an investigation; to prohibit the release of personal information to the media relative to the investigation of a fire employee; to provide for the procedure to be followed for entering adverse comments into a fire employee's personnel file; to allow a fire employee time to respond to an adverse comment; to provide that no fire employee be required to disclose certain information for the purpose of promotion or assignment; to prohibit the imposition of any penalty or threat against a fire employee for exercising his or her rights; and to provide for related matters.

HOUSE BILL NO. 2446—

BY REPRESENTATIVE MURRAY
AN ACT

To enact R.S. 22:807, relative to domestic insurers; to require certain domestic nonprofit insurers to submit a conversion plan prior to conversion; and to provide for related matters.

HOUSE BILL NO. 1622—

BY REPRESENTATIVE BRUN
AN ACT

To amend and reenact R.S. 33:2536(L)(3), relative to the fire and police civil service board in municipalities with a population of not less than seven thousand nor more than thirteen thousand, parishes, and fire protection districts; to provide for the maximum salary for the secretary; to require the approval of the municipal governing authority of such salary; and to provide for related matters.

HOUSE BILL NO. 183—

BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 45:1162, relative to the Public Service Commission; to provide for an increase in the salaries of members; and to provide for related matters.

June 10, 1997

HOUSE BILL NO. 2231—
BY REPRESENTATIVE LEBLANC AND SENATOR ROMERO
AN ACT

To amend and reenact R.S. 36:802.3 and to enact Chapter 26 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1221 through 1224, and R.S. 36:209(M), to create the Atchafalaya Trace Commission; to provide for the governance of the commission including its placement in the executive branch of state government; to provide for the purposes, duties, and authority of the commission; and to provide for related matters.

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

House Bills and Joint Resolutions

Senator Hainkel 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. 183—
BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 45:1162, relative to the Public Service Commission; to provide for an increase in the salaries of members; and to provide for related matters.

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

HOUSE BILL NO. 460—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 37:2863(1) and (7) and to enact R.S. 36:409(N) and (O) and 602(D), R.S. 37:3274(A)(12) and R.S. 49:191(11)(a) and to repeal R.S. 32:703.1, R.S. 36:409(H), R.S. 37:2865, R.S. 49:191(9)(a), and R.S. 51:911.45 and 911.46(B), and R.S. 56:605(B)(4), relative to the Department of Public Safety and Corrections, including provisions to provide for the re-creation, termination, or transfer of the Department of Public Safety and Corrections and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; to provide for the termination of certain boards under the jurisdiction of the department, including the Motor Vehicle Advisory Board, the Certified Stress Analysts Board, the Liquefied Petroleum Gas Commission, and the board of review of Mobile Homes and Manufacturing; to provide for transfer of responsibilities from the Certified Stress Analysts Board to the Louisiana State Board of Private Security Examiners; to provide for transfer of responsibilities from the Liquefied Petroleum Gas Commission to the office of state police; to provide for the transfer of enforcement responsibilities for wildlife and fisheries laws and regulations from the Department of Wildlife and Fisheries to the Department of Public Safety and Corrections; and to provide for related matters.

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

HOUSE BILL NO. 1137—
BY REPRESENTATIVE BRUN
AN ACT

To amend and reenact and as amended to arrange in proper statutory form and incorporate into the statutes the provisions of Article XIV, Section 15.1(6)(1)(3) of the Constitution of 1921, continued as statute by Article X, Section 18 of the Constitution of 1974, by amending and reenacting R.S. 33:2476(L)(3), relative to the salary of the secretary of municipal fire and police civil service boards in municipalities with populations of not less than thirteen thousand nor more than two hundred fifty thousand; to provide for the

maximum salary for the secretary; to require the municipal governing authority to approve such salary; and to provide for related matters.

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

HOUSE BILL NO. 1622—
BY REPRESENTATIVE BRUN
AN ACT

To amend and reenact R.S. 33:2536(L)(3), relative to the fire and police civil service board in municipalities with a population of not less than seven thousand nor more than thirteen thousand, parishes, and fire protection districts; to provide for the maximum salary for the secretary; to require the approval of the municipal governing authority of such salary; and to provide for related matters.

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

HOUSE BILL NO. 1651—
BY REPRESENTATIVE STELLY
AN ACT

To enact R.S. 33:2740.35, relative to taxing authorities which levy certain taxes in Calcasieu Parish and certain other parishes; to authorize such authorities to levy and collect a tax on complimentary hotel rooms; to provide relative to such tax; and to provide for related matters.

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

HOUSE BILL NO. 2142—
BY REPRESENTATIVE HOLDEN
AN ACT

To enact Subpart H of Part II of Chapter 4 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:2181 through 2185, relative to the rights of fire department employees under investigation; to define fire employee; to provide for the minimum standards to be followed during an investigation; to prohibit the release of personal information to the media relative to the investigation of a fire employee; to provide for the procedure to be followed for entering adverse comments into a fire employee's personnel file; to allow a fire employee time to respond to an adverse comment; to provide that no fire employee be required to disclose certain information for the purpose of promotion or assignment; to prohibit the imposition of any penalty or threat against a fire employee for exercising his or her rights; and to provide for related matters.

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

HOUSE BILL NO. 2231—
BY REPRESENTATIVE LEBLANC AND SENATOR ROMERO
AN ACT

To amend and reenact R.S. 36:802.3 and to enact Chapter 26 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1221 through 1224, and R.S. 36:209(M), to create the Atchafalaya Trace Commission; to provide for the governance of the commission including its placement in the executive branch of state government; to provide for the purposes, duties, and authority of the commission; and to provide for related matters.

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

HOUSE BILL NO. 2435—

BY REPRESENTATIVE FONTENOT
AN ACT

To enact R.S. 46:460.4 and Part V of Chapter 14 of Title 49 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 49:1021, relative to testing certain persons for use of drugs; to provide for legislative policy; to direct the secretary of the Department of Social Services in consultation with the secretary of the Department of Health and Hospitals and the commissioner of administration to establish a mandatory drug testing program for certain adults in the Temporary Assistance for Needy Families Block Grant Program; to provide for the suspension of a program participant identified as an illegal drug user in certain circumstances; to provide for a program of education and rehabilitation; to provide for random drug tests for certain persons receiving something of value from the state; to provide for rules and regulations; and to provide for related matters.

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

HOUSE BILL NO. 2446—

BY REPRESENTATIVE MURRAY
AN ACT

To enact R.S. 22:807, relative to domestic insurers; to require certain domestic nonprofit insurers to submit a conversion plan prior to conversion; and to provide for related matters.

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

HOUSE BILL NO. 2503—

BY REPRESENTATIVES GUILLORY, HOLDEN, JETSON, AND WESTON
AN ACT

To enact Part L of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.111 through 1300.114, relative to health care; to enact the Federal Qualified Health Centers (FQHCs) Preservation Act; to provide for legislative findings and purpose; to provide definitions; to provide for certain reimbursements in the state Medicaid plan; to provide for promulgation of such reimbursement provisions; and to provide for related matters.

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

HOUSE BILL NO. 2520 (Substitute for House Bill No. 510 by Representative Crane)—

BY REPRESENTATIVE CRANE
AN ACT

To enact R.S. 17:3386(C) and (D), relative to retention of surplus funds; to provide for limitations on surplus funds which may be retained from one fiscal year and carried forward to the next fiscal year; and to provide for related matters.

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

HOUSE BILL NO. 2521 (Substitute for House Bill No. 2244 By Representative Downer, et al.)—

BY REPRESENTATIVE DOWNER AND SENATOR EWING AND REPRESENTATIVES BRUNEAU, R. ALEXANDER, DIEZ, DIMOS, DUPRE, FORSTER, LEBLANC, MCCAIN, MCDONALD, MCMAINS, PIERRE, JOHN SMITH, STELLY, AND TRICHE
AN ACT

To amend and reenact R.S. 47:6011(A)(2), to enact R.S. 24:38(D), (E), and (F) and Part II-A of Chapter 1 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:41 through 48, and to repeal R.S. 49:135 and 150.1, relative to the state capitol complex; to define the state capitol complex boundaries; to provide for the authority of the Legislative Budgetary Control Council relative to the state capitol complex; to provide for the composition, duties, and powers of the commission; to create the

office of capitol complex facility management; to provide for its duties and responsibilities with respect to the state capitol complex; to provide relative to security for the state capitol complex; to provide for the allocation of space within the state capitol complex; and to provide for related matters.

On motion of Senator Hainkel, the bill 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

June 10, 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. 193—

BY REPRESENTATIVE HOPKINS
A CONCURRENT RESOLUTION

To urge and request the House and Senate Committees on Education to study medical school practices at Louisiana State University and make recommendations to ensure that Louisiana State University Medical Center's School of Medicine in Shreveport seeks to influence students to become family practitioners after graduation.

HOUSE CONCURRENT RESOLUTION NO. 210—

BY REPRESENTATIVE LONG AND SENATOR SMITH
A CONCURRENT RESOLUTION

To urge and request the office of the state museum to study the feasibility of making the Natchitoches Parish Old Courthouse Museum a part of the Louisiana State Museum and of making it the site of the Louisiana Purchase Hall of Fame and to report the findings of such study to the House Committee on Municipal, Parochial and Cultural Affairs, the Senate Committee on Education, and the division of administration.

HOUSE CONCURRENT RESOLUTION NO. 222—

BY REPRESENTATIVE FORSTER
A CONCURRENT RESOLUTION

To urge and request the Department of Revenue and Taxation to grant to the Kiefer UNO Lakefront Arena an exemption from state sales and use taxes on admission tickets pursuant to R.S. 39:468.

HOUSE CONCURRENT RESOLUTION NO. 121—

BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development, the Federal Highway Administration, and the St. John the Baptist Parish Council to enter into a joint-use agreement in order to construct a tourist information center at the I-10/I-55/US 61 intersection in LaPlace.

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

House Concurrent Resolutions

Senator Hainkel 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. 121—

BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development, the Federal Highway Administration, and the St. John the Baptist Parish Council to enter into a joint-use agreement in order to construct a tourist information center at the I-10/I-55/US 61 intersection in LaPlace.

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

HOUSE CONCURRENT RESOLUTION NO. 193—

BY REPRESENTATIVE HOPKINS
A CONCURRENT RESOLUTION

To urge and request the House and Senate Committees on Education to study medical school practices at Louisiana State University and make recommendations to ensure that Louisiana State University Medical Center's School of Medicine in Shreveport seeks to influence students to become family practitioners after graduation.

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

HOUSE CONCURRENT RESOLUTION NO. 210—

BY REPRESENTATIVE LONG AND SENATOR SMITH
A CONCURRENT RESOLUTION

To urge and request the office of the state museum to study the feasibility of making the Natchitoches Parish Old Courthouse Museum a part of the Louisiana State Museum and of making it the site of the Louisiana Purchase Hall of Fame and to report the findings of such study to the House Committee on Municipal, Parochial and Cultural Affairs, the Senate Committee on Education, and the division of administration.

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

HOUSE CONCURRENT RESOLUTION NO. 222—

BY REPRESENTATIVE FORSTER
A CONCURRENT RESOLUTION

To urge and request the Department of Revenue and Taxation to grant to the Kiefer UNO Lakefront Arena an exemption from state sales and use taxes on admission tickets pursuant to R.S. 39:468.

On motion of Senator Hainkel, the resolution was read by title and referred to the Committee on Revenue and Fiscal Affairs.

**House Concurrent Resolutions
on Second Reading
Reported by Committees**

The following House Concurrent Resolutions reported by Committees were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 94—

BY REPRESENTATIVE WINDHORST
A CONCURRENT RESOLUTION

To amend the Department of Public Safety and Corrections, office of state police, division of charitable gaming control rule (LAC 42:I.1703(A)(21)), which provides for the length of charitable gaming sessions, to allow for two-hour sessions and to direct the Louisiana Register to print the amendment in the Louisiana Administrative Code.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the resolution

was read by title and referred to the Legislative Bureau.

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
AGRICULTURE**

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

June 10, 1997

To the President and Members of the Senate:

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

HOUSE BILL NO. 258—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 14:102.1(C), relative to the offense of cruelty to animals; to provide for certain exceptions to the offense when an animal poses a threat; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2292—
BY REPRESENTATIVE POWELL
AN ACT

To enact Chapter 21 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:2101, relative to procurement of certain certified products; to provide for requirements for the utilization of Louisiana-certified meat, poultry, and seafood products; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2459—
BY REPRESENTATIVES MONTGOMERY, BAUDOIN, BRUCE, CARTER,
DOERGE, FRITH, FRUGE, GAUTREAUX, HILL, HUDSON, ILES, KENNEY,
MORRISH, AND STRAIN
AN ACT

To enact Part VIII of Chapter 28 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:4410 through 4416, relative to forestry; to provide for declaration of policy and cooperative agreements; to create and provide for the disposition of funds concerning the Forestry Productivity Fund; to provide for assistance through cooperative agreements; to provide for the administration of the program and powers and duties of the commissioner; to provide for exclusions and limitations; to provide for requirements of participation; to provide for competitive research and cooperative extension grants; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JAMES DAVID CAIN
Chairman

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

The following House Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

June 10, 1997

HOUSE BILL NO. 43—
BY REPRESENTATIVE WARNER

AN ACT

To amend and reenact R.S. 14:100(C)(2), relative to the crime of hit-and-run driving; to increase the penalty where death or serious bodily injury results from the accident; and to provide for related matters.

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

HOUSE BILL NO. 44—
BY REPRESENTATIVE WARNER

AN ACT

To enact R.S. 40:964(Schedule II)(D)(2), relative to controlled dangerous substances; to add Gamma Hydroxybutyric Acid as a Schedule II depressant; and to provide for related matters.

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

HOUSE BILL NO. 76—
BY REPRESENTATIVES FONTENOT, BARTON, CHAISSON, CLARKSON, DANIEL, DOERGE, DOWNER, FAUCHEUX, FLAVIN, FRITH, GUILLORY, HILL, HOLDEN, ILES, LANCASTER, MCCAIN, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRISH, PIERRE, POWELL, RIDDLE, JACK SMITH, STELLY, STRAIN, TRICHE, VITTER, WALSWORTH, WESTON, AND WIGGINS

AN ACT

To amend and reenact R.S. 14:91.8 and R.S. 26:793(C)(1), relative to crimes involving tobacco products; to prohibit the possession of tobacco products by minors; to provide exceptions; 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 Engrossed House Bill No. 76 by Representative Fontenot

AMENDMENT NO. 1

On page 3, line 9, after "product" delete the remainder of the line and on line 10 delete "when" and insert "is handled during the course and scope of his employment and"

On motion of Senator Jordan, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 91—
BY REPRESENTATIVES DUPRE, DOWNER, GAUTREAUX, MCDONALD, AND MARIONNEAUX

AN ACT

To amend and reenact R.S. 14:30.1(A)(2), relative to the crime of second degree murder; to include second degree kidnapping as one of the crimes during the perpetration of which a killing of a person constitutes second degree murder; and to provide for related matters.

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

HOUSE BILL NO. 105—
BY REPRESENTATIVE DUPRE

AN ACT

To amend and reenact Code of Criminal Procedure Art. 814(A)(10), relative to responsive verdicts in criminal trials; to change the order in which "simple rape" and "sexual battery" appear as responsive verdicts to the crime of forcible rape; and to provide for

related matters.

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

HOUSE BILL NO. 113—
BY REPRESENTATIVES ANSARDI, BRUNEAU, LANCASTER, AND MONTGOMERY AND SENATOR DARZENNE

AN ACT

To amend and reenact R.S. 27:13(C)(6) and to enact R.S. 27:24(D), relative to the Louisiana Gaming Control Board; to remove the authority of the board to adopt certain prohibitions against gaming licensees and permittees contributing to candidates or committees; to prohibit board members and employees and their family members from receiving a contribution or loan from gaming licensees and permittees; to provide that the board shall not adopt rules regarding campaign finance more restrictive than the Campaign Finance Disclosure Act; and to provide for related matters.

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

HOUSE BILL NO. 118—
BY REPRESENTATIVES CARTER, BRUCE, HEATON, KENNARD, PERKINS, AND ROMERO

AN ACT

To enact R.S. 14:52.1, relative to simple arson; to create the crime of simple arson of a religious building; to provide penalties; and to provide for related matters.

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

HOUSE BILL NO. 119—
BY REPRESENTATIVES CARTER, BRUCE, HEATON, KENNARD, PERKINS, AND ROMERO

AN ACT

To enact R.S. 14:62.6, relative to simple burglary; to create the crime of simple burglary of a religious building; to provide penalties; and to provide for related matters.

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

HOUSE BILL NO. 180—
BY REPRESENTATIVE BARTON

AN ACT

To amend and reenact R.S. 14:108(B)(2), relative to the crime of resisting an officer; to include city marshals and deputies as "officers" for purposes of the crime; and to provide for related matters.

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

HOUSE BILL NO. 196—
BY REPRESENTATIVE SCHNEIDER

A JOINT RESOLUTION

Proposing to amend Article VII, Section 23(C) of the Constitution of Louisiana, to provide relative to public notice of any public meeting at which an increase in authorized millages after reappraisal will be acted upon by the taxing authority; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Engrossed House Bill No. 196 by Representative Schneider

AMENDMENT NO. 1

On page 2, line 11, change "one week" to "thirty days"

AMENDMENT NO. 2

On page 2, line 13, after "circulation" insert "within the taxing authority"

AMENDMENT NO. 3

On page 2, line 14, after "authority" insert ", if there is one"

On motion of Senator Barham, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 221—

BY REPRESENTATIVES JOHNS AND FAUCHEUX
AN ACT

To amend and reenact R.S. 27:101(A), 266(A), and 322(A), relative to gaming establishments; to prohibit use of cash assistance checks for gaming activities; and to provide for related matters.

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

HOUSE BILL NO. 273—

BY REPRESENTATIVE HILL

AN ACT

To amend and reenact R.S. 11:1921(A)(3)(b), relative to the Parochial Employees' Retirement System; to provide with respect to membership; to provide an option for school board members to terminate participation; to provide for refunds; and to provide for related matters.

Reported with amendments by the Committee on Retirement

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 273 by Representative Hill

AMENDMENT NO. 1

On page 2, delete line 8, and insert lieu thereof "**(ii) Beginning on the effective date of this Subsubparagraph and extending for six months thereafter, any public**"

AMENDMENT NO. 2

On page 2, line 10, after "system." delete the remainder of the line and on line 11, delete "be available after January 15, 1998."

AMENDMENT NO. 3

On page 2, after line 16, insert the following:

"Section 2. This Act shall become effective on the date of receipt by the Parochial Employees' Retirement System of a ruling by the Internal Revenue Service that compliance with the provisions of this Act does not jeopardize the qualified status of the system under the Internal Revenue Code."

On motion of Senator Heitmeier amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 371—

BY REPRESENTATIVE LONG

AN ACT

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

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

HOUSE BILL NO. 497—

BY REPRESENTATIVE MCCAIN

AN ACT

To amend and reenact R.S. 15:1174(2) and to enact R.S. 15:1171(D) and 1177(B), all relative to the administrative remedy procedure for prisoners; to provide with respect to status as an "offender"; to provide with respect to delivery of decisions on applications for judicial review; and to provide for related matters.

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

HOUSE BILL NO. 498—

BY REPRESENTATIVE MCCAIN

AN ACT

To enact R.S. 15:1178 and 1179, relative to the administrative remedy procedure for complaints and grievances filed by prisoners; to provide for pretrial screening of applications for judicial review arising out of that procedure; to provide for service of process in those applications; and to provide for related matters.

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

HOUSE BILL NO. 509—

BY REPRESENTATIVE CARTER

AN ACT

To amend and reenact R.S. 14:70.1(B), relative to the crime of Medicaid fraud; to provide with respect to the penalties for the crime; 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 Reengrossed House Bill No. 509 by Representative Carter

AMENDMENT NO. 1

On page 1, line 3, after "fraud;" and before "to" insert "to provide that a sentence of at least one year of imprisonment shall be imposed without benefit of probation, parole, or suspension of sentence;"

AMENDMENT NO. 2

On page 1, at the end of line 12, add the following: "**A sentence of at least one year of imprisonment shall be imposed without benefit of probation, parole, or suspension of sentence if the loss to the state is in excess of twenty-five thousand dollars.**"

On motion of Senator Jordan, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

June 10, 1997

HOUSE BILL NO. 551—

BY REPRESENTATIVES TOOMY, ANSARDI, BAUDOIN, BRUCE, DIEZ, FAUCHEUX, FORSTER, FRITH, FRUGE, GAUTREAU, HEATON, HEBERT, KENNEY, MICHOT, MORRELL, MORRISH, PERKINS, PIERRE, POWELL, PRATT, ROMERO, ROUSSELLE, SCALISE, SHAW, WALSWORTH, WELCH, WIGGINS, WILLARD-LEWIS, WINSTON, AND WRIGHT

AN ACT

To enact Chapter 7 of Title 26 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 26:901 through 909, relative to the Louisiana Responsible Vendor Program; to establish a program for the responsible sale, service, and consumption of alcoholic beverages; to provide for definitions; to provide for qualification and certification as a responsible vendor; to provide for server training courses; to provide for suspension and revocation of permits and other penalties; to provide for fees; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 551 by Representative Toomy

AMENDMENT NO. 1

On page 7, line 18, after "exceed" and before "dollars", change "ten" to "twenty-five".

On motion of Senator Barham, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1011—

BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 11:143(A), relative to state and statewide retirement systems; to allow a member of any public retirement system to transfer service credit from another public retirement system to the system where such member is an active contributing member; to provide for an effective date; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 1118—

BY REPRESENTATIVES TOOMY, ALARIO, R. ALEXANDER, BRUCE, CURTIS, DIEZ, FAUCHEUX, FRITH, GAUTREAU, LEBLANC, MARTINY, MCCALLUM, MORRISH, MURRAY, ROMERO, JOHN SMITH, THOMAS, THORNHILL, WARNER, AND WELCH AND SENATOR LANDRY

AN ACT

To amend and reenact R.S. 13:782(A) and (K), 1212, 1371, and 1371.1, relative to clerks of court; to increase the salaries of the clerks of court; to establish the Louisiana Clerks of Court Certification program for the clerks of the Civil District Court and the Criminal District Court for the parish of Orleans; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was

read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1129—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 36:451, 453, 454(B)(1)(b), 456(A) and (B), 457(A), 458(A), (C), and (D), and 459(B) through (F), to change the name of the Department of Revenue and Taxation to the Department of Revenue; and to provide for related matters.

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

HOUSE BILL NO. 1252—

BY REPRESENTATIVES WINDHORST AND DEWITT

AN ACT

To amend and reenact R.S. 15:874(4)(d), relative to inmates' compensation accounts; to provide for the use of funds as authorized by the secretary of the department; and to provide for related matters.

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

HOUSE BILL NO. 1253—

BY REPRESENTATIVES WINDHORST AND DEWITT

AN ACT

To enact R.S. 15:902.1, relative to the placement of juveniles adjudicated delinquent; to authorize and provide with respect to the transfer of such juveniles to adult facilities when the juveniles have attained the age of nineteen years; 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 Reengrossed House Bill No. 1253 by Representative Windhorst

AMENDMENT NO. 1

On page 1, at the beginning of line 5, change "nineteen" to "seventeen"

AMENDMENT NO. 2

On page 1, line 13, change "nineteen" to "seventeen" and after "years" and before the period insert ", the age of full criminal responsibility"

On motion of Senator Jordan, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1271—

BY REPRESENTATIVE WALSWORTH

AN ACT

To enact R.S. 14:95(I), relative to the crime of illegal carrying of weapons; to provide with respect to the ownership and carrying of "rescue knives" by commissioned law enforcement officers; to provide with respect to the sale of those knives to those officers; to provide with respect to the ownership or possession of those knives by merchants; 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 Engrossed House Bill No. 1271 by Representative Walsworth

AMENDMENT NO. 1

On page 1, lines 4, 13, 15, and 17, after "commissioned" insert "full time"

AMENDMENT NO. 2

On page 2, line 3, after "commissioned" insert "full time"

On motion of Senator Jordan, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1325—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact Code of Criminal Procedure Art. 895(A)(2), relative to conditions of probation imposed by a court; to provide that child support obligations are included in the requirement to meet family responsibilities; and to provide for related matters.

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

HOUSE BILL NO. 1353—

BY REPRESENTATIVE PERKINS
AN ACT

To amend and reenact R.S. 11:1601(1), relative to the District Attorneys' Retirement System; to provide with respect to membership in the system; to provide with respect to optional membership in the system for certain employees currently covered by such retirement system; and to provide for related matters.

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

HOUSE BILL NO. 1383—

BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact R.S. 14:95(H), relative to the crime of illegal carrying of weapons and exceptions thereto; to authorize justices of the peace and constables to carry concealed handguns; and to provide for related matters.

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

HOUSE BILL NO. 1391—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact R.S. 33:1735(A), relative to constables; to increase the compensation of the constable of the first city court in New Orleans; and to provide for related matters.

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

HOUSE BILL NO. 1395—

BY REPRESENTATIVES WINDHORST, ANSARDI, DONELON, LANCASTER, MARTINY, AND VITTER AND SENATOR ULLO
AN ACT

To amend and reenact Children's Code Art. 903(C) and R.S. 15:901(C), relative to commitment of juveniles adjudicated delinquent; to reduce the number of days that a child committed to the Department of Public Safety and Corrections can remain in a parish juvenile detention facility; and to provide for related matters.

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

HOUSE BILL NO. 1429—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 15:587(D) and 587.1(A) and (E) and R.S. 46:51.2(A), (B), and (C) and to enact R.S. 15:587.1(F), relative to criminal history checks; to allow local law enforcement agencies to conduct screening functions of public entities exercising authority over children; to allow agencies conducting such functions to charge reasonable processing fees; to provide for penalties for failure to obtain required background checks or for hiring persons convicted of certain crimes; to prohibit the hiring of persons that the background checks indicate have committed certain crimes; 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 Reengrossed House Bill No. 1429 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 2, after "15:587(D) and" and before "and R.S." change "587.1(A) and (E)" to "587.1(E)"

AMENDMENT NO. 2

On page 1, line 13, after "15:587(D) and" and before "are" change "587.1(A) and (E)" to "587.1(E)"

AMENDMENT NO. 3

On page 2, delete lines 8 through 19

AMENDMENT NO. 4

On page 2, line 22, after "Chapter." and before "any public" insert "the head of or other responsible person for"

On motion of Senator Cravins, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1461—

BY REPRESENTATIVES HEATON AND MURRAY
AN ACT

To amend and reenact R.S. 15:85(7), relative to the enforcement and collection of bond forfeiture judgments; to provide for the time when judgments may be enforced and collected; to provide that such judgments may be collected in the same manner as civil judgments; and to provide for related matters.

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

HOUSE BILL NO. 1499—

BY REPRESENTATIVES WINDHORST AND DEWITT
AN ACT

To amend and reenact R.S. 15:871, relative to compensation paid to inmates; to authorize the secretary of the Department of Public Safety and Corrections to establish rules regarding inmate compensation; to delete conditions for receiving such compensation; 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 Reengrossed House Bill No. 1499 by Representative Windhorst

AMENDMENT NO. 1

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On page 1, delete lines 16 and 17 and insert in lieu thereof "The provisions of this Section shall be applicable to inmates received at the Adult Reception and Diagnostic Center on or after August 15, 1997."

On motion of Senator Cravins, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1517—
BY REPRESENTATIVE HEATON
AN ACT

To amend and reenact R.S. 15:85(11)(a) and (b)(introductory paragraph), relative to hearings to prohibit certain commercial sureties from executing criminal bail bonds; to allow non-district courts to conduct such hearings; and to provide for related matters.

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

HOUSE BILL NO. 1526—
BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 37:2558(A), relative to certified shorthand reporters; to establish fees to be paid to the Board of Examiners of Certified Shorthand Reporters; and to provide for related matters.

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

HOUSE BILL NO. 1554—
BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 11:1162(A)(6), relative to the Louisiana School Employees' Retirement System; to provide with respect to the board of trustees; to provide for membership districts for certain members; to provide for an effective date and retroactive application; and to provide for related matters.

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

HOUSE BILL NO. 1555—
BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 11:1002(12), relative to the Louisiana School Employees' Retirement System; to provide with respect to definitions; to further provide regarding earnable compensation paid by employing agency; and to provide for related matters.

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

HOUSE BILL NO. 1593—
BY REPRESENTATIVES VITTER, ALARIO, COPELIN, BRUN, DEWITT, DOERGE, FRITH, JENKINS, LANCASTER, MCCALLUM, MURRAY, POWELL, JOHN SMITH, THOMAS, THOMPSON, TOOMY, WALSWORTH, WIGGINS, AND WILKERSON
AN ACT

To amend and reenact R.S. 47:2401, 2431, and 2432(A), to enact R.S. 47:2403(E) and 2420(D), and to repeal Part I of Chapter 1 of Subtitle IV of Title 47 of the Louisiana Revised Statutes of 1950, comprised of R.S. 47:2401 through 2425, relative to the inheritance tax; to reduce the inheritance tax; to provide that the tax, interest, and penalties are not applicable under certain circumstances; to provide for the repeal of the inheritance tax effective July 1, 2002; to make technical corrections to the estate transfer tax; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Reengrossed House Bill No. 1593 by Representative Vitter

AMENDMENT NO. 1

On page 1, line 3, after "2420(D)," delete the remainder of the line and delete line 4 and on line 5, delete "R.S. 47:2401 through 2425,"

AMENDMENT NO. 2

On page 1, line 7, after "circumstances;" delete the remainder of the line and on line 8 delete "inheritance tax effective July 1, 2002;"

AMENDMENT NO. 3

On page 2, line 1, after "B." change "The" to "For deaths occurring after June 30, 2002, the "

AMENDMENT NO. 4

On page 2, line 9, change "taxable periods beginning" to "deaths occurring"

AMENDMENT NO. 5

On page 2, line 12, delete "ending"

AMENDMENT NO. 6

On page 2, line 14, change "taxable periods beginning" to "deaths occurring"

AMENDMENT NO. 7

On page 2, line 15, delete "ending"

AMENDMENT NO. 8

On page 2, line 17, change "taxable periods beginning" to "deaths occurring"

AMENDMENT NO. 9

On page 2, line 18, delete "ending"

AMENDMENT NO. 10

On page 2, between lines 19 and 20, insert:

"(4) For deaths occurring after June 30, 2002, the tax levied under this Part shall be levied only when a judgement of possession is rendered or when a succession is judicially opened after the last day of the ninth month following the death of the decedent, and then only at the tax rates provided in this Section reduced by seventy-two and two-thirds percent."

AMENDMENT NO. 11

On page 3, delete lines 20 through 22

AMENDMENT NO. 12

On page 3, line 23, change "Section 4." to "Section 3."

AMENDMENT NO. 13

On page 4, line 4, delete "and 3"

On motion of Senator Barham, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1596—
BY REPRESENTATIVE BRUN
AN ACT

To enact R.S. 47:305.14(D), relative to the exemption from sales and use taxes for nonprofit organizations; to provide for the venue in a proceeding for determination of tax exempt status; and to provide

for related matters.

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

HOUSE BILL NO. 1684—
BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 47:1702(3), relative to the definition of personal or movable property subject to ad valorem taxation; to define personal or movable property as such terms are defined; and to provide for related matters.

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

HOUSE BILL NO. 2085—
BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 15:832(C), relative to work by inmates in the custody of the Department of Public Safety and Corrections; to delete the prohibition against assigning inmates convicted of certain controlled dangerous substances offenses to maintenance work at public facilities; and to provide for related matters.

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

HOUSE BILL NO. 2104—
BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 40:1376(C), relative to state police; to prohibit a person from wearing a uniform similar to the uniform of the state police; to provide an exception; and to provide for related matters.

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

HOUSE BILL NO. 2110—
BY REPRESENTATIVE WINDHORST
AN ACT

To enact R.S. 27:20(D), relative to the Louisiana Gaming Control Board; to provide the Department of Public Safety and Corrections, office of state police, may establish a testing laboratory or facility to test gaming devices and equipment; and to provide for related matters.

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

HOUSE BILL NO. 2117—
BY REPRESENTATIVES WINDHORST AND DEWITT
AN ACT

To enact R.S. 40:1379.3(C)(16), relative to concealed handgun permits; to provide that a history of engaging in violent behavior shall preclude the issuance of a concealed handgun permit; to provide for a presumption based upon the applicant's arrest record; 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 Engrossed House Bill No. 2117 by Representative Windhorst

AMENDMENT NO. 1

On page 2, line 1, after "charged" and before "three" insert "on"
AMENDMENT NO. 2
On page 2, line 1, change "times" to "occassions"

AMENDMENT NO. 3
On page 2, line 2, after "charged" and before "two" insert "on"

AMENDMENT NO. 4
On page 2, line 3, change "times" to "occassions"

On motion of Senator Jordan, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 2119—
BY REPRESENTATIVES WINDHORST AND DEWITT
AN ACT

To amend and reenact R.S. 40:1379.3(E), to provide that it shall be illegal to present fraudulent documents to prove training in handguns in order to obtain a concealed handgun permit; 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 Engrossed House Bill No. 2119 by Representative Windhorst

AMENDMENT NO. 1
On page 2, line 1, after "to" and before "present" insert "intentionally"

AMENDMENT NO. 2
On page 2, at the end of line 3, add "intentionally"

AMENDMENT NO. 3
On page 2, at the end of line 7, add "In addition, no person convicted of a violation of this Subsection shall be eligible to obtain a permit."

On motion of Senator Jordan, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 2131—
BY REPRESENTATIVES SHAW AND DANIEL
AN ACT

To amend and reenact R.S. 11:124, 126, and 127(C), relative to public retirement systems; to provide relative to the Public Retirement Systems' Actuarial Committee; to provide procedures, including voting and electing officers; to provide relative to certain duties, including annual actuarial valuations; and to provide for related matters.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 2131 by Representative Shaw

AMENDMENT NO. 1
On page 1, line 2, delete "124, 126, and 127(C)" and insert in lieu thereof "123"

AMENDMENT NO. 2
On page 1, line 4, after "Committee;" delete the remainder of the line and delete line 5 and on line 6, delete "annual actuarial valuations;" and insert in lieu thereof "to provide relative to the compensation and expenses of such committee;"

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AMENDMENT NO. 3

On page 1, line 11, delete "124, 126, and 127(C) are" and insert in lieu thereof "123 is"

AMENDMENT NO. 4

On page 1, delete lines 13 through 15 and on page 2, delete lines 1 through 25 and insert in lieu thereof the following:

"§123. Compensation and expenses

A. The members of the committee shall serve without compensation, except for the independent actuary, who shall be reimbursed for his reasonable expenses, ~~not to exceed ten thousand dollars per annum including travel and actual time devoted to work of the committee,~~ and the legislative members, who shall receive their per diem as for attendance at any other legislative meeting, and from the same source. ~~The expenses~~ All costs of the independent actuary pursuant to this Chapter shall be paid jointly by all state and statewide retirement systems.

B. In addition, the chairperson may call upon the independent actuary for matters requiring special services to the committee. For these special services, the independent actuary shall be reimbursed for his reasonable expenses including travel and actual time devoted to such matters, which costs shall be paid jointly by all state and statewide retirement system affected thereby."

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 2268—

BY REPRESENTATIVE BRUN

AN ACT

To amend and reenact R.S. 16:15(F), relative to district attorneys; to provide with respect to district attorneys' worthless check fees; 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 Engrossed House Bill No. 2268 by Representative Brun

AMENDMENT NO. 1

On page 1, line 12, change "may" to "shall"

On motion of Senator Jordan, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 2432—

BY REPRESENTATIVE WESTON

AN ACT

To enact R.S. 13:1000, relative to district courts; to authorize district courts by rule to establish programs to provide fiscal support for local bar association qualified pro bono projects; to provide for additional costs for certain civil filings and for distribution of the proceeds to qualified projects; 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 Engrossed House Bill No. 2432 by Representative Weston

AMENDMENT NO. 1

On page 1, line 2, after "relative to" delete "district" and after

"authorize" change "district" to "certain"

AMENDMENT NO. 2

On page 1, line 10, after "courts" insert "and family courts"

AMENDMENT NO. 3

On page 2, line 6, after "court" insert "or family court"

AMENDMENT NO. 4

On page 2, line 9, change "and" to ",family, and"

AMENDMENT NO. 5

On page 2, after line 21, insert the following:

"D. The clerk of each court shall retain five percent of all fees collected pursuant to this Section to be used to offset expenses incurred in the collection and administration of these funds."

On motion of Senator Cravins, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 2467—

BY REPRESENTATIVES MARIONNEAUX AND WINDHORST

AN ACT

To enact R.S. 40:1485.10, relative to the regulation of charitable gaming; to provide with respect to venue in civil proceedings involving charitable gaming licensees; and to provide for related matters.

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

HOUSE BILL NO. 2484—

BY REPRESENTATIVE MCDONALD

AN ACT

To amend and reenact R.S. 11:416(A)(2), relative to the Louisiana State Employees' Retirement System; to provide with respect to benefits; to further provide regarding service credit and the transfer thereof; and to provide for related matters.

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

Reconsideration

On motion of Senator Hainkel, pursuant to the previous notice given, the vote by which the following bill failed to pass on Monday, June 9, 1997 was reconsidered.

HOUSE BILL NO. 2358 (Substitute for House Bill No. 841 by Representative Michot)—

BY REPRESENTATIVE MICHOT

AN ACT

To amend and reenact R.S. 56:8(30) and to enact R.S. 56:302.3(B)(6) and 325(A)(7), relative to fishing; to provide relative to crawfish; to provide that the taking of crawfish for recreational purposes shall require a recreational gear license; to provide relative to license requirements and fees; to provide amount limits; and to provide for related matters.

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

Rules Suspended

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

**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. 628—
BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT
AN ACT

To enact R.S. 30:2089, relative to fees for the office of water resources within the Department of Environmental Quality; to provide for an increase in fees charged by the office of water resources; to provide for limitations on the amount of fee increases; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Jordan
Total—1

ABSENT

Bagneris	Cox
Bajoie	Schedler
Total—4	

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. 1311—
BY SENATOR HAINKEL
AN ACT

To enact R.S. 47:323, relative to the sales tax on hotel occupancy; to dedicate the avails of the tax to the Louisiana Tourism Development and Public Protection 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	Fields	Landry
---------------	--------	--------

Barham	Greene	Lentini
Bean	Guidry	Malone
Branch	Hainkel	Robichaux
Cain	Heitmeier	Romero
Campbell	Hines	Schedler
Casanova	Hollis	Short
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones	Theunissen
Dyess	Jordan	Ullo
Ellington	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Bagneris	Cox
Bajoie	Siracusa
Total—4	

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.

Rules Suspended

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

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

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

Called from the Involuntary Calendar

Senator Short moved to call Senate Bill No. 239 from the Involuntary Calendar without the required record vote.

Without objection, so ordered.

SENATE BILL NO. 239—
BY SENATOR SHORT
AN ACT

To amend and reenact R.S. 18:463(A)(3) and R.S. 48:347(D), and to enact R.S. 18:1470.1, relative to candidates for public office; to require a candidate for public office to post bond to assure removal of his campaign signs after an election; to provide for the duties of the secretary of state, the clerks of court for each parish and the Department of Transportation and Development; to provide for forfeiture of the bond; and to provide for related matters.

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

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

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

June 10, 1997

HOUSE BILL NO. 228—

BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 47:1603(B) and to enact R.S. 47:1603(C), relative to the state income tax; to authorize the waiver of penalties for delinquent filing or payment of taxes by certain corporations; to provide for the applicability of such waiver; 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	Fields	Landry
Barham	Greene	Lentini
Bean	Guidry	Malone
Branch	Hainkel	Robichaux
Cain	Heitmeier	Romero
Campbell	Hines	Short
Cravins	Hollis	Siracusa
Dardenne	Irons	Smith
Dean	Johnson	Tarver
Dyess	Jones	Theunissen
Ellington	Lambert	Ullo
Total—33		

NAYS

Jordan
Total—1

ABSENT

Bagneris	Casanova	Schedler
Bajoie	Cox	
Total—5		

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.

HOUSE BILL NO. 472—

BY REPRESENTATIVE GREEN
AN ACT

To amend and reenact Code of Civil Procedure Art. 1313, relative to service of certain pleadings; to authorize service by facsimile transmission; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Ellington
Total—35

Landry
NAYS

Total—0

ABSENT

Bagneris
Bajoie
Total—4

Cox
Hainkel

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

HOUSE BILL NO. 477—

BY REPRESENTATIVE ROMERO
AN ACT

To amend and reenact R.S. 47:1908(A)(23) and (C)(1), relative to the assessor's expense account in Iberia Parish; to provide for an increase in such account; and to provide for related matters.

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

HOUSE BILL NO. 487—

BY REPRESENTATIVE WESTON
AN ACT

To enact R.S. 30:2531(D)(5), relative to penalties to be imposed for littering; to provide for the penalty to be imposed for littering on a Louisiana byway; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris
Bajoie
Total—4

Cox
Romero

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

Personal Privilege

Senator Romero 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 House Bill No. 487 because his machine was locked. He had intended to vote yea on the bill. He asked that the Official Journal so state.

HOUSE BILL NO. 515—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact R.S. 9:2097(A) and 2123, relative to powers of a trustee; to provide with respect to the prohibition against a trustee serving in certain capacities within an entity in which trust funds are invested; to provide that a trustee may become a member of a limited liability company or other legal entity; and to provide for related matters.

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

HOUSE BILL NO. 516—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact R.S. 9:2026(1) and 2064, relative to the termination or modification of a trust; to provide that a trust may be terminated or modified if the continuance of the trust unchanged would impair the purposes of the trust; and to provide for related matters.

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

HOUSE BILL NO. 517—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact R.S. 9:1961 and 1964, relative to trusts; to provide that the trust instrument may provide for the allocation of income; to provide that the settlor may give a trustee the discretion, without objective standards, to allocate income in different amounts; and to provide for related matters.

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

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

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

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

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

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

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

HOUSE BILL NO. 586—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact Children's Code Articles 1001, 1003, 1004, 1007, 1009, 1015, 1019, 1020, 1031 through 1038, 1243(A)(2), and 1245(B) and to enact Children's Code Articles 1001.1, 1025.1,

1025.2, 1025.3, 1025.4, 1036.1, 1037.1, 1243(C), and 1244(D), all relative to the judicial certification of children for adoption; to provide for the continuous revision of Title X of the Children's Code; to provide for the purpose thereof; to provide for the priority of docketing, definitions, filing and contents of the petition, records, disclosure, grounds, notice, appearance to answer, stipulation, failure to appear and its effect, pre-hearing conferences, hearings, continuances, evidence and examination of witnesses, burden of proof, proof of parental misconduct, proof of a prior child in need of care judgment, termination judgments, continued contact with biological relatives, and the effect of a termination judgment; to provide with respect to intrafamily adoptions; and to provide for related matters.

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

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

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

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

HOUSE BILL NO. 716—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact Title XV of Book III of the Civil Code, presently comprised of Civil Code Articles 2985 through 3034, to be comprised of Civil Code Articles 2985 through 3032, all relative to representation, mandate, and procuracy; to provide for representation, mandate, and procuracy; to provide for the rights and obligations of the principal, the mandatary, and third persons; to provide for the termination of the mandate and of the authority of the mandatary; to provide for the application of this Act to existing mandates and procurations; to provide for an effective date; and to provide for related matters.

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

Rules Suspended

Senator Landry asked for a suspension of the rules for the purpose of invoking 5 minute cloture.

Senator Jordan objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Ellington	Lentini
Bean	Fields	Malone
Branch	Greene	Robichaux
Cain	Guidry	Schedler
Campbell	Hainkel	Short
Casanova	Heitmeier	Siracusa
Cravins	Hines	Smith
Dardenne	Hollis	Tarver
Dean	Lambert	Theunissen
Dyess	Landry	
Total—29		

NAYS

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Irons	Jordan	Ullo
Total—3	ABSENT	
Mr. President	Cox	Romero
Bagneris	Johnson	
Bajoie	Jones	
Total—7		

The Chair declared the rules were suspended and 5 minute cloture was invoked.

HOUSE BILL NO. 839—
BY REPRESENTATIVE MARTINY
AN ACT

To amend and reenact R.S. 47:532.1(C), relative to the convenience fee collected by public license tag agents; to authorize the seller, in a motor vehicle transaction, to charge the convenience fee for a public license tag agent; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

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

Personal Privilege

Senator Romero 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 House Bill No. 839 because his machine was locked. He had intended to vote yea on the bill. He asked that the Official Journal so state.

HOUSE BILL NO. 872—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To repeal Civil Code Article 3506(4), (6), (7), (9), (10), (11), (13) through (22), and (24) through (31), relative to the general definitions of "advertisements", "bulk", "certain", "uncertain", "contribution", "discretion", "failure", "fault", "gross fault", "slight fault", "very slight fault", "force", "superior force", "fortuitous event", "inofficial", "judge", "litigious rights", "notification",

"notice", "obligee or creditor", "obligor or debtor", "onerous", "posterity", "precarious", "solvency", "sons", "daughters", "such as", "tacit", and "thing adjudged."

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

HOUSE BILL NO. 974—
BY REPRESENTATIVES CLARKSON, DEVILLE, FLAVIN, FRUGE, HEBERT, JOHNS, MICHOT, SCALISE, AND WALSWORTH
AN ACT

To amend and reenact Civil Code Article 2534, relative to the contract of sale and the action for redhibition; to provide for the prescriptive period within which to institute a claim in redhibition against "good faith" sellers of commercial immovable property; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

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

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

Personal Privilege

Senator Romero 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 House Bill No. 974 because his machine was locked. He had intended to vote yea on the bill. He asked that the Official Journal so state.

HOUSE BILL NO. 982—
BY REPRESENTATIVE GREEN
AN ACT

To amend and reenact Code of Civil Procedure Art. 1314, relative to service of pleadings; to specify when personal service on the counsel of record of the adverse party can be obtained; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

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

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

Personal Privilege

Senator Romero 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 House Bill No. 982 because his machine was locked. He had intended to vote yea on the bill. He asked that the Official Journal so state.

HOUSE BILL NO. 1020—
BY REPRESENTATIVES ALARIO AND DEWITT
AN ACT

To enact R.S. 47:1580(B)(4), relative to assessment and collection procedures; to suspend the running of prescription for taxes in bankruptcy cases; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Engrossed House Bill No. 1020 by Representatives Alario and DeWitt.

AMENDMENT NO. 1
On page 1, line 14, after "for bankruptcy until", delete "one year from the end of the year in" and insert "six months after"

AMENDMENT NO. 2
On page 1, line 15, at the beginning of the line, delete "which"

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

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.

Personal Privilege

Senator Romero 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 House Bill No. 1020 because his machine was locked. He had intended to vote yea on the bill. He asked that the Official Journal so state.

HOUSE BILL NO. 1022—
BY REPRESENTATIVES ALARIO AND DEWITT
AN ACT

To amend and reenact R.S. 47:1565(A), 1566(B), and 1568, relative to assessment and collection procedures; to allow notices to be mailed to an address other than that on the last report filed; 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
Bajoie	Ellington	Landry
Barham	Fields	Lentini
Bean	Greene	Malone
Branch	Guidry	Robichaux
Cain	Heitmeier	Schedler
Campbell	Hines	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones	Ullo
Dean	Jordan	
Total—35		
NAYS		

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Total—0

ABSENT

Bagneris
Hainkel

Romero
Tarver

Total—4

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.

Personal Privilege

Senator Romero 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 House Bill No. 1022 because his machine was locked. He had intended to vote yea on the bill. He asked that the Official Journal so state.

HOUSE BILL NO. 1028—
BY REPRESENTATIVES ALARIO AND DEWITT
AN ACT

To amend and reenact R.S. 47:1576(A), relative to taxes paid under protest; to provide that a refund to a claimant for taxes paid under protest shall bear interest from the date the funds were received or from the due date of the tax return, whichever is later; to provide for the applicability of that provision; 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
Bajoie
Barham
Bean
Branch
Cain
Campbell
Casanova
Cox
Cravins
Dardenne
Dean
Ellington
Total—37

Fields
Greene
Guidry
Hainkel
Heitmeier
Hines
Hollis
Irons
Johnson
Jones
Jordan
Lambert
Landry

Lentini
Malone
Robichaux
Romero
Schedler
Short
Siracusa
Smith
Tarver
Theunissen
Ullo

NAYS

Total—0

ABSENT

Bagneris
Total—2

Dyess

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.

HOUSE BILL NO. 1035—
BY REPRESENTATIVES ALARIO AND DEWITT
AN ACT

To amend and reenact R.S. 47:2420(A), relative to interest estate transfer taxes; to provide for an effective date; 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
Bajoie
Barham
Bean
Branch
Cain
Campbell
Casanova
Cox
Cravins
Dardenne
Dean
Total—35

Ellington
Fields
Greene
Guidry
Hainkel
Hines
Hollis
Irons
Johnson
Jones
Jordan
Lambert

Landry
Lentini
Malone
Robichaux
Romero
Schedler
Short
Siracusa
Smith
Theunissen
Ullo

NAYS

Total—0

ABSENT

Bagneris
Dyess
Total—4

Heitmeier
Tarver

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.

HOUSE BILL NO. 1043—
BY REPRESENTATIVES ALARIO, DEWITT, DIEZ, ROUSSELLE, SHAW,
AND WILKERSON
AN ACT

To amend and reenact R.S. 32:707(A), relative to applications for title to mobile homes; to specify time for purchasers of motor homes to apply for certificates of title to vehicles; 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
Bajoie
Barham
Bean
Branch
Cain
Campbell
Casanova
Cox
Cravins
Dardenne
Dyess
Total—35

Ellington
Fields
Greene
Guidry
Hainkel
Hines
Hollis
Irons
Johnson
Jones
Jordan
Lambert

Landry
Lentini
Malone
Robichaux
Romero
Schedler
Short
Siracusa
Smith
Theunissen
Ullo

NAYS

Total—0

ABSENT

Bagneris
Dean
Total—4

Heitmeier
Tarver

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.

HOUSE BILL NO. 1047—
BY REPRESENTATIVES R. ALEXANDER AND DEWITT
AN ACT

To enact R.S. 40:2006, relative to the Department of Health and Hospitals; to provide for the assessment of licensing fees, unit fees, and delinquency fees for specified types of health care facilities and providers; to provide for the assessment of subsidiary fees for applicable facilities; 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	Ellington	Landry
Bajoie	Fields	Lentini
Barham	Greene	Malone
Bean	Guidry	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones	Ullo
Dean	Jordan	
Dyess	Lambert	
Total—37		

NAYS

Total—0

ABSENT

Bagneris
Total—2

Tarver

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.

HOUSE BILL NO. 1214—
BY REPRESENTATIVES MCMAINS, DEWITT, AND VITTER
AN ACT

To amend and reenact Civil Code Art. 2924(B), relative to the rate of legal interest; to statutorily codify the rate of legal or judicial interest for the last ten years; to provide for calculation of legal interest in future years; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lentini
Bajoie	Ellington	Malone

Barham	Fields	Robichaux
Bean	Greene	Romero
Branch	Guidry	Schedler
Cain	Hainkel	Short
Campbell	Heitmeier	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jordan	Ullo
Dean	Lambert	
Total—35		

NAYS

Jones
Total—2

Landry

ABSENT

Bagneris
Total—2

Hines

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

HOUSE BILL NO. 1244—
BY REPRESENTATIVES WIGGINS AND THORNHILL
AN ACT

To enact R.S. 30:2006, relative to yard waste; to provide for burning; to provide for definitions; to provide for local ordinances; 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	Ellington	Landry
Bajoie	Fields	Lentini
Barham	Greene	Malone
Bean	Guidry	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Dyess	Lambert	
Total—38		

NAYS

Total—0

ABSENT

Bagneris
Total—1

The Chair declared the 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.

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HOUSE BILL NO. 1367—

BY REPRESENTATIVE CURTIS

AN ACT

To amend and reenact R.S. 13:621.9 and to enact R.S. 13:587.1, relative to district judges; to provide for an additional judgeship for the Ninth Judicial District Court; to provide for compensation of the additional judge; to provide for the election and terms of office and those of the successors in office; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Hainkel
Total—1

ABSENT

Bagneris Branch
Bean Greene
Total—4

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

HOUSE BILL NO. 1491—

BY REPRESENTATIVES FONTENOT AND DEWITT

AN ACT

To enact R.S. 40:5.9(C), relative to civil actions to enforce drinking water regulations; to authorize the court to appoint a receiver to a defendant public water system; to provide for the powers of the state health officer relative to establishment of the receivership; to provide for powers and duties of an appointed receiver; to provide for dissolution of the receivership; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dyess Lentini
Bajoie Ellington Malone
Barham Fields Robichaux
Branch Greene Romero
Cain Guidry Schedler

Campbell Heitmeier Short
Casanova Hollis Siracusa
Cox Irons Smith
Cravins Johnson Tarver
Dardenne Jones Theunissen
Dean Lambert Ullo
Total—33

NAYS

Landry
Total—1
ABSENT

Bagneris Hainkel Jordan
Bean Hines
Total—5

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

HOUSE BILL NO. 1500—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 36:451(C) and 458(B) through (E) and to enact R.S. 36:458(F), relative to the Department of Revenue and Taxation; to provide for the areas of responsibility for the offices within the department; to add the office of legal affairs and to provide for the supervision and management of the office; to provide for the functions and responsibilities of the office; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean
Total—1
ABSENT

Bagneris Hainkel Hines
Total—3

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

HOUSE BILL NO. 1528—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 9:3561.1(F)(1) and 3565(C), relative to the Louisiana Consumer Credit Law; to provide relative to notification and fee sent to the commissioner of financial institutions by a person engaged in making consumer credit sales or consumer loans and to a person who takes assignments of and undertakes direct collection of payments from or enforcement of rights against debtors arising from these sales or loans; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris Cravins Hines
Campbell Hainkel
Total—5

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

HOUSE BILL NO. 1533—

BY REPRESENTATIVE CHAISSON

AN ACT

To repeal R.S. 47:1961.2, relative to ad valorem taxes on inventories; to repeal provisions providing for monthly collection on motor vehicles, boats, outboard motors, and boats with motors which are held for collection.

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

HOUSE BILL NO. 1790—

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 30:74(A)(3) and to enact R.S. 30:74(A)(4), relative to abandoned oilfield waste sites; to provide for approval by the commissioner of conservation of sheriff's sale of such property; to require and provide for recordation and enforcement of liens; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris Dean Short
Bean Romero
Total—5

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

HOUSE BILL NO. 1791—

BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 30:83(B)(10), 84(A)(1), (5), and (7), 85, 86(C) and (E)(introductory paragraph) and (2), 87(E), 88(B), (C), (D), (E), (F), and (G), 89, 91(B), 92(A), 93(A)(introductory paragraph) and (2)(c), and 95; to enact R.S. 30:92(C); and to repeal R.S. 30:83(F)(2) and (4), 84(A)(3), (B), and (C), 87(C), and 93(A)(2)(d), all relative to the Louisiana Oilfield Site Restoration Law; to provide relative to the powers and duties of the secretary and assistant secretary; to provide relative to the Oilfield Site Restoration Fund; to provide relative to oilfield site restoration fees; to provide relative to oilfield site trust accounts; to provide relative to non-orphan site restoration; to provide relative to orphaned oilfield sites; to provide relative to orphan site restoration; to provide for recovery of certain site restoration costs; to provide relative to no inference of liability on the part of the state; to provide procedures, conditions, and requirements; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

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Dardenne	Jordan	Ullo
Dean	Lambert	
Dyess	Landry	
Total—37		

NAYS

Total—0

ABSENT

Bagneris	Ellington
Total—2	

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

HOUSE BILL NO. 1794—

BY REPRESENTATIVE HOPKINS

AN ACT

To amend and reenact R.S. 30:21(B), relative to the office of conservation in the Department of Natural Resources; to provide relative to fees imposed by the office of conservation; to authorize a monthly production fee to replace certain annual regulatory and registration fees; to provide definitions, amounts, terms, and conditions; to establish a special fund to be known as the Oil and Gas Regulatory Fund; to provide for payments, appropriations, and deposits into such fund; to provide for the amounts and uses of such fund, including certain dedication of monies; to provide for the administration, collection, and enforcement of the monthly production fee; to provide for suspension of the fee under certain terms and conditions; and to provide for related matters.

Floor Amendments Sent Up

Senator Romero sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Romero to Reengrossed House Bill No. 1794 by Representative Hopkins

AMENDMENT NO. 1

In Senate Committee Amendment No. 7 proposed by the Senate Committee on Natural Resources to Reengrossed House Bill No. 1794 by Representative Hopkins and adopted by the Senate on May 22, 1997, on page 1, line 24, change "thereafter" to "for Fiscal Years 1998 - 1999 and 1999 - 2000"

AMENDMENT NO. 2

In Senate Committee Amendment No. 8 proposed by the Senate Committee on Natural Resources to Reengrossed House Bill No. 1794 by Representative Hopkins and adopted by the Senate on May 22, 1997, on page 1, line 31, change "thereafter" to "for Fiscal Years 1998 - 1999 and 1999 - 2000"

AMENDMENT NO. 3

In Senate Committee Amendment No. 8 proposed by the Senate Committee on Natural Resources to Reengrossed House Bill No. 1794 by Representative Hopkins and adopted by the Senate on May 22, 1997, on page 2, line 5, change "thereafter" to "for Fiscal Years 1998 - 1999 and 1999 - 2000"

On motion of Senator Romero, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Hainkel	Smith
Total—3		

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

HOUSE BILL NO. 1795—

BY REPRESENTATIVE FLAVIN

AN ACT

To enact R.S. 30:28 and to repeal R.S. 30:204, relative to drilling permits; to provide relative to issuance procedures, fees, location plat, notice and hearing requirements, and funds; to redesignate the section of law with present language as a new section; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Bean	Hainkel
Total—3		

The Chair declared the bill was passed. The title was read and

adopted. Senator Malone moved to reconsider the vote by which the bill was passed and laid the motion on the table.

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoe, Barham, Bean, Branch, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Total—36, Ellington, Fields, Greene, Guidry, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Cain Total—1

ABSENT

Bagneris Hainkel Total—2

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

HOUSE BILL NO. 2018— BY REPRESENTATIVE DONELON AN ACT

To enact R.S. 47:463.1.1, relative to parish road use taxes; to authorize the parish council of Jefferson Parish to levy and collect an annual parish road use tax on automobiles and trucks, subject to voter approval; 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 House Bill No. 2018 by Representative Donelon

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 47:463.1.1" insert "and R.S. 47:1623(E)(3) and (4)" and after "taxes;" insert "and to state income taxes; to expand and clarify the period of time allowed to file a claim for a refund or credit of an overpayment of income taxes; to provide for the taxpayer's right to file a claim against the state for certain prescribed claims for refunds or credits;"

AMENDMENT NO. 2

On page 1, line 10, change "is" to " and R.S. 47:1623(E)(3) and (4) are"

AMENDMENT NO. 3

On page 2, at the bottom of the page, insert:

§1623. Prescription of refunds or credits

E. Provided that where a refund or credit relates to an overpayment of income tax, the running of prescription shall be suspended by means of:

(3) Notwithstanding any contrary provision of this Section, when the period of time within which a claim for refund or credit has been suspended, solely pursuant to the application of this Subsection, no refund or credit shall be made unless such claim is filed before five years from the thirty-first day of December of the year in which the tax became due, or before three years from the thirty-first day of December of the year in which the tax was paid, whichever is later.

(4) When the right to file a claim for refund or credit is prescribed solely pursuant to the application of this Subsection, the taxpayer shall have a right to file a claim against the state as provided in R.S. 47:1481, for a period of five years from the date such claim prescribed.

Section 2. The provisions of this Act relative to R.S. 47:1623(E)(3) and (4) shall apply to all such overpayments that have not been refunded.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

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

Table with 3 columns of names: Mr. President, Bajoe, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Total—33, Dean, Dyess, Ellington, Fields, Greene, Guidry, Hainkel, Hines, Hollis, Irons, Johnson, Lambert, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen.

NAYS

Heitmeier Landry

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Jordan
Total—4

Ullio
ABSENT

Bagneris
Total—2

Jones

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.

HOUSE BILL NO. 2065 (Duplicate of Senate Bill No. 826)—
BY REPRESENTATIVE DOWNER AND SENATOR DARDENNE AND COAUTHORED BY REPRESENTATIVES ALARIO, BRUN, CRANE, DEWITT, DUPRE, ILES, LEBLANC, LONG, MCCAIN, MCDONALD, MCMAINS, MICHOT, WALSWORTH, AND WIGGINS AND SENATORS EWING, HAINKEL, AND SCHEDLER

AN ACT

To amend and reenact Chapter 42 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3971 through 3973, 3981 through 3983, 3991 through 3993, 3995 through 3999, and 4001, and R.S. 39:75(C)(1)(b), relative to charter schools; to provide relative to the purpose and definitions applicable to charter schools and their establishment; to provide relative to eligibility to propose a charter; to provide relative to the approvals necessary to enter into a charter and other elements of the school chartering process; to provide relative to the contents, renewal, and revocation of a charter; to provide relative to the requirements, authorities, and limitations of a charter school; to provide relative to the funding of a charter school; to provide relative to the applicability of laws and rules to such schools; to provide relative to charter school employees; to provide relative to the Louisiana Charter School Loan Fund; to authorize every city and parish school board to grant charters; to eliminate the pilot nature of the authority to operate charter schools; to revise the limitations on the number of charters which may be granted; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 2065 by Representative Downer

AMENDMENT NO. 1

In Senate Committee Amendment No. 18 proposed by the Senate Committee on Education and adopted by the Senate on May 22, 1997 on line 27, change "2007" to "2001"

AMENDMENT NO. 2

Delete Senate Committee Amendments No. 44 though 65 proposed by the Senate Committee on Education and adopted by the Senate on May 22, 1997.

Motion

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

Without objection, the division of the question was ordered.

Senator Dardenne moved the adoption of Amendment No. 1.

Senator Greene objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Heitmeier	Landry
Branch	Hines	Robichaux
Dardenne	Hollis	Romero
Ellington	Irons	Siracusa
Fields	Johnson	Smith
Guidry	Lambert	Ullio
Total—18		

NAYS

Mr. President	Dean	Lentini
Barham	Dyess	Malone
Cain	Greene	Schedler
Campbell	Hainkel	Short
Casanova	Jones	Theunissen
Cox	Jordan	
Total—17		

ABSENT

Bagneris	Cravins
Bean	Tarver
Total—4	

The Chair declared Amendment No. 1 was adopted.

Rules Suspended

Senator Jones asked for a suspension of the rules for the purpose of granting the speaker an additional 5 minutes.

Senator Dean objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Guidry	Malone
Branch	Hines	Romero
Campbell	Hollis	Schedler
Casanova	Johnson	Short
Dardenne	Jones	Siracusa
Dyess	Jordan	Smith
Ellington	Lambert	Theunissen
Fields	Landry	Ullio
Greene	Lentini	
Total—26		

NAYS

Bean	Dean
Cain	Robichaux
Total—4	

ABSENT

Mr. President	Cox	Heitmeier
Bagneris	Cravins	Irons
Barham	Hainkel	Tarver
Total—9		

The Chair declared the rules were suspended and the speaker was granted an additional 5 minutes.

Senator Dardenne moved the adoption of Amendment No. 2.

Senator Fields objected.

ROLL CALL

The roll was called with the following result:

YEAS		
Bajoie	Fields	Lambert
Campbell	Guidry	Landry
Cravins	Irons	Robichaux
Dardenne	Johnson	Siracusa
Ellington	Jones	Theunissen
Total—15		
NAYS		
Mr. President	Dyess	Malone
Barham	Greene	Romero
Bean	Hainkel	Schedler
Branch	Hines	Short
Cain	Hollis	Smith
Casanova	Jordan	Ullo
Dean	Lentini	
Total—20		
ABSENT		
Bagneris	Heitmeier	
Cox	Tarver	
Total—4		

The Chair declared Amendment No. 2 was rejected.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 2065 by Representative Downer

AMENDMENT NO. 1

Delete Senate Committee Amendments No. 44 though 65 proposed by the Senate Committee on Education and adopted by the Senate on May 22, 1997.

AMENDMENT NO. 2

On page 18, line 3, delete "local public" and insert in lieu thereof "public and approved nonpublic schools located within the"

AMENDMENT NO. 3

On page 18, line 4, after "who are" insert "residents in the jurisdiction of the school district and who are"

AMENDMENT NO. 4

On page 18, line 7, after "pupils in" delete "the" and insert in lieu thereof "public and approved nonpublic schools located within the school"

AMENDMENT NO. 5

On page 18, line 8, after "who are" insert "residents in the jurisdiction of the school district and who are"

AMENDMENT NO. 6

On page 18, line 10, after "3973(1)." insert "The state Department of Education shall collect information from the approved nonpublic schools regarding the percentage of their students who are residents in the jurisdiction of the school district and who are eligible to participate in the federal free and reduced cost lunch program."

Motion

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

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS		
Bajoie	Cravins	Jones
Bean	Fields	Landry
Cain	Guidry	Robichaux
Campbell	Irons	
Cox	Johnson	
Total—13		
NAYS		
Mr. President	Greene	Romero
Barham	Hainkel	Schedler
Branch	Hines	Siracusa
Casanova	Hollis	Smith
Dardenne	Jordan	Theunissen
Dean	Lambert	Ullo
Dyess	Lentini	
Ellington	Malone	
Total—22		
ABSENT		
Bagneris	Short	
Heitmeier	Tarver	
Total—4		

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

Motion

Senator Guidry moved to table the amendment.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS		
Bajoie	Greene	Jordan
Cain	Guidry	Robichaux
Casanova	Hines	Schedler
Cox	Hollis	Short
Cravins	Irons	Theunissen
Dyess	Johnson	
Fields	Jones	
Total—19		
NAYS		
Mr. President	Ellington	Romero
Barham	Hainkel	Siracusa
Bean	Lambert	Smith
Branch	Landry	Ullo
Dardenne	Lentini	
Dean	Malone	
Total—16		
ABSENT		

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Bagneris
Campbell
Total—4

Heitmeier
Tarver

The Chair declared the amendment was tabled.

Floor Amendments Sent Up

Senator Theunissen sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Theunissen to Reengrossed House Bill No. 2065 by Representative Downer

AMENDMENT NO. 1

Delete Senate Committee Amendments proposed by the Senate Committee on Education and adopted by the Senate on May 22, 1997.

Motion

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

Senator Guidry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham
Bean
Branch
Cain
Campbell
Casanova
Cox
Dardenne
Total—24

Dean
Dyess
Ellington
Greene
Hainkel
Hines
Hollis
Jordan

Malone
Robichaux
Romero
Short
Siracusa
Smith
Tarver
Theunissen

NAYS

Bajoie
Fields
Guidry
Irons
Total—11

Johnson
Jones
Lambert
Landry

Lentini
Schedler
Ullo

ABSENT

Mr. President
Bagneris
Total—4

Cravins
Heitmeier

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

Senator Theunissen moved adoption of the amendments.

Senator Short objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie
Bean
Cain

Fields
Guidry
Heitmeier

Lambert
Robichaux
Romero

Campbell
Cox
Cravins
Ellington
Total—20

Hines
Irons
Johnson
Jones

Schedler
Theunissen
Ullo

NAYS

Mr. President
Barham
Branch
Casanova
Dardenne
Dean
Total—17

Dyess
Greene
Hainkel
Hollis
Landry
Lentini

Malone
Short
Siracusa
Smith
Tarver

ABSENT

Bagneris
Total—2

Jordan

The Chair declared the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Bajoie
Barham
Bean
Branch
Cravins
Dardenne
Dean
Dyess
Ellington
Total—28

Guidry
Hainkel
Heitmeier
Hines
Hollis
Irons
Johnson
Jordan
Lambert
Lentini

Robichaux
Romero
Schedler
Siracusa
Smith
Tarver
Theunissen
Ullo

NAYS

Cain
Campbell
Casanova
Cox
Total—10

Fields
Greene
Jones
Landry

Malone
Short

ABSENT

Bagneris
Total—1

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

HOUSE BILL NO. 2074—

BY REPRESENTATIVES DOWNER, BRUN, MCDONALD, LONG, DEWITT, ALARIO, DUPRE, ILES, KENNEY, LEBLANC, MCCAIN, MCMAINS, POWELL, SALTER, THOMAS, WALSWORTH, WIGGINS, QUEZAIRE, DIEZ, PERKINS, AND LANCASTER AND SENATORS DARDENNE, SCHEDLER, SMITH, THEUNISSEN, SHORT AND HOLLIS

AN ACT

To enact R.S. 17:154.3, relative to teacher work schedules; to provide relative to the minimum number of days teachers are to work; to provide relative to teacher compensation; to provide for work days for staff development; to provide for definitions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Cain
Total—1

ABSENT

Bagneris	Dyess
Bajoie	Jones
Total—4	

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

HOUSE BILL NO. 2106 —
BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 30:2361, 2363, 2364(introductory paragraph), (4), and (8), 2366(B), 2367(B)(2), 2368(B)(1) and (D), 2369(A) and (B)(1), 2370(E)(6) and (F), 2371, 2372(A), 2373(A), (B)(1) and (2), and (C)(1), (2), and (4), 2374(A) and (B), 2376(B), 2377(introductory paragraph), 2378, and 2379(B), to enact R.S. 30:2364(9) and (10), 2365(A)(6), 2366(C) and (D), 2369(E)(3), 2373(C)(3), (D), and (E), 2374(B)(4), and 2380, and to repeal R.S. 30:2370(E)(1), relative to the Hazardous Materials Information Development, Preparedness, and Response Act; to provide for definitions; to provide for procedures; to provide for reporting and notifications; to provide for fees; to provide for trade secrets; to provide for penalties; to provide for the Right-To-Know Fund; to provide for limitations and uses of the funds; to provide for the Louisiana Chemical Network; to provide for rules; and to provide for related matters.

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

HOUSE BILL NO. 2206 —
BY REPRESENTATIVES CLARKSON AND MURRAY

AN ACT

To amend and reenact R.S. 22:657(D)(2) and to enact R.S. 22:657(E) and 2027(E) and (F), and R.S. 40:2207, and 2207.1, relative to health insurance, to provide a definition for emergency medical condition; to prohibit pre-certification for emergency care; to prohibit retrospective denial or reduction of payment for emergency care; to require dissemination of information regarding requirements; to provide for penalties; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Ullo
Total—1

ABSENT

Mr. President	Bagneris	Campbell
Total—3		

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

HOUSE BILL NO. 2264 (SUBSTITUTE FOR HOUSE BILL NO. 2116 BY REPRESENTATIVE DOWNER) —
BY REPRESENTATIVES DOWNER, LONG, MCDONALD, FRITH, AND THOMPSON

AN ACT

To enact R.S. 17:416.2.1, relative to alternative education programs; to provide legislative findings; to provide for the duties and responsibilities of city and parish school boards; to require alternative education programs for students who are not suspended or expelled from school but who have demonstrated certain behavior needing disciplinary action and for certain suspended students; to provide guidelines and requirements for such programs, including participation in such programs by certain suspended and expelled students on a space available basis; to provide for effectiveness; and to provide for related matters.

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

Rules Suspended

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

JUDICIARY A

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

June 10, 1997

To the President and Members of the Senate:

June 10, 1997

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

SENATE CONCURRENT RESOLUTION NO. 4—
BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To urge and request the courts of the state to utilize a consistent formula in computing the division of retirement and defined benefit pension plan funds.

Reported favorably.

HOUSE BILL NO. 9—
BY REPRESENTATIVE BRUNEAU

AN ACT

To amend and reenact R.S. 9:2796(A), relative to offenses and quasi offenses; to limit liability of krewes conducting parades held on streets or waterways, or in buildings; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 84—
BY REPRESENTATIVE FLAVIN

AN ACT

To amend and reenact R.S. 15:708(A)(1) and to enact R.S. 30:2536(E), relative to limitation of liability; to include litter detail within labor permitted by prisoners; to limit the liability of the sheriff for injury or loss sustained by or caused by a prisoner except for intentional or grossly negligent acts; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 109—
BY REPRESENTATIVES SALTER, DIMOS, FRUGE, JOHNS, MCCALLUM, MCMAINS, AND WRIGHT

AN ACT

To enact R.S. 17:416.11, relative to liability of school employees; to provide that certain employees of school boards and approved nonpublic schools shall not be liable for acts related to their employment duties except in certain circumstances; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 161—
BY REPRESENTATIVE MCCAIN

AN ACT

To amend and reenact Code of Civil Procedure Art. 4843(E)(1) and to enact Code of Civil Procedure Art. 4843(F), relative to trial courts of limited jurisdiction; to increase the amount in dispute for civil jurisdiction of the city court in Plaquemine; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 184—
BY REPRESENTATIVE DIMOS

AN ACT

To amend and reenact Code of Civil Procedure Article 5186, relative to payment of costs incurred by indigents; to provide for the filing and the effect of recordation of an affidavit of account; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 185—
BY REPRESENTATIVE DIMOS

AN ACT

To amend and reenact Code of Civil Procedure Articles 2127.2(A) and (B) and 2127.3, relative to preparation of the record on appeal; to require the delivery of the transcript to the clerk of court five days prior to the return date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 245—
BY REPRESENTATIVE JACK SMITH

AN ACT

To amend and reenact Civil Code Arts. 2315.1(D) and 2315.2(D) and to enact Civil Code Arts. 2315.1(A)(4) and (E) and 2315.2(A)(4) and (E), relative to offenses and quasi offenses; to provide for survival and wrongful death actions by a tutor and by grandparents; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 284—
BY REPRESENTATIVE MCCAIN

AN ACT

To amend and reenact R.S. 9:315.12, relative to the guidelines for the determination of child support; to require the Department of Social Services and the Louisiana District Attorneys Association to assist the legislature in the federally mandated periodic review thereof; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 461—
BY REPRESENTATIVE DIMOS

AN ACT

To amend and reenact R.S. 9:3509(B)(2), 4331.1(A), and 4770, and R.S. 10:9-102(1), 9-105(1)(h), and 9-201, relative to commercial transactions; to define "goods", provide for the effect of a security agreement, provide for applicability of provisions governing secured transactions and preference of ranking rules under Chapter 9 of the Louisiana Commercial Laws; to provide for the sale of promissory notes; to clarify the rate of interest applicable to certain commercial, business, or agricultural loans after declaration of default; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 464—
BY REPRESENTATIVE DOWNER

AN ACT

To amend and reenact Children's Code Articles 1189(3), 1270, 1271(A), and 1272, relative to adoptions; to authorize biological siblings to register with the voluntary registry in an attempt to locate an adopted sibling; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 495—
BY REPRESENTATIVE JOHNS

AN ACT

To enact R.S. 9:2800.11, relative to offenses and quasi offenses; to provide for a limitation of liability of a municipal or parish airport authority in certain parishes for damage to aircraft parked on airport property; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 514—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS

AN ACT

To enact Chapter 3 of the Louisiana Code of Evidence, to be comprised of Articles 301 through 308, and to enact Louisiana Code of Evidence Article 804(B)(5), to repeal Civil Code Articles 1849, 1850, 1851, and 1852, and to provide for the redesignation of Louisiana Code of Evidence Articles 804(B)(5) and (6), all relative to evidence in civil proceedings; to provide for the definition, effect, and application of presumptions and prima facie evidence as used in legislation governing civil proceedings; to provide for definitions; to provide with respect to conclusive and rebuttable presumptions; to provide for jury instructions; to provide for a

residual hearsay exception when the declarant is unavailable to testify; to repeal certain Civil Code Articles relative to presumptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 583—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact Code of Civil Procedure Articles 6, 925, 1671, 2002, and 5091(A)(1)(a), R.S. 13:1704(A)(3), R.S. 34:807, and Children's Code Articles 644(B) and 1024(B) and to repeal Code of Civil Procedure Article 7, relative to personal jurisdiction; to repeal the general appearance by a party in all proceedings; to repeal the implied waiver of objections by general appearance; to provide that objection to jurisdiction is waived unless a declinatory exception is timely filed; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 584—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact Code of Civil Procedure Arts. 72, 82, 123(A), 928(A), 929, 964, and 967, all relative to the continuous revision of the Code of Civil Procedure; to provide for the effect of judgments in certain actions involving property, venue in actions to partition community property, transfer of venue, time of pleading and trial of exceptions, motions to strike, and the use of affidavits of expert witnesses in motions for summary judgment; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 585—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact Code of Civil Procedure Articles 1236, 1314, 1424, 1464, 1551, and 5091.2, and R.S. 13:3203 and 3206, and to enact Code of Civil Procedure Articles 1443(D), 2087(D), and 2123(C), all relative to the continuous revision of the Code of Civil Procedure and ancillary procedural provisions; to provide for service on a physician, service on the clerk of court, the scope of discovery, restrictions on instructing a deponent not to answer, orders for physical or mental examinations by licensed examiners, pretrial and scheduling conferences, premature appeals, curators ad hoc in certain proceedings, venue under long-arm proceedings, "and nonresident" under long-arm jurisdiction; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 631—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 28:63(D), relative to the examination, admission, commitment, and treatment of persons suffering from mental illness and substance abuse; to limit liability of certain acts of law enforcement officers; to provide with respect to the responsibilities of law enforcement; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 637—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact Code of Civil Procedure Art. 1672(A), relative to the dismissal of civil actions; to authorize the trial judge to dismiss an action for failure of the parties to appear at trial; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 638—
BY REPRESENTATIVE BRUNEAU
AN ACT

To enact R.S. 13:4165, relative to courts and judicial procedure; to authorize district courts to appoint special masters in certain cases; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 756—
BY REPRESENTATIVES PERKINS, DONELON, BRUN, DANIEL, DIEZ, DIMOS, DOWNER, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FRUGE, GAUTREAUX, JENKINS, JETSON, JOHNS, KENNARD, LANCASTER, MCCALLUM, MURRAY, ROMERO, ROUSSELLE, THORNHILL, VITTER, WALSWORTH, WESTON, WIGGINS, WILLARD-LEWIS, WINDHORST, AND WRIGHT AND SENATORS DEAN, GREENE, HAINKEL, AND SHORT
AN ACT

To amend and reenact Civil Code Articles 102 and 103 and R.S. 9:234 and 245(A)(1) and to enact R.S. 9:224(C) and 225(A)(3), Part VII of Chapter 1 of Code Title IV of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:272 through 275, and R.S. 9:307, 308, and 309, all relative to covenant marriages; to provide for a declaration on the application for a marriage license; to provide prerequisites to entering into a covenant marriage, including counseling; to authorize the entering into a covenant marriage by couples already married; to provide for indication thereof on the marriage certificate; to provide the exclusive means to terminate a covenant marriage; to provide with respect to jurisdiction, venue, and incidental relief; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 986—
BY REPRESENTATIVE HAMMETT
AN ACT

To enact R.S. 37:1736, relative to architects, engineers, and land surveyors; to provide for immunity from liability in certain emergency situations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1064—
BY REPRESENTATIVE JOHNS
AN ACT

To amend and reenact Children's Code Art. 1263, relative to the annulment of a final decree of adoption; to provide that no such action may be brought after four years from the final decree; to provide exceptions for fraud or duress perpetrated by an adoptive parent; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1072—
BY REPRESENTATIVES MCCALLUM AND JOHNS
AN ACT

To amend and reenact Children's Code Arts. 1103(5), 1137, 1138, and 1143 and to enact Children's Code Art. 1103(6), all relative to the surrender of parental rights; to provide a definition of "parental fitness"; to provide for the opposition to an adoption by the alleged or adjudicated father and notice; to delete provisions on proof of establishment of parental relationship; to provide for representation of the child, a contradictory hearing and notice thereof, testing to determine paternity, the hearing on an alleged or adjudicated father's opposition to an adoption, the father's establishment of parental rights, acknowledgment, proof of substantial commitment, the termination of rights of the unsuccessfully opposing father, the award of custody to the successfully opposing father, and the costs of medical treatment; to provide an expedited time within which to request a rehearing or file an application for certiorari to the supreme court and to provide with respect to the time that a judgment becomes final and definitive for purposes of appeal; and

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to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1307—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 9:1783, relative to trusts and trustees; to provide for what persons and entities may serve as trustees of a trust; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1324—
BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact Children's Code Art. 311, relative to juvenile jurisdiction over adults; to provide concurrent jurisdiction in certain support cases; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1327—
BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact Code of Civil Procedure Art. 74.2(C) and (D) and R.S. 46:236.2, to enact Code of Civil Procedure Art. 74.2(E), Section 2 of Chapter 7 of Title II of Book V of the Code of Civil Procedure, comprised of Articles 2785 through 2794, and Children's Code Art. 314.1, all relative to child support; to provide with respect to venue and the transferring of child support cases within this state; to provide a process to register intrastate support orders; to provide for transfer of a proceeding for subsequent enforcement and modification by the district attorney; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1328—
BY REPRESENTATIVE THOMPSON
AN ACT

To enact Code of Evidence Art. 902(10) and R.S. 13:3712.1, relative to the introduction of labor reports in a child or spousal support proceeding; to provide for admissibility and for self-authentication of copies of such reports; to provide prima facie proof of their contents; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1329—
BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact Civil Code Art. 3497.1 and to enact Civil Code Art. 3501.1, relative to liberative prescription; to change the prescriptive period in which to bring an action for arrearages in child support from five to ten years; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1364—
BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 9:3516(23)(a)(i) and (26), 3527(C), and 3528(A) and to enact R.S. 9:3516(39), relative to consumer loan transactions; to define "cash advance"; to revise the definition of "prepaid finance charges"; to provide relative to maximum delinquency charges and maximum deferral charges; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1372—
BY REPRESENTATIVE DONELON
AN ACT

To enact R.S. 37:222, relative to attorneys; to provide for a limitation of liability for loss or damages sustained as a result of negotiating or recommending certain structured settlements and the funding thereof; to provide for a presumption of "good faith" when recommending or negotiating certain structured settlements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1375—
BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact R.S. 12:804 and to enact R.S. 22:1113(B)(4), relative to professional law corporations; to provide that a professional law corporation or any limited liability company, limited liability partnership, or partnership may be licensed as a title insurance agency; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1388—
BY REPRESENTATIVE MCMAINS
AN ACT

To amend and reenact Children's Code Articles 634, 663(D), 672, 674, 675, 677, 682, 684, 702, 731, 1413, 1461, and 1463(D)(2) and to enact Children's Code Article 616.1, all relative to the continuous revision of the Children's Code; to provide for children in need of care, the correction of records, contents of the petition, suspension of evidentiary privileges, custody assignment to the Department of Social Services or other public agencies or institutions, filing, contents and review of the case plan, removal of the child from the parent's custody, judgment of disposition, and dispositional review; to provide for the complaint in families in need of services proceedings; to provide for mental health proceedings, the time for the hearing, and advice of rights; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1389—
BY REPRESENTATIVE MCMAINS
AN ACT

To amend and reenact R.S. 9:2783, relative to liability of owners of certain parking facilities; to provide limitations of liability of owners of parking lots and garages under certain conditions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1406—
BY REPRESENTATIVE HOPKINS
AN ACT

To amend and reenact R.S. 13:1952(21)(b), relative to the establishment and territorial jurisdiction of particular city courts; to provide for the election of the judges of the Shreveport City Court; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1407—
BY REPRESENTATIVE HOPKINS
AN ACT

To amend and reenact R.S. 13:621.1, relative to district judges; to provide for an additional judgeship for the First Judicial District Court; to provide for compensation of the additional judge; to provide for the election and term of office and those of the successors in office; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1421—

BY REPRESENTATIVES MCDONALD, MCMAINS, AND DOWNER
AN ACT

To amend and reenact R.S. 17:416.4, relative to civil liability of public school employees; to provide relative to legal defense and indemnification of all public school employees by city and parish school boards; to provide for notification procedures by school boards to their employees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1628—

BY REPRESENTATIVES DIMOS AND MCMAINS
AN ACT

To amend and reenact Chapters 4, 5, 6, and 13 of Title I of Book III of the Civil Code, heretofore comprised of Articles 934 through 1074 and Articles 1415 through 1466, to comprise Articles 934 through 968 and Articles 1415 through 1429, Chapter 6 of Title II of Book III of the Civil Code, heretofore comprised of Articles 1570 through 1723, to comprise Articles 1570 through 1616, Civil Code Article 3506(28), Code of Civil Procedure Articles 427, 2825, 2826, 2852, 2856, 2891, 2932, 2951(A)(1) and (B), 3001, 3004, 3031, 3228, 3301 through 3304, 3332, 3361, 3362, 3371, 3393, and 3394, R.S. 9:1521 and R.S. 9:2501; to enact R.S. 9:2440; to transfer and redesignate Civil Code Article 890.1 as R.S. 9:1400, and R.S. 9:1471 through 1474 as Code of Civil Procedure Articles 3295 through 3298 of Section 5 of Chapter 6 of Title III of Book VI; to redesignate Civil Code Article 1497 as Civil Code Article 1515; and to repeal Code of Civil Procedure Articles 2887, 2933, and 3155.1, and R.S. 9:2442 through 2445, all relative to the revision of the law of successions; to provide for intestate successions and the usufruct of the surviving spouse; to provide for commencement of successions, loss of succession rights, acceptance and renunciation of successions, and payment of the debts of an estate; to provide for testamentary dispositions; to provide for probate procedure; to provide for public sale of succession property; to provide for transitional provisions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1687—

BY REPRESENTATIVES ANSARDI AND MCMAINS
AN ACT

To enact Subpart B of Part II of Chapter 2 of Code Title XXI of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:4881 through 4889, relative to oil and gas wells; to provide for a privilege in favor of an operator and non-operator over certain described property; to provide for how the privilege is established and extinguished, its effect as to third persons, and its extinction as to certain movable property; to provide for how the privilege is enforced, the information that must be included in a statement of privilege, the ranking of privileges, and the enforcement of privileges; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1720—

BY REPRESENTATIVES THORNHILL AND JENKINS AND SENATOR SHORT
AN ACT

To enact R.S. 9:2800.11, relative to offenses and quasi offenses; to create a new cause of action for damages attributable to the termination of a pregnancy; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1863—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 13:3732, relative to statements by an injured

person; to provide that a copy of any written, recorded, or transcribed statement be furnished to the person making the statement; to provide with respect to the admissibility of such statements; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1864—

BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 40:1299.47(A)(2)(a), relative to the Medical Malpractice Act; to provide that the filing of a request for review of a claim with the medical review panel suspends the running of prescription against all solidary obligors and joint tortfeasors; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2053 —

BY REPRESENTATIVES ANSARDI AND MCMAINS
AN ACT

To amend and reenact Section 1 of Chapter 2 of Title V of Book I of the Civil Code, heretofore comprised of Articles 111 through 120, to comprise Articles 111 through 117; to amend and reenact Part II of Chapter 1 of Code Title V of Title 9 of the Louisiana Revised Statutes of 1950, heretofore comprised of R.S. 9:321 through 327, to comprise R.S. 9:321 through 324; to amend and reenact R.S. 9:382; to redesignate the Title of Chapter 2 of Code Title V of Title 9 of the Louisiana Revised Statutes of 1950 from "Divorce: Transitional Provisions" to "Transitional Provisions" and to designate R.S. 9:381 through 384 as "Part I. Divorce" of said Chapter 2; to redesignate R.S. 9:387 as R.S. 9:385 and designate it as "Part II, Child Custody and Support" of said Chapter 2; to enact a new Part III, entitled "Spousal Support" of said Chapter 2 to be comprised of R.S. 9:386 and 387; and to repeal R.S. 9:327; all relative to the awarding of spousal support to a party in a proceeding for divorce or thereafter; to provide for interim and final periodic support; to provide relative to the initial granting, modification, extinguishment, appeal from, retroactivity, and recordation of judgments of spousal support; to provide an effective date for this Act and to provide transitional provisions for claims pending on that date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2304—

BY REPRESENTATIVES WELCH, CLARKSON, AND WALSWORTH
AN ACT

To amend and reenact Code of Evidence Art. 510(A)(2), relative to privileged communications between health care providers and patients; to make changes in the definition of a health care provider; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2337—

BY REPRESENTATIVE THOMAS
AN ACT

To amend and reenact R.S. 40:1299.41(A)(1) and 1299.45(A)(2), relative to the Medical Malpractice Act; to include certain corporations, partnerships, limited liability partnerships, and limited liability companies within the definition of "health care provider"; to provide for malpractice coverage; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2347 (Substitute for House Bill No. 660 By Representative Riddle, et al.)—

BY REPRESENTATIVES RIDDLE, MCMAINS, FRITH, FRUGE, JOHNS, LANDRIEU, MCCAIN, STELLY, THORNHILL, WALSWORTH, WRIGHT, KENNEY, AND VITTER

AN ACT

June 10, 1997

To enact Chapter 1 of Code Title XIX of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:4101 through 4112, to redesignate existing Chapters 1 and 2 of Code Title XIX of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950 as Chapters 2 and 3 thereof, and to rename Code Title XIX thereof, all relative to alternative dispute resolution; to provide for mediation; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2506 (Substitute for House Bill No. 1509 by Representative Dimos) —
BY REPRESENTATIVE DIMOS

AN ACT

To enact R.S. 9:5217, relative to mortgages; to provide for uniform fees for filing multiple indebtedness mortgages; to provide for requirements as to form; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
CHRIS ULLO
Chairman

REPORT OF COMMITTEE ON

JUDICIARY B

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

June 10, 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. 670—

BY SENATOR BAGNERIS (BY REQUEST)
AN ACT

To amend and reenact R.S. 27:92(B)(2) and to enact R.S. 27:92(D), relative to riverboat gaming; to create the Orleans Levee District Riverboat Gaming Fund; to provide for disposition of monies in such fund; to provide for effective date; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 32—

BY REPRESENTATIVES GUILLORY, BRUCE, DUPRE, HEATON, PERKINS, AND ROMERO

AN ACT

To amend and reenact R.S. 27:101(A), 266(A), and 322(A), relative to gaming establishments; to prohibit use of property titles for gaming activities; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 48—

BY REPRESENTATIVES MURRAY, A. ALEXANDER, AND WELCH
AN ACT

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

Reported favorably.

HOUSE BILL NO. 79—

BY REPRESENTATIVE BARTON
AN ACT

To amend and reenact R.S. 13:1880(A), relative to the qualifications of marshals of city courts; to provide for residence and educational requirements; to provide exceptions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 160—

BY REPRESENTATIVE LONG
AN ACT

To enact R.S. 13:2614, relative to justice of the peace courts; to provide for territorial jurisdiction of justice of the peace courts and constables in Natchitoches Parish; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 320—

BY REPRESENTATIVE STELLY
AN ACT

To amend and reenact R.S. 13:964.1(A), relative to the court reporters' indigent transcript fund in the Fourteenth Judicial District; to require that the fund be used to pay court reporters for certain transcriptions from juvenile cases; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 394—

BY REPRESENTATIVE ALARIO
AN ACT

To amend and reenact R.S. 27:91(A)(5) and (6) and to enact R.S. 27:91(A)(7) and (8), relative to riverboat gaming permit and license fees; to reduce the fee for gaming employee permit renewals; and to provide for related matters.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 504—

BY REPRESENTATIVE WIGGINS AND SENATORS DYESS AND ELLINGTON
AN ACT

To amend and reenact R.S. 27:43(B)(1), relative to gaming activities allowed on designated rivers and waterways; to provide that the portion of the Red River within the borders of Rapides Parish is not a designated river or designated waterway upon which gaming activities may be conducted; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 626—

BY REPRESENTATIVES MONTGOMERY, BRUCE, AND KENNARD
AN ACT

To enact R.S. 15:587.2, relative to the Louisiana Bureau of Criminal Identification and Information; to provide that Louisiana State University campus police have authority to conduct employee criminal background checks; to provide that Louisiana State

University campus police have access to criminal history information; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 715—
BY REPRESENTATIVES DAMICO AND MURRAY
AN ACT

To amend and reenact R.S. 4:169(A)(1) and (B), relative to license fees charged by the racing commission; to increase certain fees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 833—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 13:1383, relative to the Criminal District Court for the parish of Orleans; to require the city of New Orleans to provide space for judges and the magistrate section; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 910—
BY REPRESENTATIVE CHAISSON
AN ACT

To enact R.S. 13:2582(F), 2583(E), and 2614, relative to justice of the peace courts; to provide for the territorial jurisdiction of justice of the peace courts in St. Charles Parish; to provide for the election of justices and constables; to provide for terms of office; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1061—
BY REPRESENTATIVE FAUCHEUX
AN ACT

To amend and reenact R.S. 15:1155(C) and (G), relative to the Prison Enterprises Program in the Department of Public Safety and Corrections; to provide with respect to the membership of the board; to provide with respect to the number of members required for a quorum; to provide with respect to the number of votes necessary for the board to take action; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1076—
BY REPRESENTATIVES RIDDLE AND DEWITT
AN ACT

To amend and reenact R.S. 27:92(B)(2)(a)(i), 270(A)(2)(a), and 312(B)(2)(a) and R.S. 47:9029(B)(2), relative to the allocation of certain gaming and lottery proceeds to the Compulsive and Problem Gaming Fund; to increase the allocation of monies to the fund; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1081—
BY REPRESENTATIVE TRAVIS
AN ACT

To enact R.S. 15:867.1, relative to search teams appointed by the wardens of state correctional facilities; to allow for the appointment of such teams by the warden; to provide for composition and duties of search teams; to provide for training; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1257—
BY REPRESENTATIVE WINSTON
AN ACT

To repeal R.S. 49:251.1(C), relative to justice of the peace training course; to repeal provisions permitting a hardship one-day training session.

Reported favorably.

HOUSE BILL NO. 1291—
BY REPRESENTATIVE KENNARD
AN ACT

To enact R.S. 15:739, relative to the Prison Reform Act of 1995; to provide that incarcerated prisoners must be tested for infectious disease after involvement in an incident that may transmit or expose the disease to another person; to provide for counseling and health care services; to provide procedures for ordering and administering the tests; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1370—
BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact R.S. 29:166 and to repeal R.S. 29:167, relative to court-martial jurisdiction; to provide for jurisdiction of the First Circuit Court of Appeal for appeal of court-martial cases; to repeal the creation and jurisdiction of the military appeals tribunal within the military department; to repeal general appeal provision to the First Circuit Court of Appeal; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1398—
BY REPRESENTATIVES DUPRE AND DOWNER
AN ACT

To amend and reenact R.S. 13:976(C), relative to court reporters; to provide for fees in civil and criminal cases in the Thirty-second Judicial District Court; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1568—
BY REPRESENTATIVES DOWNER, R. ALEXANDER, ANSARDI, BARTON, DEVILLE, DIEZ, DIMOS, FLAVIN, FORSTER, JOHNS, LEBLANC, MCCAIN, MCDONALD, MCMAINS, MICHOT, PIERRE, SCALISE, JOHN SMITH, STELLY, TRICHE, WIGGINS, AND WINDHORST
AN ACT

To amend and reenact R.S. 15:705(C)(1) and (3), 831(B), and 874(4)(d) and to enact R.S. 15:874(4)(e), relative to medical treatment of inmates; to require copayments by inmates upon receiving medical or dental treatment; to authorize collection of copayments from an inmate's drawing or savings account; to authorize the secretary of the Department of Public Safety and Corrections to promulgate rules and regulations governing copayments and their collection; to authorize the parish governing authorities to establish written rules governing copayments and their collection; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1629—
BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact R.S. 13:2583(A), relative to constables; to provide for certain qualifications of office; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1644—
BY REPRESENTATIVE VITTER
AN ACT

To amend and reenact R.S. 15:571.4(B)(2) and 574.4(I)(2), relative to

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forfeiture of diminution of sentence and parole; to remove maximum amount of good time forfeited if a condition of parole is violated; to provide that good time diminution of sentence which would have been earned if parole had not been granted is also forfeited for parole violations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1645—
BY REPRESENTATIVES VITTER, BRUCE, DUPRE, KENNARD, MCCAIN, ROMERO, AND WINDHORST

AN ACT

To enact R.S. 15:573.1 and 574.2.1, relative to pardon and parole; to limit contact with members of the Board of Pardons and Board of Parole regarding cases; to provide that letters written regarding inmates seeking pardon or parole shall be public record; to provide for exceptions; to provide penalties; to provide with respect to the rulemaking authority of the Board of Pardons and Board of Parole; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1646—
BY REPRESENTATIVE VITTER

AN ACT

To enact R.S. 15:572.4(D), relative to the Board of Pardons; to provide that no applicant who has been sentenced to life imprisonment can apply to the Board of Pardons for pardon or commutation of sentence within a period of fifteen years from initial sentence; to provide time periods for additional review after denial by the board; to provide for exceptions; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1653—
BY REPRESENTATIVES MURRAY AND FORSTER

AN ACT

To amend and reenact R.S. 13:2493(E) and to enact R.S. 13:2493(F), relative to jurisdiction of the Municipal Court of New Orleans; to authorize the court to grant injunctive relief in certain cases; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1659—
BY REPRESENTATIVE JACK SMITH

AN ACT

To enact R.S. 33:3007, to dedicate certain Indian gaming revenues received by the state to a special fund in the state treasury; to create the fund; to provide for the use of monies in the fund; to provide for allocation of the monies by the St. Mary Parish Council to various local governments within the parish; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1834—
BY REPRESENTATIVE TOOMY

AN ACT

To enact R.S. 37:2560, relative to certified shorthand reporters; to authorize the Board of Examiners of Certified Shorthand Reporters to impose a fine; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1837—
BY REPRESENTATIVE VITTER

AN ACT

To amend and reenact R.S. 15:572.1(E), 572.4(B)(1)(a), and 574, relative to the Board of Pardons; to provide for a quorum; to provide with respect to rulemaking; to provide for certain notices prior to consideration of pardon applications; to provide for the vote required for action to be taken; and to provide for related

matters.

Reported favorably.

HOUSE BILL NO. 1912—
BY REPRESENTATIVE HUNTER

AN ACT

To amend and reenact R.S. 13:1899(C)(12)(a) and to enact R.S. 13:1899(C)(12)(b)(i)(cc), relative to costs in criminal matters; to authorize an increase in certain fees in criminal matters in the City Court of Monroe; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1915—
BY REPRESENTATIVE HUNTER

AN ACT

To amend and reenact R.S. 15:571.3(A)(1), relative to the diminution of prison sentences for good behavior; to provide for the rate of good time for certain prisoners in parish prisons; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1971—
BY REPRESENTATIVES BOWLER, DUPRE, MARIONNEAUX, MCCAIN, AND MORRELL

AN ACT

To amend and reenact R.S. 27:15(B)(2), 18, 25(B)(1), (2)(introductory paragraph) and (d), and (3), and 26 and to enact R.S. 27:25(B)(4) and (E), relative to the Louisiana Gaming Control Board; to provide that hearings are conducted in conformity with the Administrative Procedure Act; to provide that decisions are made by the hearing officer rather than by the board; to provide a time limit for the rendering of a decision by the hearing officer; to prohibit ex parte communication with the hearing officer; to provide for appeals to the appropriate district court; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2033—

BY REPRESENTATIVES DOWNER, R. ALEXANDER, DEVILLE, DIMOS, LEBLANC, MCDONALD, MCMAINS, JOHN SMITH, STELLY, AND TRICHE

AN ACT

To amend and reenact R.S. 27:270(A)(3) and (B) and to enact R.S. 39:127.2, relative to the disposition of net revenues received from casino gaming proceeds; to provide for the disposition of such proceeds including the deposit into certain funds within the state treasury; to establish the Capitol Complex Master Plan Fund within the state treasury; to provide that monies in the fund shall be expended for capital improvements pursuant to the Capitol Complex Master Plan; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2253—
BY REPRESENTATIVES MORRELL AND WINDHORST

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.

Reported favorably.

HOUSE BILL NO. 2256—
BY REPRESENTATIVE COPELIN

AN ACT

To amend and reenact R.S. 27:18, relative to the Louisiana Gaming

Control Board; to provide for venue for civil proceedings involving gaming licensees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2265—
BY REPRESENTATIVE HOLDEN
AN ACT

To enact R.S. 27:311(I), relative to video draw poker devices; to provide licensing requirements for certain licensees; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 2330—
BY REPRESENTATIVE THERIOT
AN ACT

To enact R.S. 33:1421(C), relative to deferred compensation plans; to provide for participation by sheriffs; and to provide for related matters.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 74—
BY REPRESENTATIVES HAMMETT AND HEATON
A CONCURRENT RESOLUTION

To request the House Committee on Administration of Criminal Justice and the Senate Committee on Judiciary C to meet and to function as a joint committee to study and make recommendations with respect to the problems of funding and work overloads of Louisiana's probation and parole officers and to consider the possible transfer of probation supervision to local judicial districts.

Reported with amendments.

Respectfully submitted,
DONALD R. CRAVINS
Chairman

**REPORT OF COMMITTEE ON
JUDICIARY C**

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

June 10, 1997

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 158—
BY REPRESENTATIVE BRUN
A CONCURRENT RESOLUTION

To urge and request the Department of Public Safety and Corrections to enter into agreements with other states to provide reciprocity concerning permits for carrying concealed handguns.

Reported favorably.

HOUSE BILL NO. 186—
BY REPRESENTATIVES DUPRE, DOWNER, BRUCE, AND HEATON
AN ACT

To amend and reenact Code of Criminal Procedure Art. 648(A)(2), relative to certain defendants found to lack the mental capacity to proceed; to require a review of the status of those committed to the Feliciana Forensic Facility but held in parish jails; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 194—
BY REPRESENTATIVES MORRELL AND HEATON
AN ACT

To amend and reenact Code of Criminal Procedure Art. 553(A) and R.S. 32:57(C) and (D), relative to violations of traffic regulations; to require certain courts to establish procedures for one-time-appearance disposition of traffic offenses; to require local governing authorities to allow payment of fines by credit card; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 202—
BY REPRESENTATIVES WIGGINS, HILL, JOHNS, SHAW, AND TRICHE
AN ACT

To enact Code of Criminal Procedure Art. 221, relative to arrest; to provide that a law enforcement officer may be tested for infectious disease if he is exposed to potential infectious disease; to provide that an offender must be tested for infectious disease after attempting to transmit the disease to a law enforcement police officer who tests positive for the disease; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 269—
BY REPRESENTATIVES DURAND, BRUCE, KENNEY, AND ROMERO
AN ACT

To enact R.S. 14:42(A)(6) and (D) and 43.4(A)(6) and (D), relative to the crimes of aggravated rape and aggravated oral sexual battery; to provide when offense is committed against a physically or mentally infirm victim the offense is aggravated; to provide definitions; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 285—
BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact Children's Code Art. 312(B), relative to original criminal court jurisdiction in certain juvenile matters; to provide for jurisdiction of certain criminal matters to the Municipal Court of New Orleans; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 303—
BY REPRESENTATIVES DOWNER, BRUCE, DUPRE, KENNARD, AND ROMERO
AN ACT

To enact R.S. 14:222.2, relative to the counterfeiting of cellular telephones; to create the crime of cellular telephone counterfeiting; to provide for definitions; to provide for penalties; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 327—
BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact Code of Criminal Procedure Arts. 831(A)(introductory paragraph) and 833(A) and to enact Code of Criminal Procedure Art. 522, relative to a defendant's appearance at pretrial motions and hearings; to provide that a defendant may appear through audio-visual transmission if allowed by local rule and approved by defense counsel; and to provide for related matters.

Reported with amendments.

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HOUSE BILL NO. 341—

BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 33:1430, relative to sheriffs' fees; to provide for the rate at which sheriffs are paid for their attendance in court; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 388—

BY REPRESENTATIVE MCCAIN
AN ACT

To enact R.S. 15:242 and 578.1, relative to criminal procedure; to provide that the record of the arrest and the placement of a person in a pretrial diversion program arrested for driving while intoxicated become public record; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 520—

BY REPRESENTATIVE DUPRE
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 522—

BY REPRESENTATIVE DUPRE
AN ACT

To amend and reenact R.S. 14:32.1(A)(introductory paragraph) and (2), to provide with respect to the method of measuring blood alcohol concentration for purposes of the crime of vehicular homicide; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 523—

BY REPRESENTATIVE DUPRE
AN ACT

To amend and reenact R.S. 14:39.1(A), to provide with respect to the essential elements of the crime of vehicular negligent injuring; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 524—

BY REPRESENTATIVE DUPRE
AN ACT

To amend and reenact R.S. 14:39.2(A), to provide with respect to the essential elements of the crime of first degree vehicular negligent injuring; and to provide for related matters.

Reported with amendments.

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.

Reported favorably.

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.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 996—

BY REPRESENTATIVE PERKINS
AN ACT

To amend and reenact R.S. 15:306(A) and (B) and R.S. 32:378.2(A)(1) and (I), relative to the use of ignition interlock devices by persons on probation for the offense of driving while intoxicated; to require the use of interlock devices by certain persons who are placed on probation; to allow for an exception for persons driving a vehicle owned by their employer during the scope and course of employment; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1664—

BY REPRESENTATIVE TOOMY
AN ACT

To enact R.S. 13:717 and 718, to provide with respect to commissioners for the Twenty-fourth Judicial District Court; to provide for an administrative fee on personal surety bonds in the First and Second Parish Courts and the Twenty-fourth Judicial District Court; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1913—

BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact Code of Criminal Procedure Art. 719, relative to scientific testing of criminal defendants; to provide that criminal defendants may obtain one-half of a sample and conduct their own deoxyribonucleic acid testing at their expense; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 2412—
BY REPRESENTATIVE JACK SMITH
AN ACT

To enact Chapter 33 of Title 13 of the Louisiana Revised Statutes of 1950, comprised of R.S. 13:5301 through 5304, relative to state district courts; to provide for drug and alcohol treatment programs through drug divisions to be operated by the district courts; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
J. LOMAX JORDAN, JR.
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. 670—
BY SENATOR BAGNERIS (BY REQUEST)
AN ACT

To amend and reenact R.S. 27:92(B)(2) and to enact R.S. 27:92(D), relative to riverboat gaming; to create the Orleans Levee District Riverboat Gaming Fund; to provide for disposition of monies in such fund; to provide for effective date; 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. 670 by Senator Bagneris

AMENDMENT NO. 1

On page 2, line 25, after "District" delete the remainder of the line and insert ", one million dollars shall annually be transmitted to the Fifth District Levee Board for use in performing its levee and flood control functions and the remainder shall be deposited"

AMENDMENT NO. 2

On page 2, line 26, change "its" to "the" and after "accounts" insert "of the Orleans Levee District"

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.

**House 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 House Bills and Joint Resolutions just reported by Committees.

HOUSE BILL NO. 9—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 9:2796(A), relative to offenses and quasi offenses; to limit liability of krewes conducting parades held on streets or waterways, or in buildings; and to provide for related matters.

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

HOUSE BILL NO. 32—
BY REPRESENTATIVES GUILLORY, BRUCE, DUPRE, HEATON, PERKINS,
AND ROMERO
AN ACT

To amend and reenact R.S. 27:101(A), 266(A), and 322(A), relative to gaming establishments; to prohibit use of property titles for gaming activities; and to provide for related matters.

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

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

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

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

HOUSE BILL NO. 79—
BY REPRESENTATIVE BARTON
AN ACT

To amend and reenact R.S. 13:1880(A), relative to the qualifications of marshals of city courts; to provide for residence and educational requirements; to provide exceptions; and to provide for related matters.

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

HOUSE BILL NO. 84—
BY REPRESENTATIVE FLAVIN
AN ACT

To amend and reenact R.S. 15:708(A)(1) and to enact R.S. 30:2536(E), relative to limitation of liability; to include litter detail within labor permitted by prisoners; to limit the liability of the sheriff for injury or loss sustained by or caused by a prisoner except for intentional or grossly negligent acts; and to provide for related matters.

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

HOUSE BILL NO. 109—
BY REPRESENTATIVES SALTER, DIMOS, FRUGE, JOHNS, MCCALLUM,
MCMAINS, AND WRIGHT
AN ACT

To enact R.S. 17:416.11, relative to liability of school employees; to provide that certain employees of school boards and approved nonpublic schools shall not be liable for acts related to their employment duties except in certain circumstances; and to provide for related matters.

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

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HOUSE BILL NO. 160—

BY REPRESENTATIVE LONG

AN ACT

To enact R.S. 13:2614, relative to justice of the peace courts; to provide for territorial jurisdiction of justice of the peace courts and constables in Natchitoches Parish; and to provide for related matters.

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

HOUSE BILL NO. 161—

BY REPRESENTATIVE MCCAIN

AN ACT

To amend and reenact Code of Civil Procedure Art. 4843(E)(1) and to enact Code of Civil Procedure Art. 4843(F), relative to trial courts of limited jurisdiction; to increase the amount in dispute for civil jurisdiction of the city court in Plaquemine; and to provide for related matters.

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

HOUSE BILL NO. 184—

BY REPRESENTATIVE DIMOS

AN ACT

To amend and reenact Code of Civil Procedure Article 5186, relative to payment of costs incurred by indigents; to provide for the filing and the effect of recodation of an affidavit of account; and to provide for related matters.

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

HOUSE BILL NO. 185—

BY REPRESENTATIVE DIMOS

AN ACT

To amend and reenact Code of Civil Procedure Articles 2127.2(A) and (B) and 2127.3, relative to preparation of the record on appeal; to require the delivery of the transcript to the clerk of court five days prior to the return date; and to provide for related matters.

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

HOUSE BILL NO. 186—

BY REPRESENTATIVES DUPRE, DOWNER, BRUCE, AND HEATON

AN ACT

To amend and reenact Code of Criminal Procedure Art. 648(A)(2), relative to certain defendants found to lack the mental capacity to proceed; to require a review of the status of those committed to the Feliciana Forensic Facility but held in parish jails; and to provide for related matters.

Reported favorably by the Committee on Judiciary C. The bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 194—

BY REPRESENTATIVES MORRELL AND HEATON

AN ACT

To amend and reenact Code of Criminal Procedure Art. 553(A) and R.S. 32:57(C) and (D), relative to violations of traffic regulations; to require certain courts to establish procedures for one-time-appearance disposition of traffic offenses; to require local governing authorities to allow payment of fines by credit card; 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 Engrossed House Bill No. 194 by Representative Morrell

AMENDMENT NO. 1

On page 2, line 19, change "shall" to "may"

AMENDMENT NO. 2

On page 3, line 2, change "shall" to "may"

AMENDMENT NO. 3

On page 3, line 2, delete "No"

AMENDMENT NO. 4

On page 3, delete lines 3 and 4 in their entirety

On motion of Senator Jordan, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 202—

BY REPRESENTATIVES WIGGINS, HILL, JOHNS, SHAW, AND TRICHE

AN ACT

To enact Code of Criminal Procedure Art. 221, relative to arrest; to provide that a law enforcement officer may be tested for infectious disease if he is exposed to potential infectious disease; to provide that an offender must be tested for infectious disease after attempting to transmit the disease to a law enforcement police officer who tests positive for the disease; 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 Engrossed House Bill No. 202 by Representative Wiggins

AMENDMENT NO. 1

On page 2, line 3, after "exposure" and before the period "." insert ", or viral hepatitis"

AMENDMENT NO. 2

On page 2, line 13, after "AIDS" insert ", viral hepatitis"

AMENDMENT NO. 3

On page 2, line 16, after "HIV," insert "viral"

AMENDMENT NO. 4

On page 3, line 3, after "AIDS" insert ", viral hepatitis"

AMENDMENT NO. 5

On page 3, line 8, after "AIDS," insert "viral hepatitis"

AMENDMENT NO. 6

On page 3, line 19, after "AIDS" insert ", viral hepatitis"

AMENDMENT NO. 7

On page 3, line 22, after "HIV," insert "viral"

On motion of Senator Jordan, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 245—

BY REPRESENTATIVE JACK SMITH
AN ACT

To amend and reenact Civil Code Arts. 2315.1(D) and 2315.2(D) and to enact Civil Code Arts. 2315.1(A)(4) and (E) and 2315.2(A)(4) and (E), relative to offenses and quasi offenses; to provide for survival and wrongful death actions by a tutor and by grandparents; and to provide for related matters.

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

HOUSE BILL NO. 258—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 14:102.1(C), relative to the offense of cruelty to animals; to provide for certain exceptions to the offense when an animal poses a threat; and to provide for related matters.

Reported with amendments by the Committee on Agriculture.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Agriculture to Engrossed House Bill No. 258 by Representative Travis

AMENDMENT NO. 1

On page 1, line 10 after "C." insert "(1)"

AMENDMENT NO. 2

On page 1, line 13 after "standards." delete the remainder of line and between lines 13 and 14 insert the following:

"(2) This Section shall also not"

AMENDMENT NO. 3

On page 1, line 16 between "of" and "harm" insert "death or serious"

AMENDMENT NO. 4

On page 1, line 16 after "person" delete ", or property"

AMENDMENT NO. 5

On page 1, at the end of line 17 insert "As used in this Paragraph, "animal" shall not include livestock, as defined in R.S. 3:561(3), or any domestic animal."

On motion of Senator Cain, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 269—

BY REPRESENTATIVES DURAND, BRUCE, KENNEY, AND ROMERO
AN ACT

To enact R.S. 14:42(A)(6) and (D) and 43.4(A)(6) and (D), relative to the crimes of aggravated rape and aggravated oral sexual battery; to provide when offense is committed against a physically or mentally infirm victim the offense is aggravated; to provide definitions; and to provide for related matters.

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

HOUSE BILL NO. 284—

BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact R.S. 9:315.12, relative to the guidelines for the determination of child support; to require the Department of Social Services and the Louisiana District Attorneys Association to assist the legislature in the federally mandated periodic review thereof;

and to provide for related matters.

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

HOUSE BILL NO. 285—

BY REPRESENTATIVE MURRAY
AN ACT

To amend and reenact Children's Code Art. 312(B), relative to original criminal court jurisdiction in certain juvenile matters; to provide for jurisdiction of certain criminal matters to the Municipal Court of New Orleans; and to provide for related matters.

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

HOUSE BILL NO. 303—

BY REPRESENTATIVES DOWNER, BRUCE, DUPRE, KENNARD, AND ROMERO
AN ACT

To enact R.S. 14:222.2, relative to the counterfeiting of cellular telephones; to create the crime of cellular telephone counterfeiting; to provide for definitions; 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 Engrossed House Bill No. 303 by Representative Downer

AMENDMENT NO. 1

On page 3, line 1, change "possess" to "knowingly possess"

AMENDMENT NO. 2

On page 3, line 2, change "possessing" to "knowingly possessing"

AMENDMENT NO. 3

On page 3, line 6, change "sell" to "knowingly sell"

AMENDMENT NO. 4

On page 3, line 7, change "selling" to "knowingly selling"

AMENDMENT NO. 5

On page 3, line 11, change "possess" to "knowingly possess"

On motion of Senator Jordan, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 320—

BY REPRESENTATIVE STELLY
AN ACT

To amend and reenact R.S. 13:964.1(A), relative to the court reporters' indigent transcript fund in the Fourteenth Judicial District; to require that the fund be used to pay court reporters for certain transcriptions from juvenile cases; and to provide for related matters.

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

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HOUSE BILL NO. 327—

BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact Code of Criminal Procedure Arts. 831(A)(introductory paragraph) and 833(A) and to enact Code of Criminal Procedure Art. 522, relative to a defendant's appearance at pretrial motions and hearings; to provide that a defendant may appear through audio-visual transmission if allowed by local rule and approved by defense counsel; 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 Engrossed House Bill No. 327 by Representative Frith.

AMENDMENT NO. 1

On page 1, between lines 12 and 13, insert the following:

"A. If provided by local rule of the court, a defendant's appearance at the seventy-two hour hearing and the initial setting of bail may be by simultaneous transmission through audio-visual electronic equipment."

AMENDMENT NO. 2

On page 1, line 13, before "If" insert "B."

AMENDMENT NO. 3

On page 1, line 15, between "motion" and "may" insert the following:

"except as provided in Paragraph A of this Article,"

AMENDMENT NO. 4

On page 2, line 8, after "absence" change the comma "," to a period "."

AMENDMENT NO. 5

On page 2, delete line 9 in its entirety and insert in lieu thereof the following:

"Otherwise he"

On motion of Senator Jordan, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 341—

BY REPRESENTATIVE TOOMY

AN ACT

To amend and reenact R.S. 33:1430, relative to sheriffs' fees; to provide for the rate at which sheriffs are paid for their attendance in court; and to provide for related matters.

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

HOUSE BILL NO. 388—

BY REPRESENTATIVE MCCAIN

AN ACT

To enact R.S. 15:242 and 578.1, relative to criminal procedure; to provide that the record of the arrest and the placement of a person in a pretrial diversion program arrested for driving while intoxicated become public record; and to provide for related matters.

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

HOUSE BILL NO. 394—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 27:91(A)(5) and (6) and to enact R.S. 27:91(A)(7) and (8), relative to riverboat gaming permit and license fees; to reduce the fee for gaming employee permit renewals; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

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.

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

HOUSE BILL NO. 461—

BY REPRESENTATIVE DIMOS

AN ACT

To amend and reenact R.S. 9:3509(B)(2), 4331.1(A), and 4770, and R.S. 10:9-102(1), 9-105(1)(h), and 9-201, relative to commercial transactions; to define "goods", provide for the effect of a security agreement, provide for applicability of provisions governing secured transactions and preference of ranking rules under Chapter 9 of the Louisiana Commercial Laws; to provide for the sale of promissory notes; to clarify the rate of interest applicable to certain commercial, business, or agricultural loans after declaration of default; 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 Engrossed House Bill No. 461 by Representative Dimos

AMENDMENT NO. 1

On page 1, line 2 after "4331.1(A)," delete "and" and after "4770," insert "and 5395,"

AMENDMENT NO. 2

On page 1, line 12, after "4331.1(A)," delete "and" and after "4770" insert ", and 5395"

AMENDMENT NO. 3

On page 4, after line 25, insert the following:

" * * * *
§5395. Protection of mortgage lenders and fiduciaries from state environmental liability; parity with federal law

It is the intent of the legislature that financial institutions, fiduciaries and other secured lenders shall have no greater exposure to environmental liability and financial responsibility under state law than they would under federal law, in any way arising from or associated with property on which they hold any mortgage, lien, or privilege, or in which they may have any security interest, or which they hold or administer in a fiduciary capacity. Therefore, notwithstanding any other law to the contrary, to the extent that financial institutions and other secured lenders may be exempt, excluded, made immune, or

otherwise protected from liability or financial responsibility under federal law or regulation for environmental conditions or events with respect to property on or in which they may have any mortgage, lien, privilege, or security interest, or other similar interest, or which they hold or administer in a fiduciary capacity, or with respect to borrowers to whom they may extend credit or who may be otherwise indebted or obligated to them, financial institutions and other secured lenders shall be entitled to the same exemptions, exclusions, immunities, and protections from environmentally related liability and financial responsibility under the laws of this state."

On motion of Senator Ullo, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 464—

BY REPRESENTATIVE DOWNER

AN ACT

To amend and reenact Children's Code Articles 1189(3), 1270, 1271(A), and 1272, relative to adoptions; to authorize biological siblings to register with the voluntary registry in an attempt to locate an adopted sibling; and to provide for related matters.

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

HOUSE BILL NO. 495—

BY REPRESENTATIVE JOHNS

AN ACT

To enact R.S. 9:2800.11, relative to offenses and quasi offenses; to provide for a limitation of liability of a municipal or parish airport authority in certain parishes for damage to aircraft parked on airport property; and to provide for related matters.

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

HOUSE BILL NO. 504—

BY REPRESENTATIVES WIGGINS AND SENATORS DYESS AND ELLINGTON

AN ACT

To amend and reenact R.S. 27:43(B)(1), relative to gaming activities allowed on designated rivers and waterways; to provide that the portion of the Red River within the borders of Rapides Parish is not a designated river or designated waterway upon which gaming activities may be conducted; and to provide for related matters.

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

HOUSE BILL NO. 514—

BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS

AN ACT

To enact Chapter 3 of the Louisiana Code of Evidence, to be comprised of Articles 301 through 308, and to enact Louisiana Code of Evidence Article 804(B)(5), to repeal Civil Code Articles 1849, 1850, 1851, and 1852, and to provide for the redesignation of Louisiana Code of Evidence Articles 804(B)(5) and (6), all relative to evidence in civil proceedings; to provide for the definition, effect, and application of presumptions and prima facie evidence as used in legislation governing civil proceedings; to provide for definitions; to provide with respect to conclusive and rebuttable presumptions; to provide for jury instructions; to provide for a residual hearsay exception when the declarant is unavailable to testify; to repeal certain Civil Code Articles relative to presumptions; and to provide for related matters.

Reported favorably by the Committee on Judiciary A. Under the

provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 520—

BY REPRESENTATIVE DUPRE

AN ACT

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

Reported with amendments by the Committee on Judiciary C.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary C to Reengrossed House Bill No. 520 by Representative Dupre.

AMENDMENT NO. 1

On page 1, delete line 3 in its entirety and insert in lieu thereof the following:

"14:98(F)(1), R.S. 32:411(G), 411.1(D),"

AMENDMENT NO. 2

On page 1, line 8, after "enact" delete the remainder of the line and insert in lieu thereof the following:

"R.S. 14:98.1"

AMENDMENT NO. 3

On page 1, delete line 9 in its entirety and insert in lieu thereof the following:

"and R.S. 32:853(A)(1)(d), relative to levels of blood alcohol"

AMENDMENT NO. 4

On page 3, line 23, after "Section 2" delete the remainder of the line and delete line 24 in their entirety and insert in lieu thereof the following:

"R.S. 14:98(F)(1) is hereby amended and reenacted and R.S. 14:98.1 is hereby enacted to read"

AMENDMENT NO. 5

On page 5, delete lines 1 through 11 in their entirety.

AMENDMENT NO. 6

On page 5, line 17, delete "either"

AMENDMENT NO. 7

On page 5, line 18, after "blood" add a period "." and delete the remainder of the line and delete line 19 in its entirety.

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AMENDMENT NO. 8

On page 5, line 24, delete "imprisoned" and insert in lieu thereof the following:

"participate in a court-approved substance abuse and driver improvement program."

AMENDMENT NO. 9

On page 5, delete lines 25 and 26 in their entirety.

AMENDMENT NO. 10

On page 6, delete lines 1 through 22 in their entirety.

AMENDMENT NO. 11

On page 6, line 26, change "fifteen" to "ten"

AMENDMENT NO. 12

On page 7, line 4, change "five days" to "forty-eight hours"

AMENDMENT NO. 13

On page 7, line 4, delete "court" and insert in lieu thereof the following:

"court-approved substance abuse and driver"

AMENDMENT NO. 14

On page 7, delete lines 5 and 6 in their entirety.

AMENDMENT NO. 15

On page 7, line 9, change "fifteen" to "ten"

AMENDMENT NO. 16

On page 7, delete lines 12 and 13 in their entirety and insert in lieu thereof the following:

"a court-approved substance abuse and driver"

AMENDMENT NO. 17

On page 7, line 14, after "program." delete the remainder of the line and delete lines 15 through 24 in their entirety.

AMENDMENT NO. 18

On page 8, delete lines 3 through 7 in their entirety.

AMENDMENT NO. 19

On page 8, line 8, change "G." to "F."

AMENDMENT NO. 20

On page 8, line 16, delete "R.S. 32:408.3 and"

AMENDMENT NO. 21

On page 8, line 17, change "853(A)(1)(d) are" to "R.S. 32:853(A)(1)(d) is"

AMENDMENT NO. 22

On page 8, delete lines 18 through 26 in their entirety and delete pages 9 and 10 in their entirety.

AMENDMENT NO. 23

On page 11, delete lines 1 through 8 in their entirety.

AMENDMENT NO. 24

On page 16, line 4, delete "either"

AMENDMENT NO. 25

On page 16, line 5, after "blood" insert a period "." and delete the remainder of the line and delete line 6 in its entirety.

AMENDMENT NO. 26

On page 16, delete line 7 in its entirety and insert in lieu thereof the following:

"Individuals measured through breath shall be afforded the timely option"

AMENDMENT NO. 27

On page 16, line 8, delete "requesting"

AMENDMENT NO. 28

On page 20, line 26, change "three" to "two"

AMENDMENT NO. 29

On page 21, line 2, change "14:98, 98.1, or 99." to "14:98 or 98.1."

AMENDMENT NO. 30

On page 21, line 3, change "three-year" to "two-year"

AMENDMENT NO. 31

On page 21, line 4, change "five" to "four"

On motion of Senator Jordan, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 522—

BY REPRESENTATIVE DUPRE

AN ACT

To amend and reenact R.S. 14:32.1(A)(introductory paragraph) and (2), to provide with respect to the method of measuring blood alcohol concentration for purposes of the crime of vehicular homicide; 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 Reengrossed House Bill No. 522 by Representative Dupre

AMENDMENT NO. 1

On page 1, line 2, delete "(2)" and insert "to enact 14:32.1(A)(4)"

AMENDMENT NO. 2

On page 1, line 7, delete "and(2) are" and insert "is"

AMENDMENT NO. 3

On page 1, line 8, after "reenacted" insert "and R. S. 14:32.1(A)(4) is hereby enacted"

AMENDMENT NO. 4

On page 2, delete lines 1 through 5

AMENDMENT NO. 5

On page 2, after line 5, insert the following:

"(4) The operator is under the influence of alcoholic beverages and has fled the scene of the accident."

On motion of Senator Jordan, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 523—

BY REPRESENTATIVE DUPRE

AN ACT

To amend and reenact R.S. 14:39.1(A), to provide with respect to the essential elements of the crime of vehicular negligent injuring; 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 Engrossed House Bill No. 523 by Representative Dupre

AMENDMENT NO. 1

On page 1, line 15, change "operator" to "offender"

AMENDMENT NO. 2

On page 1, line 17, change "operator's" to "offender's"

AMENDMENT NO. 3

On page 2, line 1, after "blood" delete the remainder of the line and on line 2, delete "two hundred ten liters of breath"

AMENDMENT NO. 4

On page 2, line 3, change "operator" to "offender"

On motion of Senator Jordan, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 524—

BY REPRESENTATIVE DUPRE

AN ACT

To amend and reenact R.S. 14:39.2(A), to provide with respect to the essential elements of the crime of first degree vehicular negligent injuring; 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 Engrossed House Bill No. 524 by Representative Dupre

AMENDMENT NO. 1

On page 1, line 16, change "operator" to "offender"

AMENDMENT NO. 2

On page 2, line 1, change "operator's" to "offender's"

AMENDMENT NO. 3

On page 2, line 3, after "blood" insert a period "." and delete the remainder of the line and delete line 4

AMENDMENT NO. 4

On page 2, line 5, change "operator" to "offender"

AMENDMENT NO. 5

On page 2, line 7, after "40:964" insert ", or any abused substance"

On motion of Senator Jordan, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 583—

BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS

AN ACT

To amend and reenact Code of Civil Procedure Articles 6, 925, 1671, 2002, and 5091(A)(1)(a), R.S. 13:1704(A)(3), R.S. 34:807, and Children's Code Articles 644(B) and 1024(B) and to repeal Code of Civil Procedure Article 7, relative to personal jurisdiction; to repeal the general appearance by a party in all proceedings; to repeal the implied waiver of objections by general appearance; to provide that objection to jurisdiction is waived unless a declinatory exception is timely filed; and to provide for related matters.

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

HOUSE BILL NO. 584—

BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS

AN ACT

To amend and reenact Code of Civil Procedure Arts. 72, 82, 123(A), 928(A), 929, 964, and 967, all relative to the continuous revision of the Code of Civil Procedure; to provide for the effect of judgments in certain actions involving property, venue in actions to partition community property, transfer of venue, time of pleading and trial of exceptions, motions to strike, and the use of affidavits of expert witnesses in motions for summary judgment; 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 Reengrossed House Bill No. 584 by Representative Dimos

AMENDMENT NO. 1

On page 1, lines 2 and 10, delete "123(A),"

AMENDMENT NO. 2

On page 2, delete lines 16 through 32 in their entirety

On motion of Senator Ullo, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 585—

BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS

AN ACT

To amend and reenact Code of Civil Procedure Articles 1236, 1314, 1424, 1464, 1551, and 5091.2, and R.S. 13:3203 and 3206, and to enact Code of Civil Procedure Articles 1443(D), 2087(D), and 2123(C), all relative to the continuous revision of the Code of Civil Procedure and ancillary procedural provisions; to provide for service on a physician, service on the clerk of court, the scope of discovery, restrictions on instructing a deponent not to answer, orders for physical or mental examinations by licensed examiners, pretrial and scheduling conferences, premature appeals, curators ad hoc in certain proceedings, venue under long-arm proceedings, "and nonresident" under long-arm jurisdiction; 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 Reengrossed House Bill No. 585 by Representative McMains

AMENDMENT NO. 1

On page 1, at the end of line 2, delete "1424,"

AMENDMENT NO. 2

On page 1, line 7, delete "the scope of discovery,"

AMENDMENT NO. 3

On page 1, line 9, delete "examiners," and insert "clinical psychologists,"

AMENDMENT NO. 4

On page 1, line 14, delete "1424,"

AMENDMENT NO. 5

On page 3, delete lines 1 through 26, and on page 4, delete lines 1 through 7

AMENDMENT NO. 6

On page 4, delete lines 11 through 14 and insert the following:

"D. Unless otherwise stipulated, all objections are considered reserved until trial or other use of the deposition. However, a party may instruct a deponent not to answer when necessary to preserve a privilege, to enforce a limitation on evidence imposed by the court, to prevent harassing or repetitious questions, or to prevent questions which seek information that is neither admissible at trial nor reasonably calculated to lead to the discovery of admissible evidence."

AMENDMENT NO. 7

On page 4, line 28 after "physician" delete the remainder of the line and at the beginning of line 29, delete "examiner"

AMENDMENT NO. 8

On page 4, line 30 after "law." insert the following:

"In addition, the court may order the party to submit to an examination by a vocational rehabilitation expert or a licensed clinical psychologist who is not a physician, provided the party has given notice of intention to use such an expert."

On motion of Senator Ullo, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 626—

BY REPRESENTATIVES MONTGOMERY, BRUCE, AND KENNARD
AN ACT

To enact R.S. 15:587.2, relative to the Louisiana Bureau of Criminal Identification and Information; to provide that Louisiana State University campus police have authority to conduct employee criminal background checks; to provide that Louisiana State University campus police have access to criminal history information; and to provide for related matters.

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

HOUSE BILL NO. 631—

BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 28:63(D), relative to the examination, admission, commitment, and treatment of persons suffering from mental illness and substance abuse; to limit liability of certain acts of law enforcement officers; to provide with respect to the responsibilities of law enforcement; and to provide for related matters.

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

HOUSE BILL NO. 637—

BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact Code of Civil Procedure Art. 1672(A), relative to the dismissal of civil actions; to authorize the trial judge to dismiss an action for failure of the parties to appear at trial; and to provide for related matters.

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

HOUSE BILL NO. 638—

BY REPRESENTATIVE BRUNEAU
AN ACT

To enact R.S. 13:4165, relative to courts and judicial procedure; to authorize district courts to appoint special masters in certain cases; and to provide for related matters.

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

HOUSE BILL NO. 715—

BY REPRESENTATIVES DAMICO AND MURRAY
AN ACT

To amend and reenact R.S. 4:169(A)(1) and (B), relative to license fees charged by the racing commission; to increase certain fees; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. The bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 756—

BY REPRESENTATIVES PERKINS, DONELON, BRUN, DANIEL, DIEZ, DIMOS, DOWNER, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FRUGE, GAUTREAU, JENKINS, JETSON, JOHNS, KENNARD, LANCASTER, MCCALLUM, MURRAY, ROMERO, ROUSSELLE, THORNHILL, VITTER, WALSWORTH, WESTON, WIGGINS, WILLARD-LEWIS, WINDHORST, AND WRIGHT AND SENATORS DEAN, GREENE, HAINKEL, AND SHORT
AN ACT

To amend and reenact Civil Code Articles 102 and 103 and R.S. 9:234 and 245(A)(1) and to enact R.S. 9:224(C) and 225(A)(3), Part VII of Chapter 1 of Code Title IV of Code Book I of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:272 through 275, and R.S. 9:307, 308, and 309, all relative to covenant marriages; to provide for a declaration on the application for a marriage license; to provide prerequisites to entering into a covenant marriage, including counseling; to authorize the entering into a covenant marriage by couples already married; to provide for indication thereof on the marriage certificate; to provide the exclusive means to terminate a covenant marriage; to provide with respect to jurisdiction, venue, and incidental relief; 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 Reengrossed House Bill No. 756 by Representative Perkins

AMENDMENT NO. 1

On page 5, line 21, after "thereof" insert "and an attestation that the counselor provided the informational pamphlet developed and promulgated by the office of the Attorney General which provides a full explanation of the terms and conditions of a covenant marriage,"

AMENDMENT NO. 2

On page 5, line 22, change "but need not be notarized" to "and shall be notarized"

AMENDMENT NO. 3

On page 7, line 12, after "**signed**" insert "; provided that if abuse of a child of the marriage or a child of one of the spouses is the basis for which the judgment of separation from bed and board was obtained, then a judgment of divorce may be obtained if the spouses have lived separate and apart continuously without reconciliation for one year from the date the judgement of separation from bed and board was signed"

AMENDMENT NO. 4

On page 7, between lines 12 and 13, insert:
"(5) On account of habitual intemperance of one of the spouses, or excesses, cruel treatment, or outrages of one of them toward the other,

if such habitual intemperance, or such ill-treatment is of such a nature as to render their living together insupportable.

(6) The spouses have been living separate and apart continuously without reconciliation for three years."

AMENDMENT NO. 5

On page 7, between lines 19 and 20 insert:

"(3) On account of habitual intemperance of one of the spouses, or excesses, cruel treatment, or outrages of one of them towards the other, if such habitual intemperance, or such ill-treatment is of such a nature as to render their living together insupportable."

AMENDMENT NO. 6

On page 10, after line 9, insert the following:

"Section 2. The office of Attorney General, Department of Justice shall, on or before the effective date of this Act, promulgate an informational pamphlet which shall outline in sufficient detail the consequences of entering into a covenant marriage. The informational pamphlet shall be made available to any counselor who provides marriage counseling as provided for by this Act."

On motion of Senator Ullo, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 833—

BY REPRESENTATIVE BRUNEAU AN ACT

To amend and reenact R.S. 13:1383, relative to the Criminal District Court for the parish of Orleans; to require the city of New Orleans to provide space for judges and the magistrate section; and to provide for related matters.

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

HOUSE BILL NO. 910—

BY REPRESENTATIVE CHAISSON AN ACT

To enact R.S. 13:2582(F), 2583(E), and 2614, relative to justice of the peace courts; to provide for the territorial jurisdiction of justice of the peace courts in St. Charles Parish; to provide for the election of justices and constables; to provide for terms of office; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 986—

BY REPRESENTATIVE HAMMETT AN ACT

To enact R.S. 37:1736, relative to architects, engineers, and land surveyors; to provide for immunity from liability in certain emergency situations; and to provide for related matters.

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

HOUSE BILL NO. 996—

BY REPRESENTATIVE PERKINS AN ACT

To amend and reenact R.S. 15:306(A) and (B) and R.S. 32:378.2(A)(1) and (I), relative to the use of ignition interlock devices by persons on probation for the offense of driving while intoxicated; to require the use of interlock devices by certain persons who are placed on probation; to allow for an exception for persons driving a vehicle owned by their employer during the scope and course of employment; and to provide for related matters.

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

HOUSE BILL NO. 1061—

BY REPRESENTATIVE FAUCHEUX AN ACT

To amend and reenact R.S. 15:1155(C) and (G), relative to the Prison Enterprises Program in the Department of Public Safety and Corrections; to provide with respect to the membership of the board; to provide with respect to the number of members required for a quorum; to provide with respect to the number of votes necessary for the board to take action; 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 Engrossed House Bill No. 1061 by Representative Fauchaux

AMENDMENT NO. 1

On page 1, line 13, after "members" insert ", at least one of whom shall be from each congressional district,"

On motion of Senator Cravins, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1064—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact Children's Code Art. 1263, relative to the annulment of a final decree of adoption; to provide that no such action may be brought after four years from the final decree; to provide exceptions for fraud or duress perpetrated by an adoptive parent; and to provide for related matters.

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

HOUSE BILL NO. 1072—

BY REPRESENTATIVES MCCALLUM AND JOHNS

AN ACT

To amend and reenact Children's Code Arts. 1103(5), 1137, 1138, and 1143 and to enact Children's Code Art. 1103(6), all relative to the surrender of parental rights; to provide a definition of "parental fitness"; to provide for the opposition to an adoption by the alleged or adjudicated father and notice; to delete provisions on proof of establishment of parental relationship; to provide for representation of the child, a contradictory hearing and notice thereof, testing to determine paternity, the hearing on an alleged or adjudicated father's opposition to an adoption, the father's establishment of parental rights, acknowledgment, proof of substantial commitment, the termination of rights of the unsuccessfully opposing father, the award of custody to the successfully opposing father, and the costs of medical treatment; to provide an expedited time within which to request a rehearing or file an application for certiorari to the supreme court and to provide with respect to the time that a judgment becomes final and definitive for purposes of appeal; and to provide for related matters.

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

HOUSE BILL NO. 1076—

BY REPRESENTATIVES RIDDLE AND DEWITT

AN ACT

To amend and reenact R.S. 27:92(B)(2)(a)(i), 270(A)(2)(a), and 312(B)(2)(a) and R.S. 47:9029(B)(2), relative to the allocation of certain gaming and lottery proceeds to the Compulsive and Problem Gaming Fund; to increase the allocation of monies to the fund; and to provide for related matters.

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

HOUSE BILL NO. 1081—

BY REPRESENTATIVE TRAVIS

AN ACT

To enact R.S. 15:867.1, relative to search teams appointed by the wardens of state correctional facilities; to allow for the appointment of such teams by the warden; to provide for composition and duties of search teams; to provide for training; and to provide for related matters.

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

HOUSE BILL NO. 1257—

BY REPRESENTATIVE WINSTON

AN ACT

To repeal R.S. 49:251.1(C), relative to justice of the peace training course; to repeal provisions permitting a hardship one-day training session.

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

HOUSE BILL NO. 1291—

BY REPRESENTATIVE KENNARD

AN ACT

To enact R.S. 15:739, relative to the Prison Reform Act of 1995; to provide that incarcerated prisoners must be tested for infectious disease after involvement in an incident that may transmit or expose the disease to another person; to provide for counseling and health care services; to provide procedures for ordering and administering the tests; 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 Reengrossed House Bill No. 1291 by Representative Kennard

AMENDMENT NO. 1

On page 2, line 1, after "AIDS," insert "viral hepatitis,"

AMENDMENT NO. 2

On page 2, line 14, after "AIDS," insert "viral hepatitis,"

AMENDMENT NO. 3

On page 2, line 16, after "HIV," insert "viral"

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

HOUSE BILL NO. 1307—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 9:1783, relative to trusts and trustees; to provide for what persons and entities may serve as trustees of a trust; 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 Engrossed House Bill No. 1307 by Representative Travis

AMENDMENT NO. 1

On page 2, after line 5, 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 Ullo, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1324—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact Children's Code Art. 311, relative to juvenile jurisdiction over adults; to provide concurrent jurisdiction in certain support cases; and to provide for related matters.

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

HOUSE BILL NO. 1327—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact Code of Civil Procedure Art. 74.2(C) and (D) and R.S. 46:236.2, to enact Code of Civil Procedure Art. 74.2(E), Section 2 of Chapter 7 of Title II of Book V of the Code of Civil Procedure, comprised of Articles 2785 through 2794, and Children's Code Art. 314.1, all relative to child support; to provide with respect to venue and the transferring of child support cases within this state; to provide a process to register intrastate support orders; to provide for transfer of a proceeding for subsequent enforcement and modification by the district attorney; and to provide for related matters.

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

HOUSE BILL NO. 1328—

BY REPRESENTATIVE THOMPSON
AN ACT

To enact Code of Evidence Art. 902(10) and R.S. 13:3712.1, relative to the introduction of labor reports in a child or spousal support proceeding; to provide for admissibility and for self-authentication of copies of such reports; to provide prima facie proof of their contents; and to provide for related matters.

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

HOUSE BILL NO. 1329—

BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact Civil Code Art. 3497.1 and to enact Civil Code Art. 3501.1, relative to liberative prescription; to change the prescriptive period in which to bring an action for arrearages in child support from five to ten years; and to provide for related matters.

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

HOUSE BILL NO. 1364—

BY REPRESENTATIVE TRAVIS
AN ACT

To amend and reenact R.S. 9:3516(23)(a)(i) and (26), 3527(C), and 3528(A) and to enact R.S. 9:3516(39), relative to consumer loan transactions; to define "cash advance"; to revise the definition of "prepaid finance charges"; to provide relative to maximum delinquency charges and maximum deferral charges; 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 Reengrossed House Bill No. 1364 by Representative Travis

AMENDMENT NO. 1

On page 3, line 13, delete "this" and insert the following:

"determining delinquency, payments are deemed to be applied first to current installments or other payments due and then to delinquent installments or other payments and then to delinquency and other charges. An"

AMENDMENT NO. 2

On page 3, delete lines 14 through 16 in their entirety

AMENDMENT NO. 3

On page 3, line 23, delete "deferral" and insert in lieu thereof the word "finance"

AMENDMENT NO. 4

On page 3, line 24, delete "sums" and insert in lieu thereof "delinquency or deferral charges"

AMENDMENT NO. 5

On page 3, line 24, delete "defferral" and insert in lieu thereof "finance"

On motion of Senator Ullo, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1370—

BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact R.S. 29:166 and to repeal R.S. 29:167, relative to court-martial jurisdiction; to provide for jurisdiction of the First Circuit Court of Appeal for appeal of court-martial cases; to repeal the creation and jurisdiction of the military appeals tribunal within the military department; to repeal general appeal provision to the First Circuit Court of Appeal; and to provide for related matters.

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

HOUSE BILL NO. 1372—

BY REPRESENTATIVE DONELON
AN ACT

To enact R.S. 37:222, relative to attorneys; to provide for a limitation of liability for loss or damages sustained as a result of negotiating or recommending certain structured settlements and the funding thereof; to provide for a presumption of "good faith" when recommending or negotiating certain structured settlements; and to provide for related matters.

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

HOUSE BILL NO. 1375—

BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact R.S. 12:804 and to enact R.S. 22:1113(B)(4), relative to professional law corporations; to provide that a professional law corporation or any limited liability company, limited liability partnership, or partnership may be licensed as a title insurance agency; and to provide for related matters.

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

HOUSE BILL NO. 1388—

BY REPRESENTATIVE MCMAINS
AN ACT

To amend and reenact Children's Code Articles 634, 663(D), 672, 674, 675, 677, 682, 684, 702, 731, 1413, 1461, and 1463(D)(2) and to enact Children's Code Article 616.1, all relative to the continuous revision of the Children's Code; to provide for children in need of care, the correction of records, contents of the petition, suspension of evidentiary privileges, custody assignment to the Department of Social Services or other public agencies or institutions, filing, contents and review of the case plan, removal of the child from the parent's custody, judgment of disposition, and dispositional review; to provide for the complaint in families in need of services proceedings; to provide for mental health proceedings, the time for the hearing, and advice of rights; and to provide for related matters.

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

HOUSE BILL NO. 1389—

BY REPRESENTATIVE MCMAINS
AN ACT

To amend and reenact R.S. 9:2783, relative to liability of owners of certain parking facilities; to provide limitations of liability of owners of parking lots and garages under certain conditions; 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 Engrossed House Bill No. 1389 by Representative McMains

AMENDMENT NO. 1

On page 1, line 16, change "owner" to "driver"

On motion of Senator Ullo, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1398—

BY REPRESENTATIVES DUPRE AND DOWNER
AN ACT

To amend and reenact R.S. 13:976(C), relative to court reporters; to provide for fees in civil and criminal cases in the Thirty-second Judicial District Court; and to provide for related matters.

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

HOUSE BILL NO. 1406—

BY REPRESENTATIVE HOPKINS
AN ACT

To amend and reenact R.S. 13:1952(21)(b), relative to the establishment and territorial jurisdiction of particular city courts; to provide for the election of the judges of the Shreveport City Court; and to provide for related matters.

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

HOUSE BILL NO. 1407—

BY REPRESENTATIVE HOPKINS
AN ACT

To amend and reenact R.S. 13:621.1, relative to district judges; to provide for an additional judgeship for the First Judicial District Court; to provide for compensation of the additional judge; to provide for the election and term of office and those of the successors in office; and to provide for related matters.

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

HOUSE BILL NO. 1421—

BY REPRESENTATIVES MCDONALD, MCMAINS, AND DOWNER
AN ACT

To amend and reenact R.S. 17:416.4, relative to civil liability of public school employees; to provide relative to legal defense and indemnification of all public school employees by city and parish school boards; to provide for notification procedures by school boards to their employees; and to provide for related matters.

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

HOUSE BILL NO. 1568—

BY REPRESENTATIVES DOWNER, R. ALEXANDER, ANSARDI, BARTON, DEVILLE, DIEZ, DIMOS, FLAVIN, FORSTER, JOHNS, LEBLANC, MCCAIN, MCDONALD, MCMAINS, MICHOT, PIERRE, SCALISE, JOHN SMITH, STELLY, TRICHE, WIGGINS, AND WINDHORST
AN ACT

To amend and reenact R.S. 15:705(C)(1) and (3), 831(B), and 874(4)(d) and to enact R.S. 15:874(4)(e), relative to medical treatment of inmates; to require copayments by inmates upon receiving medical or dental treatment; to authorize collection of copayments from an inmate's drawing or savings account; to authorize the secretary of the Department of Public Safety and Corrections to promulgate rules and regulations governing copayments and their collection; to authorize the parish governing authorities to establish written rules governing copayments and their collection; and to provide for related matters.

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

HOUSE BILL NO. 1628—

BY REPRESENTATIVES DIMOS AND MCMAINS
AN ACT

To amend and reenact Chapters 4, 5, 6, and 13 of Title I of Book III of the Civil Code, heretofore comprised of Articles 934 through 1074 and Articles 1415 through 1466, to comprise Articles 934 through 968 and Articles 1415 through 1429, Chapter 6 of Title II of Book III of the Civil Code, heretofore comprised of Articles 1570 through 1723, to comprise Articles 1570 through 1616, Civil Code Article 3506(28), Code of Civil Procedure Articles 427, 2825, 2826, 2852, 2856, 2891, 2932, 2951(A)(1) and (B), 3001, 3004, 3031, 3228, 3301 through 3304, 3332, 3361, 3362, 3371, 3393, and 3394, R.S. 9:1521 and R.S. 9:2501; to enact R.S. 9:2440; to transfer and redesignate Civil Code Article 890.1 as R.S. 9:1400, and R.S. 9:1471 through 1474 as Code of Civil Procedure Articles 3295 through 3298 of Section 5 of Chapter 6 of Title III of Book VI; to redesignate Civil Code Article 1497 as Civil Code Article 1515; and to repeal Code of Civil Procedure Articles 2887, 2933, and 3155.1, and R.S. 9:2442 through 2445, all relative to the revision of the law of successions; to provide for intestate successions and the usufruct of the surviving spouse; to provide for commencement of successions, loss of succession rights, acceptance and renunciation of successions, and payment of the debts of an estate; to provide for testamentary dispositions; to provide for probate procedure; to provide for public sale of succession property; to provide for transitional provisions; 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 Reengrossed House Bill No. 1628 by Representative Dimos

AMENDMENT NO. 1

On page 98, line 13, after "valid" insert "under the law and jurisprudence prior to that date."

On motion of Senator Ullo, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1629—

BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact R.S. 13:2583(A), relative to constables; to provide for certain qualifications of office; and to provide for related matters.

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

HOUSE BILL NO. 1644—

BY REPRESENTATIVE VITTER

AN ACT

To amend and reenact R.S. 15:571.4(B)(2) and 574.4(I)(2), relative to forfeiture of diminution of sentence and parole; to remove maximum amount of good time forfeited if a condition of parole is violated; to provide that good time diminution of sentence which would have been earned if parole had not been granted is also forfeited for parole violations; and to provide for related matters.

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

HOUSE BILL NO. 1645—

BY REPRESENTATIVES VITTER, BRUCE, DUPRE, KENNARD, MCCAIN, ROMERO, AND WINDHORST

AN ACT

To enact R.S. 15:573.1 and 574.2.1, relative to pardon and parole; to limit contact with members of the Board of Pardons and Board of Parole regarding cases; to provide that letters written regarding inmates seeking pardon or parole shall be public record; to provide for exceptions; to provide penalties; to provide with respect to the rulemaking authority of the Board of Pardons and Board of Parole; and to provide for related matters.

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

HOUSE BILL NO. 1646—

BY REPRESENTATIVE VITTER

AN ACT

To enact R.S. 15:572.4(D), relative to the Board of Pardons; to provide that no applicant who has been sentenced to life imprisonment can apply to the Board of Pardons for pardon or commutation of sentence within a period of fifteen years from initial sentence; to provide time periods for additional review after denial by the board; to provide for exceptions; 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 Engrossed House Bill No. 1646 by Representative Vitter

AMENDMENT NO. 1

On page 2, delete lines 17 and 18

On motion of Senator Cravins, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1653—

BY REPRESENTATIVES MURRAY AND FORSTER

AN ACT

To amend and reenact R.S. 13:2493(E) and to enact R.S. 13:2493(F), relative to jurisdiction of the Municipal Court of New Orleans; to authorize the court to grant injunctive relief in certain cases; and to provide for related matters.

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

HOUSE BILL NO. 1659—

BY REPRESENTATIVE JACK SMITH

AN ACT

To enact R.S. 33:3007, to dedicate certain Indian gaming revenues received by the state to a special fund in the state treasury; to create the fund; to provide for the use of monies in the fund; to provide for allocation of the monies by the St. Mary Parish Council to various local governments within the parish; and to provide for related matters.

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

HOUSE BILL NO. 1664—

BY REPRESENTATIVE TOOMY

AN ACT

To enact R.S. 13:717 and 718, to provide with respect to commissioners for the Twenty-fourth Judicial District Court; to provide for an administrative fee on personal surety bonds in the First and Second Parish Courts and the Twenty-fourth Judicial District 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 Reengrossed House Bill No. 1664 by Representative Toomy

AMENDMENT NO. 1

On page 2, line 2, after "matters" insert "involving domestic relations and family law only"

AMENDMENT NO. 2

On page 2, at the end of line 3, after "matters." insert "The commissioners shall have a minimum of five years of experience in handling matters within their respective jurisdictions."

AMENDMENT NO. 3

On page 2, line 9, after "that court." insert "(1)"

AMENDMENT NO. 4

On page 2, line 10, after "commissioners" and before "shall" insert "hearing criminal matters"

AMENDMENT NO. 5

On page 2, line 12, change "(l)" to "(a)"

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AMENDMENT NO. 6

On page 2, line 13, change "(2)" to "(b)"

AMENDMENT NO. 7

On page 2, line 14, change "(3)" to "(c)"

AMENDMENT NO. 8

On page 2, line 15, change "(4)" to "(d)"

AMENDMENT NO. 9

On page 2, line 18, change "(5)" to "(e)"

AMENDMENT NO. 10

On page 2, line 19, change "(6)" to "(f)"

AMENDMENT NO. 11

On page 2, line 20, change "(7)" to "(g)"

AMENDMENT NO. 12

On page 2, line 21, change "(8)" to "(h)"

AMENDMENT NO. 13

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

- "(i) Find and punish for contempt of court as a district court judge.
- (2) The powers of the commissioner hearing domestic matters shall include, but shall not be limited to, the power to:"

AMENDMENT NO. 14

On page 2, line 24, change "(9)" to "(a)"

AMENDMENT NO. 15

On page 3, delete lines 3 and 4, and insert:

- "(b) Grant uncontested divorces.
- (c) Implement interim child support and custody orders.
- (d) Approve consent judgments.
- (e) Sign ex parte and emergency orders."

AMENDMENT NO. 16

On page 3, line 5, delete "(11) Punish" and insert "(f) Find and punish"

AMENDMENT NO. 17

On page 4, line 5, after "August 15," delete the remainder of the line and delete lines 6, 7, and 8, and insert "1999. The judges of the Twenty-fourth Judicial District Court shall evaluate the commissioners annually and issue a report by June first of each year as to their effectiveness and the need for continuing the offices. The report shall be a public record."

AMENDMENT NO. 18

On page 5, line 17, change "2002" to "1999" and delete the remainder of line 17, and delete lines 18, 19, and 20, and insert a period "."

AMENDMENT NO. 19

On page 5, line 26, after "The" delete "fee" and insert "amount of the fee shall be determined by a majority of the judges of the Twenty-fourth Judicial District Court, but shall not exceed fifty dollars on each bond and"

On motion of Senator Jordan, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1687—

BY REPRESENTATIVES ANSARDI AND MCMAINS
AN ACT

To enact Subpart B of Part II of Chapter 2 of Code Title XXI of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:4881 through 4889, relative to oil and gas

wells; to provide for a privilege in favor of an operator and non-operator over certain described property; to provide for how the privilege is established and extinguished, its effect as to third persons, and its extinction as to certain movable property; to provide for how the privilege is enforced, the information that must be included in a statement of privilege, the ranking of privileges, and the enforcement of privileges; and to provide for related matters.

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

HOUSE BILL NO. 1720—

BY REPRESENTATIVES THORNHILL AND JENKINS AND SENATOR SHORT

AN ACT

To enact R.S. 9:2800.11, relative to offenses and quasi offenses; to create a new cause of action for damages attributable to the termination of a pregnancy; 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 Reengrossed House Bill No. 1720 by Representative Thornhill

AMENDMENT NO. 1

On page 1, line 10, after "period of" delete the remainder of the line and delete line 11 and insert the following:

"three years from the date of discovery of the damage with a peremptive period of ten years from the date of the abortion."

On motion of Senator Ullo, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1834—

BY REPRESENTATIVE TOOMOY

AN ACT

To enact R.S. 37:2560, relative to certified shorthand reporters; to authorize the Board of Examiners of Certified Shorthand Reporters to impose a fine; and to provide for related matters.

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

HOUSE BILL NO. 1837—

BY REPRESENTATIVE VITTER

AN ACT

To amend and reenact R.S. 15:572.1(E), 572.4(B)(1)(a), and 574, relative to the Board of Pardons; to provide for a quorum; to provide with respect to rulemaking; to provide for certain notices prior to consideration of pardon applications; to provide for the vote required for action to be taken; and to provide for related matters.

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

HOUSE BILL NO. 1863—

BY REPRESENTATIVE ANSARDI

AN ACT

To amend and reenact R.S. 13:3732, relative to statements by an injured person; to provide that a copy of any written, recorded, or transcribed statement be furnished to the person making the statement; to provide with respect to the admissibility of such statements; and to provide for related matters.

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

HOUSE BILL NO. 1864—
BY REPRESENTATIVE ANSARDI
AN ACT

To amend and reenact R.S. 40:1299.47(A)(2)(a), relative to the Medical Malpractice Act; to provide that the filing of a request for review of a claim with the medical review panel suspends the running of prescription against all solidary obligors and joint tortfeasors; and to provide for related matters.

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

HOUSE BILL NO. 1912—
BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 13:1899(C)(12)(a) and to enact R.S. 13:1899(C)(12)(b)(i)(cc), relative to costs in criminal matters; to authorize an increase in certain fees in criminal matters in the City Court of Monroe; and to provide for related matters.

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

HOUSE BILL NO. 1913—
BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact Code of Criminal Procedure Art. 719, relative to scientific testing of criminal defendants; to provide that criminal defendants may obtain one-half of a sample and conduct their own deoxyribonucleic acid testing at their expense; 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 Engrossed House Bill No. 1913 by Representative Hunter.

AMENDMENT NO. 1

On page 2, line 4, after "orders" delete the remainder of the line and insert in lieu thereof the following:

"the defendant to provide urine, blood, saliva, or hair samples or samples of other bodily substances for deoxyribonucleic acid testing in a criminal"

AMENDMENT NO. 2

On page 2, line 5, change "matter" to "case"

On motion of Senator Jordan, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 1915—
BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 15:571.3(A)(1), relative to the diminution of prison sentences for good behavior; to provide for the rate of good time for certain prisoners in parish prisons; and to provide for related matters.

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

HOUSE BILL NO. 1971—
BY REPRESENTATIVES BOWLER, DUPRE, MARIONNEAUX, MCCAIN,
AND MORRELL

AN ACT

To amend and reenact R.S. 27:15(B)(2), 18, 25(B)(1), (2)(introductory paragraph) and (d), and (3), and 26 and to enact R.S. 27:25(B)(4) and (E), relative to the Louisiana Gaming Control Board; to provide that hearings are conducted in conformity with the Administrative Procedure Act; to provide that decisions are made by the hearing officer rather than by the board; to provide a time limit for the rendering of a decision by the hearing officer; to prohibit ex parte communication with the hearing officer; to provide for appeals to the appropriate district court; 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 Reengrossed House Bill No. 1971 by Representative Bowler

AMENDMENT NO. 1

On page 1, line 3, delete " and 26"

AMENDMENT NO. 2

On page 1, line 9, after "officer;" delete the remainder of the line and on line 10, delete "appropriate district court;"

AMENDMENT NO. 3

On page 1, line 13, delete " and 26"

AMENDMENT NO. 4

On page 3, line 2, after "after" insert "**receipt of the record of the hearing conducted as provided for in this Section.**"

AMENDMENT NO. 5

On page 3, line 3, delete "**the**" and delete line 4

AMENDMENT NO. 6

On page 3, line 22, after "**conducted.**" insert "**Either party to such hearing may appeal the decision of the hearing officer to the board. Such appeal shall be lodged with the board within thirty days of the rendering of the decision and, if lodged, shall be heard and decided by the board within sixty days of such notice.**"

AMENDMENT NO. 7

On page 3, delete lines 23 through 26 and on page 4, delete lines 1 and 2

On motion of Senator Cravins, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 2033—
BY REPRESENTATIVES DOWNER, R. ALEXANDER, DEVILLE, DIMOS,
LEBLANC, MCDONALD, MCMAINS, JOHN SMITH, STELLY, AND TRICHE
AN ACT

To amend and reenact R.S. 27:270(A)(3) and (B) and to enact R.S. 39:127.2, relative to the disposition of net revenues received from casino gaming proceeds; to provide for the disposition of such proceeds including the deposit into certain funds within the state treasury; to establish the Capitol Complex Master Plan Fund within the state treasury; to provide that monies in the fund shall be expended for capital improvements pursuant to the Capitol Complex Master Plan; and to provide for related matters.

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

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HOUSE BILL NO. 2053 —
BY REPRESENTATIVES ANSARDI AND MCMAINS
AN ACT

To amend and reenact Section 1 of Chapter 2 of Title V of Book I of the Civil Code, heretofore comprised of Articles 111 through 120, to comprise Articles 111 through 117; to amend and reenact Part II of Chapter 1 of Code Title V of Title 9 of the Louisiana Revised Statutes of 1950, heretofore comprised of R.S. 9:321 through 327, to comprise R.S. 9:321 through 324; to amend and reenact R.S. 9:382; to redesignate the Title of Chapter 2 of Code Title V of Title 9 of the Louisiana Revised Statutes of 1950 from "Divorce: Transitional Provisions" to "Transitional Provisions" and to designate R.S. 9:381 through 384 as "Part I. Divorce" of said Chapter 2; to redesignate R.S. 9:387 as R.S. 9:385 and designate it as "Part II, Child Custody and Support" of said Chapter 2; to enact a new Part III, entitled "Spousal Support" of said Chapter 2 to be comprised of R.S. 9:386 and 387; and to repeal R.S. 9:327; all relative to the awarding of spousal support to a party in a proceeding for divorce or thereafter; to provide for interim and final periodic support; to provide relative to the initial granting, modification, extinguishment, appeal from, retroactivity, and recordation of judgments of spousal support; to provide an effective date for this Act and to provide transitional provisions for claims pending on that date; and to provide for related matters.

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 2265 —
BY REPRESENTATIVE HOLDEN
AN ACT

To enact R.S. 27:311(I), relative to video draw poker devices; to provide licensing requirements for certain licensees; and to provide for related matters.

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

HOUSE BILL NO. 2292 —
BY REPRESENTATIVES POWELL, ALARIO, BARTON, BAUDOIN, BAYLOR, BRUCE, CARTER, DAMICO, DEVILLE, DEWITT, DIEZ, DIMOS, DOERGE, DONELON, DOWNER, DURAND, FAUCHEUX, FONTENOT, FRITH, FRUGE, GAUTREAUX, HAMMETT, HEBERT, HILL, HOLDEN, HOPKINS, ILES, JETSON, KENNEY, LONG, MARTINY, MCCALLUM, MCDONALD, MCMAINS, MICHOT, MONTGOMERY, MORRISH, ROMERO, ROUSSELLE, SALTER, SCHNEIDER, SHAW, JACK SMITH, STRAIN, THOMAS, THORNHILL, TRICHE, VITTER, WALSWORTH, WESTON, WIGGINS, WILKERSON, WILLARD-LEWIS, WINDHORST, AND WRIGHT
AN ACT

To enact Chapter 21 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:2101, relative to procurement of certain certified products; to provide for requirements for the utilization of Louisiana-certified meat, poultry, and seafood products; and to provide for related matters.

Reported favorably by the Committee on Agriculture. Under the

provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 2304 —
BY REPRESENTATIVES WELCH, CLARKSON, AND WALSWORTH
AN ACT

To amend and reenact Code of Evidence Art. 510(A)(2), relative to privileged communications between health care providers and patients; to make changes in the definition of a health care provider; and to provide for related matters.

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

HOUSE BILL NO. 2330 —
BY REPRESENTATIVE THERIOT
AN ACT

To enact R.S. 33:1421(C), relative to deferred compensation plans; to provide for participation by sheriffs; and to provide for related matters.

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

HOUSE BILL NO. 2337 —
BY REPRESENTATIVE THOMAS
AN ACT

To amend and reenact R.S. 40:1299.41(A)(1) and 1299.45(A)(2), relative to the Medical Malpractice Act; to include certain corporations, partnerships, limited liability partnerships, and limited liability companies within the definition of "health care provider"; to provide for malpractice coverage; and to provide for related matters.

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

HOUSE BILL NO. 2347 (Substitute for House Bill No. 660 By Representative Riddle, et al.) —
BY REPRESENTATIVES RIDDLE, MCMAINS, FRITH, FRUGE, JOHNS, LANDRIEU, MCCAIN, STELLY, THORNHILL, WALSWORTH, WRIGHT, KENNEY, AND VITTER
AN ACT

To enact Chapter 1 of Code Title XIX of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:4101 through 4112, to redesignate existing Chapters 1 and 2 of Code Title XIX of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950 as Chapters 2 and 3 thereof, and to rename Code Title XIX thereof, all relative to alternative dispute resolution; to provide for mediation; 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 Reengrossed House Bill No. 2347 by Representative Riddle, et al.

AMENDMENT NO. 1
On page 2, line 22, change "both parties." to "a party"

AMENDMENT NO. 2
On page 4, line 10, delete "In" and insert in lieu thereof "After an order referring a case for mediation has been signed in a"

AMENDMENT NO. 3
On page 5, at the end of line 6, insert a colon ":"

AMENDMENT NO. 4

On page 5, at the beginning of line 7, delete "a" and insert in lieu thereof "(1) A"

AMENDMENT NO. 5

On page 5, line 10, change "this" to "any"

AMENDMENT NO. 6

On page 5, between lines 12 and 13 insert the following:

"(2) A person, whether or not licensed to practice law, must have mediated more than twenty-five disputes or must have engaged in more than five hundred hours of dispute resolutions prior to January 1, 1998. The ADR Section shall determine the proper method by which to certify the requirements hereof."

AMENDMENT NO. 7

On page 5, line 15 delete "an" and insert in lieu thereof "six hours of annual training in alternative dispute resolution in a continuing education course approved by the" and at the end of the line insert a period "." and delete lines 16 and 17 in their entirety

AMENDMENT NO. 8

On page 6, at the end of line 24, insert the following:

"The mediator may intervene in any pending civil case between the parties to the mediation to enforce payment of the cost of the mediation. An intervention to enforce payment of the cost of the mediation shall be disposed of as a summary proceeding."

AMENDMENT NO. 9

On page 7, line 14, after "mediation" and before "conducted" insert ", whether or not"

AMENDMENT NO. 10

On page 7, line 15, delete "pursuant to" and insert in lieu thereof "under" and delete "are confidential," and insert in lieu thereof "and whether before or after the institution of formal judicial proceedings."

On motion of Senator Ullo, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 2412—

BY REPRESENTATIVE JACK SMITH
AN ACT

To enact Chapter 33 of Title 13 of the Louisiana Revised Statutes of 1950, comprised of R.S. 13:5301 through 5304, relative to state district courts; to provide for drug and alcohol treatment programs through drug divisions to be operated by the district courts; 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 Reengrossed House Bill No. 2412 by Representative Jack D. Smith

AMENDMENT NO. 1

On page 16, line 7, after "system." delete the remainder of the line and delete lines 8 and 9 in their entirety

On motion of Senator Jordan, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 2459—

BY REPRESENTATIVES MONTGOMERY, BAUDOIN, BRUCE, CARTER, DOERGE, FRITH, FRUGE, GAUTREAU, HILL, HUDSON, ILES, KENNEY, MORRISH, STRAIN, ALARIO, BARTON, BAYLOR, CRANE, DAMICO, DANIEL, DEVILLE, DEWITT, DIEZ, FAUCHEUX, FLAVIN, FONTENOT, GREEN, GUILLORY, HAMMETT, HEATON, HOLDEN, HOPKINS, HUNTER, JOHNS, LANDRIEU, LEBLANC, MARIONNEAU, MCCALLUM, MCDONALD, MICHOT, MITCHELL, MURRAY, ODINET, PIERRE, PINAC, POWELL, QUEZAIRE, RIDDLE, ROMERO, ROUSSELLE, SALTER, SHAW, JACK SMITH, JOHN SMITH, THOMPSON, TRAVIS, TRICHE, WALSWORTH, WESTON, WIGGINS, WILKERSON, AND WILLARD-LEWIS

AN ACT

To enact Part VIII of Chapter 28 of Title 3 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 3:4410 through 4416, relative to forestry; to provide for declaration of policy and cooperative agreements; to create and provide for the disposition of funds concerning the Forestry Productivity Fund; to provide for assistance through cooperative agreements; to provide for the administration of the program and powers and duties of the commissioner; to provide for exclusions and limitations; to provide for requirements of participation; to provide for competitive research and cooperative extension grants; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Agriculture. The bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 2506 (Substitute for House Bill No. 1509 by Representative Dimos) —

BY REPRESENTATIVE DIMOS
AN ACT

To enact R.S. 9:5217, relative to mortgages; to provide for uniform fees for filing multiple indebtedness mortgages; to provide for requirements as to form; 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 Engrossed House Bill No. 2506 by Representative Dimos

AMENDMENT NO. 1

On page 2, line 4, after "mortgage" insert "or multiple obligations mortgage"

On motion of Senator Ullo, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

Motion to Recommit

Senator Landry asked for and obtained a suspension of the rules and Recommitted House Bill No. 910, which was just advanced to a Third Reading and Final Passage, to the Committee on Judiciary B.

Rules Suspended

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

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

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

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Called from the Calendar

Senator Landry asked that House Bill No. 586 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 586—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact Children's Code Articles 1001, 1003, 1004, 1007, 1009, 1015, 1019, 1020, 1031 through 1038, 1243(A)(2), and 1245(B) and to enact Children's Code Articles 1001.1, 1025.1, 1025.2, 1025.3, 1025.4, 1036.1, 1037.1, 1243(C), and 1244(D), all relative to the judicial certification of children for adoption; to provide for the continuous revision of Title X of the Children's Code; to provide for the purpose thereof; to provide for the priority of docketing, definitions, filing and contents of the petition, records, disclosure, grounds, notice, appearance to answer, stipulation, failure to appear and its effect, pre-hearing conferences, hearings, continuances, evidence and examination of witnesses, burden of proof, proof of parental misconduct, proof of a prior child in need of care judgment, termination judgments, continued contact with biological relatives, and the effect of a termination judgment; to provide with respect to intrafamily adoptions; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris Jordan
Total—2

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.

Called from the Calendar

Senator Romero asked that House Bill No. 477 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 477—
BY REPRESENTATIVE ROMERO
AN ACT

To amend and reenact R.S. 47:1908(A)(23) and (C)(1), relative to the assessor's expense account in Iberia Parish; to provide for an increase in such account; 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 Ellington Lambert
Barham Fields Landry
Bean Greene Lentini
Branch Guidry Malone
Cain Hainkel Robichaux
Campbell Heitmeier Romero
Casanova Hines Short
Cox Hollis Siracusa
Cravins Irons Smith
Dardenne Johnson Tarver
Dean Jones Theunissen
Dyess Jordan Ullo
Total—36

NAYS

Total—0

ABSENT

Bagneris Bajoie Schedler
Total—3

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.

Called from the Calendar

Senator Cox asked that House Bill No. 515 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 515—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact R.S. 9:2097(A) and 2123, relative to powers of a trustee; to provide with respect to the prohibition against a trustee serving in certain capacities within an entity in which trust funds are invested; to provide that a trustee may become a member of a limited liability company or other legal entity; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Dyess	Lambert
Total—37	NAYS
Total—0	ABSENT
Bagneris	Short
Total—2	

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

Called from the Calendar

Senator Cox asked that House Bill No. 516 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 516—
 BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
 AN ACT

To amend and reenact R.S. 9:2026(1) and 2064, relative to the termination or modification of a trust; to provide that a trust may be terminated or modified if the continuance of the trust unchanged would impair the purposes of the trust; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Ellington	Landry
Bajoie	Fields	Lentini
Barham	Greene	Robichaux
Bean	Guidry	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Ullo
Dean	Jordan	
Dyess	Lambert	
Total—37		
NAYS		
Total—0		
ABSENT		
Bagneris	Malone	
Total—2		

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

Called from the Calendar

Senator Cox asked that House Bill No. 518 be called from the Calendar at this time for its final passage.

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Fields	Lentini
Bajoie	Greene	Malone
Barham	Guidry	Robichaux
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Short
Campbell	Hollis	Siracusa
Casanova	Irons	Smith
Cox	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Dyess	Lambert	
Ellington	Landry	
Total—37		
NAYS		
Total—0		
ABSENT		
Bagneris	Cravins	
Total—2		

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

Called from the Calendar

Senator Cox asked that House Bill No. 519 be called from the Calendar at this time for its final passage.

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Fields	Lentini
Bajoie	Greene	Malone
Barham	Guidry	Robichaux

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Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Short
Campbell	Hollis	Siracusa
Casanova	Irons	Smith
Cox	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Dyess	Lambert	
Ellington	Landry	
Total—37		

NAYS

Total—0

ABSENT

Bagneris	Cravins
Total—2	

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

Called from the Calendar

Senator Cox asked that House Bill No. 587 be called from the Calendar at this time for its final passage.

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Bean	Hollis	Robichaux
Cain	Irons	Schedler
Casanova	Johnson	Siracusa
Cox	Jones	Smith
Cravins	Lambert	Tarver
Fields	Landry	Theunissen
Guidry	Lentini	
Heitmeier	Malone	
Total—22		

NAYS

Mr. President	Ellington	Romero
Barham	Greene	Short
Branch	Hainkel	Ullo
Dardenne	Hines	
Dean	Jordan	
Total—13		

ABSENT

Bagneris	Campbell
Bajoie	Dyess
Total—4	

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

Personal Privilege

Senator Malone asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House Bill No. 587. He voted yea on the bill and had intended to vote nay. He asked that the Official Journal so state.

Called from the Calendar

Senator Cox asked that House Bill No. 716 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 716—
BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS
AN ACT

To amend and reenact Title XV of Book III of the Civil Code, presently comprised of Civil Code Articles 2985 through 3034, to be comprised of Civil Code Articles 2985 through 3032, all relative to representation, mandate, and procuration; to provide for representation, mandate, and procuration; to provide for the rights and obligations of the principal, the mandatary, and third persons; to provide for the termination of the mandate and of the authority of the mandatary; to provide for the application of this Act to existing mandates and procurations; to provide for an effective date; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Dyess	Hines
Bajoie	Ellington	
Total—5		

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

Called from the Calendar

Senator Short asked that House Bill No. 2106 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 2106 — BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 30:2361, 2363, 2364(introductory paragraph), (4), and (8), 2366(B), 2367(B)(2), 2368(B)(1) and (D), 2369(A) and (B)(1), 2370(E)(6) and (F), 2371, 2372(A), 2373(A), (B)(1) and (2), and (C)(1), (2), and (4), 2374(A) and (B), 2376(B), 2377(introductory paragraph), 2378, and 2379(B), to enact R.S. 30:2364(9) and (10), 2365(A)(6), 2366(C) and (D), 2369(E)(3), 2373(C)(3), (D), and (E), 2374(B)(4), and 2380, and to repeal R.S. 30:2370(E)(1), relative to the Hazardous Materials Information Development, Preparedness, and Response Act; to provide for definitions; to provide for procedures; to provide for reporting and notifications; to provide for fees; to provide for trade secrets; to provide for penalties; to provide for the Right-To-Know Fund; to provide for limitations and uses of the funds; to provide for the Louisiana Chemical Network; to provide for rules; and to provide for related matters.

Floor Amendments Sent Up

Senator Short sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Short and Landry to Reengrossed House Bill No. 2106 by Representative Dewitt

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 14 proposed by the Senate on Environmental Quality and adopted by the Senate of June 2, 1997.

AMENDMENT NO. 2

On page 9, line 24, between "Louisiana" and "shall" insert "for those materials listed under the Superfund Amendments Reauthorization Act (SARA) Title III, Sections 302, 304, 311, and 312, or Louisiana's Right-to-Know Law, R.S. 30:2361 et seq."

AMENDMENT NO. 3

On page 9, line 26, after "material" delete "is" and insert "maybe"

AMENDMENT NO. 4

On page 10, line 2, after "Louisiana" insert "or the Superfund Amendments Reauthorization Act (SARA) Title III, Sections 302, 304, 311, and 312, or use language of similar nature"

AMENDMENT NO. 5

On page 17, line 15, change "1998" to "2001"

On motion of Senator Short, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Fields Total—35

Landry

NAYS

Dean Total—1

ABSENT

Bagneris Total—3

Bajoie

Dyess

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

Rules Suspended

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

Reconsideration

On motion of Senator Ellington, pursuant to the previous notice given, the vote by which the following bill failed to pass on Monday, June 9, 1997 was reconsidered.

HOUSE BILL NO. 404— BY REPRESENTATIVE HAMMETT

AN ACT

To enact R.S. 56:767, relative to private property surrounded by wildlife management areas; to provide for regulation of hunting and fishing on such private property; and to provide for related matters.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Reengrossed House Bill No. 404 by Representative Hammett

AMENDMENT NO. 1

On page 1, line 2, between "by" and "wildlife" insert "certain"

AMENDMENT NO. 2

On page 1, line 7, between "by" and "wildlife" insert "certain"

AMENDMENT NO. 3

On page 1, line 11, between "area" and "shall" insert "which has a total acreage of between thirty six thousand and thirty seven thousand acres and which has the Red River as a portion of its southern boundary,"

Senator Hines moved adoption of the amendments.

Senator Ellington objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Bajoie, Bean, Cain, Cravins, Fields, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jordan, Lentini, Malone, Robichaux, Romero, Short, Siracusa, Theunissen

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Total—20	NAYS	
Mr. President	Dardenne	Landry
Barham	Dean	Schedler
Branch	Ellington	Smith
Casanova	Greene	
Cox	Lambert	
Total—13	ABSENT	
Bagneris	Dyess	Tarver
Campbell	Jones	Ullo
Total—6		

The Chair declared the amendments were adopted.

Personal Privilege

Senator Ullo 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 the amendment by Senator Hines to House Bill No. 404. He had intended to vote yea on the amendment. He asked that the Official Journal so state.

Floor Amendments Sent Up

Senator Casanova sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Casanova to Reengrossed House Bill No. 404 by Representative Hammett

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 2, after line 5, insert the following:

"B. The owner of private property as defined in Subsection A of this Section shall notify the local wildlife enforcement agent prior to hunting or authorizing hunting on such property during legal hunting season when the legal hunting season of the private property and the wildlife management area are not concurrent."

On motion of Senator Casanova, 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	Dean	Landry
Bajoie	Dyess	Robichaux
Barham	Ellington	Romero
Bean	Greene	Schedler
Branch	Hainkel	Siracusa
Cain	Heitmeier	Smith
Campbell	Hollis	Tarver
Casanova	Johnson	Theunissen
Cox	Jones	Ullo
Cravins	Jordan	
Dardenne	Lambert	
Total—31	NAYS	

Fields	Irons	Short
Guidry	Lentini	
Hines	Malone	
Total—7	ABSENT	
Bagneris		
Total—1		

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.

Called from the Calendar

Senator Cox asked that House Bill No. 517 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 517—

BY REPRESENTATIVES DIMOS, ANSARDI, AND MCMAINS

AN ACT

To amend and reenact R.S. 9:1961 and 1964, relative to trusts; to provide that the trust instrument may provide for the allocation of income; to provide that the settlor may give a trustee the discretion, without objective standards, to allocate income in different amounts; and to provide for related matters.

Floor Amendments Sent Up

Senator Cox sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cox to Reengrossed House Bill No. 517 by Representative Dimos

AMENDMENT NO. 1

On page 2, line 6, between "standards" and "to" insert "except that of the average reasonable man"

On motion of Senator Cox, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Ellington	Landry
Bajoie	Fields	Lentini
Barham	Greene	Malone
Bean	Guidry	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Dyess	Lambert	
Total—38	NAYS	
Total—0	ABSENT	

Bagneris
Total—1

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

Rules Suspended

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

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 Guidry asked that Senate Bill No. 1151 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 1151—
BY SENATOR GUIDRY

AN ACT

To enact R.S. 18:1303(A)(8), relative to absentee voting; to provide that a person who works for a candidate on election day may vote absentee in person; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Guidry	Landry
Campbell	Hines	Robichaux
Cox	Irons	Romero
Cravins	Johnson	Siracusa
Fields	Jones	Tarver
Total—15		

NAYS

Mr. President	Dean	Jordan
Barham	Dyess	Lentini
Bean	Ellington	Malone
Branch	Greene	Schedler
Cain	Hainkel	Short
Casanova	Heitmeier	Smith
Dardenne	Hollis	Ullo
Total—21		

ABSENT

Bagneris	Lambert	Theunissen
Total—3		

The Chair declared the bill failed to pass. Senator Dyess moved to reconsider the vote by which the bill failed to pass and laid the motion on the table.

Called from the Calendar

Senator Landry asked that Senate Bill No. 1468 be called from the

Calendar at this time for its final passage.

SENATE BILL NO. 1468—
BY SENATOR LANDRY

AN ACT

To enact R.S. 42:5.1, relative to public meetings; to require the St. Charles Parish School Board to allow public comment at school board meetings before taking a vote; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Lambert	Siracusa
Dyess	Robichaux	
Total—5		

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.

Rules Suspended

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

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

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

Called from the Calendar

Senator Barham asked that House Bill No. 1330 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1330—
BY REPRESENTATIVE THOMPSON
AN ACT

To amend and reenact R.S. 3:2452(A), 2453(B) and (C), and 2454(B), relative to the Louisiana Abandoned Animals Act; to provide for when an animal is considered abandoned; to provide for notice requirements; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Dyess, Total—37; Ellington, Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Landry; Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Table with 2 columns: Bagneris, Total—2; Lambert.

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

Called from the Calendar

Senator Fields asked that House Bill No. 1166 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1166— BY REPRESENTATIVE CARTER AN ACT

To amend and reenact R.S. 47:1925.1 and 1925.2(A)(1); to create an assessment district in East Feliciana Parish to fund the office of the assessor; 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

Table with 3 columns of names: Mr. President, Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Cravins, Dardenne, Dean, Total—34; Ellington, Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jordan, Landry; Lentini, Malone, Robichaux, Romero, Schedler, Short, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns: Bagneris, Dyess, Total—5; Jones, Lambert; Siracusa.

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.

Called from the Calendar

Senator Fields asked that House Bill No. 1167 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 1167— BY REPRESENTATIVE CARTER AN ACT

To amend and reenact R.S. 47:1908(A)(19) and (C)(1), relative to the assessor's expense account in East Feliciana Parish; to provide for an increase in such account; 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

Table with 3 columns of names: Mr. President, Bajoie, Barham, Bean, Branch, Cain, Campbell, Casanova, Cox, Dean, Dyess, Ellington, Total—36; Fields, Greene, Guidry, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert; Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, Ullo.

NAYS

Total—0

ABSENT

Table with 3 columns: Bagneris, Total—3; Cravins, Dardenne.

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.

Called from the Calendar

Senator Ellington asked that House Bill No. 493 be called from the Calendar at this time for its final passage.

HOUSE BILL NO. 493— BY REPRESENTATIVE FORSTER AND SENATOR ELLINGTON AND REPRESENTATIVES BARTON, BOWLER, CRANE, DEVILLE, FRITH, GUILLORY, HEBERT, HUNTER, LANCASTER, MICHOT, MURRAY, ODINET, POWELL, SCALISE, AND WIGGINS AND SENATOR HAINKEL AN ACT

To amend and reenact R.S. 23:1474(I), 1511(A), 1535(A), 1536(D), 1553(C) and (D)(2), 1592, and 1653 and to enact R.S. 23:1514, 1515, 1535(B), and 1553(B)(6) and (7) and to repeal R.S.

23:1536(I), relative to workforce development; to provide relative to unemployment compensation; to increase benefit amount based upon the applied trust fund balance and direction of the fund; to create a subaccount in the employment security administration fund for customized training; to provide for an annual accounting of expenditure from the fund to legislative committees; to authorize the administrator to provide by rule for the administration and distribution of the fund; to provide for qualified applicants for funding; to provide for an incremental reduction in the employer contribution rate; to authorize an appropriation for a fund for customized training in the social charge recoupment account; to authorize an appropriation for administrative costs in the social charge recoupment account; to delete negative reserve pool; and to provide for related matters.

Floor Amendments Sent Up

Senator Cox sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cox to Reengrossed House Bill No. 493 by Representative Forster, et al

AMENDMENT NO. 1

On page 3, line 1, change "two hundred fifteen dollars" to "two hundred thirty-five dollars"

AMENDMENT NO. 2

On page 3, line 2, change "two hundred fifteen dollars" to "two hundred thirty-five dollars"

AMENDMENT NO. 3

On page 22, line 21, change "two hundred fifteen dollars" to two hundred thirty-five dollars"

Senator Cox moved adoption of the amendments.

Senator Ellington objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie	Guidry	Lambert
Bean	Heitmeier	Landry
Campbell	Hines	Robichaux
Cox	Irons	Tarver
Cravins	Jones	
Fields	Jordan	
Total—16		

NAYS

Mr. President	Dyess	Schedler
Barham	Ellington	Short
Branch	Hainkel	Smith
Cain	Hollis	Theunissen
Casanova	Lentini	Ullo
Dardenne	Malone	
Dean	Romero	
Total—19		

ABSENT

Bagneris	Johnson
Greene	Siracusa
Total—4	

The Chair declared the amendments were rejected.

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	Ellington	Malone
Barham	Hainkel	Robichaux
Bean	Heitmeier	Romero
Branch	Hines	Schedler
Cain	Hollis	Short
Campbell	Johnson	Siracusa
Casanova	Jordan	Smith
Dardenne	Lambert	Tarver
Dean	Landry	Theunissen
Dyess	Lentini	Ullo
Total—30		

NAYS

Bajoie	Cravins	Guidry
Cox	Fields	Jones
Total—6		

ABSENT

Bagneris	Greene	Irons
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.

Rules Suspended

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

Introduction of Resolutions, Senate and Concurrent

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

SENATE RESOLUTION NO. 51—

BY SENATOR SHORT

A RESOLUTION

To express the condolences of the Senate of the Legislature of Louisiana upon the death of Sergeant Major David W. Langlois.

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

SENATE RESOLUTION NO. 52—

BY SENATOR IRONS AND REPRESENTATIVE ROUSSELLE

A RESOLUTION

To direct the Orleans Levee Board to return land taken for the Bohemia Spillway to those persons certified by the Department of Natural Resources as rightful heirs.

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

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SENATE CONCURRENT RESOLUTION NO. 145—
BY SENATOR IRONS AND REPRESENTATIVE ROUSSELLE
A CONCURRENT RESOLUTION

To direct the Orleans Levee Board to return land taken for the Bohemia Spillway to those persons certified by the Department of Natural Resources as rightful heirs.

The resolution was read by title.

Floor Amendments Sent Up

Senator Irons sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Original Senate Concurrent Resolution No. 145 by Senator Irons

AMENDMENT NO. 1

On page 1, line 2, change "direct" to "urge and request"

AMENDMENT NO. 2

On page 3, line 5, change "directs" to "urges and requests"

On motion of Senator Irons, the amendments were adopted.

Senator Irons moved to adopt the amended Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Greene
Total—2	

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

Messages from the House

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

Message from the House

PASSED SENATE BILLS AND JOINT RESOLUTIONS

June 10, 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 the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 171—
BY SENATOR COX

AN ACT

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

Reported with amendments.

Respectfully submitted,
ALFRED W. SPEER

Clerk of the House of Representatives

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

June 10, 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. 512—
BY REPRESENTATIVE DEWITT

AN ACT

To enact R.S. 4:165.1, relative to horse racing; to provide relative to Louisiana bred races; to provide for purses and purse supplements; to provide for bred awards; and to provide for related matters.

HOUSE BILL NO. 763—

BY REPRESENTATIVES THOMPSON AND DUPRE
AN ACT

To amend and reenact R.S. 14:95(G), relative to the crime of illegal carrying of weapons; to provide with respect to the carrying of concealed weapons by certain active and retired federal law enforcement officers; and to provide for related matters.

HOUSE BILL NO. 1180—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 11:2178(I)(2) and (M)(7), (8), and (9) and to repeal R.S. 11:2178(M)(13) and (14), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to the Deferred Retirement Option Plan; to provide for interest payable on deposits in the plan after termination of employment; to remove the penalty for reemployment after withdrawal of funds from the plan; to repeal certain distribution and assignability options in the plan; and to provide for related matters.

HOUSE BILL NO. 1403—

BY REPRESENTATIVE WRIGHT AND SENATOR SMITH
AN ACT

To enact R.S. 13:961(F)(1)(g) and (h), relative to court reporters; to provide for fees in civil and criminal cases in the Twenty-eighth and Thirty-fifth Judicial District Courts; and to provide for related matters.

HOUSE BILL NO. 1462—

BY REPRESENTATIVES JETSON AND DEWITT
AN ACT

To enact Part L of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.111 through 1300.113, relative to health care and morbidity reporting; to recognize the Department of Health and Hospitals, office of public health, as a state health care data clearinghouse; to provide for the collection and dissemination of health care data by the Department of Health and Hospitals, office of public health; to require state agencies to provide information to the office of public health; to require licensed health care providers to provide information; to provide for confidentiality of reported data; to provide penalties for violations regarding confidentiality of information; to provide penalties for failure to provide such information; and to provide for related matters.

HOUSE BILL NO. 1221 (Duplicate of Senate Bill No. 566)—

BY REPRESENTATIVE MCMAINS AND SENATOR DARDENNE AND
COAUTHORED BY REPRESENTATIVES DEWITT AND VITTER
AN ACT

To amend and reenact R.S. 13:5107(D) and to enact Code of Civil Procedure Arts. 7(A)(6), 1201(C), and 1672(C) and R.S. 9:5801, relative to citation and service of process; to require service of citation to be requested within ninety days of commencement of the action or the filing of supplemental or amended pleadings in certain civil proceedings and in certain suits against the state, a state agency, or a political subdivision; to provide for waiver of such requirement; to provide for involuntary dismissal of suit in certain cases and the effects thereof; and to provide for related matters.

HOUSE BILL NO. 72—

BY REPRESENTATIVE FONTENOT
AN ACT

To amend and reenact R.S. 13:4366(A)(1) and (2), relative to judicial sales; to provide for fees of appraisers; and to provide for related matters.

HOUSE BILL NO. 857—

BY REPRESENTATIVE MURRAY
A JOINT RESOLUTION

Proposing to amend Article VII, Section 25(A) of the Constitution of Louisiana, to provide relative to the sale of property for unpaid taxes in certain municipalities; to authorize sales with no minimum bid under certain conditions; to provide relative to proceeds of such sales and remaining liabilities on the property; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

HOUSE BILL NO. 1975—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 11:2175(E)(1), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to reemployment after retirement; to provide income limits during reemployment on a part-time basis; and to provide for related matters.

HOUSE BILL NO. 2495—

BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact R.S. 18:55(A)(2) and (3)(a) and (C) and 59(B)(2) and (3)(a), (C)(2) and (3)(a), and (E), relative to the compensation of certain registrars of voters, chief deputy registrars, and confidential assistants; to provide for a salary increase for certain registrars of voters, chief deputy registrars, and confidential assistants; to provide for changes to the pay schedule for each; and to provide for related matters.

HOUSE BILL NO. 2451—

BY REPRESENTATIVES ANSARDI, PIERRE, AND DANIEL
AN ACT

To enact R.S. 33:2740.35, to create an educational facilities improvement district in certain school districts; to provide for the purposes and governance of such districts; to provide for the rights and powers of any such district including the authority, subject to voter approval, to levy a sales and use tax and to issue bonds; to provide relative to agreements between educational facilities improvement districts and school districts; and to provide for related matters.

HOUSE BILL NO. 1511—

BY REPRESENTATIVES DONELON, BRUCE, DUPRE, HEATON, KENNARD,
ROMERO, WINDHORST, AND WALSWORTH
AN ACT

To amend and reenact R.S. 14:98(B)(introductory paragraph), (C)(introductory paragraph), (D), and (E) and to enact R.S. 14:98(K) and (L), relative to driving offenses involving alcoholic beverages; to provide for an increase in penalties for commission of the offense of driving while intoxicated; to provide for mandatory driver's license revocation and imprisonment; to provide for use of an ignition interlock device as an alternative to revocation; to prohibit the suspension of sentence relating to the term of imprisonment; to provide for the seizure and sale of the motor vehicle; to provide for the distribution of the proceeds from the sale; to provide for rules and regulations to institute an administrative hearing process; and to provide for related matters.

HOUSE BILL NO. 1673—

BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact R.S. 22:224(A)(2), (B)(2), and (F)(3)(introductory paragraph), and (H) and to repeal R.S. 22:224(F)(3)(c) and (d), relative to Medicare supplemental insurance; to provide for minimum standards; to provide for notice requirements; and to provide for related matters.

HOUSE BILL NO. 1836—

BY REPRESENTATIVE VITTER
AN ACT

To amend and reenact R.S. 15:574.4(A)(2)(a), relative to intensive incarceration; to provide for certain types of offenders who are eligible for intensive incarceration and intensive parole supervision programs; and to provide for related matters.

HOUSE BILL NO. 1006—

BY REPRESENTATIVE WILKERSON
AN ACT

To enact R.S. 36:409(O) and Chapter 59 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:3621 through 3642, relative to bail enforcement; to create the Louisiana State Board of Bail Enforcement Agents; to provide for a purpose; to provide for definitions; to provide for regulation and licensure of bail enforcement agents; to provide for fees; and to provide for related matters.

HOUSE BILL NO. 1550—

BY REPRESENTATIVES WRIGHT, DANIEL, DOERGE, FORSTER, HOLDEN,
HUNTER, JENKINS, JETSON, LONG, MCCAIN, MONTGOMERY, ODINET,
PIERRE, RIDDLE, SALTER, SCHNEIDER, TRAVIS, AND WALSWORTH
AN ACT

To enact R.S. 47:1992(A)(3), (4), and (5), relative to assessment of property for ad valorem tax purposes; to require assessors to notify property owners of increases in assessments on immovable property; to provide for effectiveness of increased assessment; and to provide for related matters.

June 10, 1997

HOUSE BILL NO. 1754—

BY REPRESENTATIVE TOOMY
AN ACT

To enact R.S. 14:93.20, relative to the unlawful sale, purchase, and possession of alcoholic beverages; to provide for the crime of unlawful shipments of beverage alcohol to Louisiana consumers under certain circumstances; to provide for registration and for payment of fees and taxes on authorized shipments; to provide for an exception; to provide for penalties; and to provide for related matters.

HOUSE BILL NO. 1409—

BY REPRESENTATIVE BARTON
AN ACT

To amend and reenact Section 2(A) of Act No. 19 of the 1970 Regular Session of the Legislature, as amended by Act No. 623 of the 1974 Regular Session, Act No. 629 of the 1979 Regular Session, Act No. 465 of the 1990 Regular Session, and Act No. 303 of the 1993 Regular Session, relative to the Shreveport-Bossier Convention and Tourist Commission; to provide relative to the composition of the commission; to establish limits on the terms a commissioner may serve; and to provide for related matters.

HOUSE BILL NO. 1103—

BY REPRESENTATIVES TRAVIS, DOWNER, DEWITT, DURAND, FLAVIN, FRITH, GAUTREAUX, HILL, POWELL, SCHNEIDER, AND WESTON
AN ACT

To amend and reenact R.S. 51:936(B), to enact R.S. 36:4(B)(1)(f) and Chapter 12 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1361 through 1368, and to repeal Part II of Chapter 7 of Title 6 of the Louisiana Revised Statutes of 1950, comprised of R.S. 6:551 through 568, relative to the Louisiana International Trade Development Act; to provide for a short title; to provide for a declaration of purpose; to provide for definition of terms; to create and provide relative to the Louisiana International Trade Development Board; to provide for the protection from personal liability of directors; to provide for powers of the board; to provide for annual reports, examinations, and audits; to provide for coordination and cooperation with other entities; and to provide for related matters.

HOUSE BILL NO. 695—

BY REPRESENTATIVES TRAVIS, DOWNER, DEWITT, MURRAY, AND WESTON
AN ACT

To amend and reenact R.S. 51:1753(B)(8) and to enact R.S. 51:1766, relative to the economically disadvantaged business program; to provide for a bonding program; and to provide for related matters.

HOUSE BILL NO. 1862—

BY REPRESENTATIVE R. ALEXANDER
AN ACT

To enact R.S. 46:924.1, relative to charity hospitals; to provide for forfeiture of licenses of third party payors under certain conditions; and to provide for related matters.

HOUSE BILL NO. 1806—

BY REPRESENTATIVES R. ALEXANDER AND DEWITT
AN ACT

To enact Part XI-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2197, relative to rural health clinics; to authorize the Department of Health and Hospitals to license rural health clinics; to prohibit operation of a rural health clinic without a license; to require the department to prescribe and publish minimum standards, rules, and regulations as necessary; to provide that licenses issued for rural health clinics are not transferrable or assignable between persons, rural health clinics, or both; to provide for the location of each rural health clinic; to require each location of a rural health clinic to be separately licensed; to provide for exemptions; to define rural health clinic and midlevel practitioner; and to provide for related matters.

HOUSE BILL NO. 2374—

BY REPRESENTATIVE DURAND
AN ACT

To enact R.S. 46:450.4, relative to providers of nonemergency, nonambulance transportation services for Medicaid recipients; to require the Department of Health and Hospitals to withhold Medicaid reimbursement for a provider of nonemergency, nonambulance transportation services for Medicaid recipients under certain circumstances; to provide for notification of the provider; to provide for fines; to provide for rules and regulations; and to provide for related matters.

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

House Bills and Joint Resolutions

Senator Hainkel 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. 72—

BY REPRESENTATIVE FONTENOT
AN ACT

To amend and reenact R.S. 13:4366(A)(1) and (2), relative to judicial sales; to provide for fees of appraisers; and to provide for related matters.

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

HOUSE BILL NO. 512—

BY REPRESENTATIVE DEWITT
AN ACT

To enact R.S. 4:165.1, relative to horse racing; to provide relative to Louisiana bred races; to provide for purses and purse supplements; to provide for bred awards; and to provide for related matters.

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

HOUSE BILL NO. 695—

BY REPRESENTATIVES TRAVIS, DOWNER, DEWITT, MURRAY, AND WESTON
AN ACT

To amend and reenact R.S. 51:1753(B)(8) and to enact R.S. 51:1766, relative to the economically disadvantaged business program; to provide for a bonding program; and to provide for related matters.

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

HOUSE BILL NO. 763—

BY REPRESENTATIVES THOMPSON AND DUPRE
AN ACT

To amend and reenact R.S. 14:95(G), relative to the crime of illegal carrying of weapons; to provide with respect to the carrying of concealed weapons by certain active and retired federal law enforcement officers; and to provide for related matters.

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

HOUSE BILL NO. 857—

BY REPRESENTATIVE MURRAY
A JOINT RESOLUTION

Proposing to amend Article VII, Section 25(A) of the Constitution of Louisiana, to provide relative to the sale of property for unpaid taxes in certain municipalities; to authorize sales with no minimum bid under certain conditions; to provide relative to proceeds of such

sales and remaining liabilities on the property; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

On motion of Senator Hainkel, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 1006—
BY REPRESENTATIVE WILKERSON
AN ACT

To enact R.S. 36:409(O) and Chapter 59 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:3621 through 3642, relative to bail enforcement; to create the Louisiana State Board of Bail Enforcement Agents; to provide for a purpose; to provide for definitions; to provide for regulation and licensure of bail enforcement agents; to provide for fees; and to provide for related matters.

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

HOUSE BILL NO. 1103—
BY REPRESENTATIVES TRAVIS, DOWNER, DEWITT, DURAND, FLAVIN,
FRITH, GAUTREAUX, HILL, POWELL, SCHNEIDER, AND WESTON
AN ACT

To amend and reenact R.S. 51:936(B), to enact R.S. 36:4(B)(1)(f) and Chapter 12 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1361 through 1368, and to repeal Part II of Chapter 7 of Title 6 of the Louisiana Revised Statutes of 1950, comprised of R.S. 6:551 through 568, relative to the Louisiana International Trade Development Act; to provide for a short title; to provide for a declaration of purpose; to provide for definition of terms; to create and provide relative to the Louisiana International Trade Development Board; to provide for the protection from personal liability of directors; to provide for powers of the board; to provide for annual reports, examinations, and audits; to provide for coordination and cooperation with other entities; and to provide for related matters.

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

HOUSE BILL NO. 1180—
BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 11:2178(I)(2) and (M)(7), (8), and (9) and to repeal R.S. 11:2178(M)(13) and (14), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to the Deferred Retirement Option Plan; to provide for interest payable on deposits in the plan after termination of employment; to remove the penalty for reemployment after withdrawal of funds from the plan; to repeal certain distribution and assignability options in the plan; and to provide for related matters.

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

HOUSE BILL NO. 1221 (Duplicate of Senate Bill No. 566)—
BY REPRESENTATIVE MCMAINS AND SENATOR DARDENNE AND
COAUTHORED BY REPRESENTATIVES DEWITT AND VITTER
AN ACT

To amend and reenact R.S. 13:5107(D) and to enact Code of Civil Procedure Arts. 7(A)(6), 1201(C), and 1672(C) and R.S. 9:5801, relative to citation and service of process; to require service of citation to be requested within ninety days of commencement of the action or the filing of supplemental or amended pleadings in certain civil proceedings and in certain suits against the state, a state agency, or a political subdivision; to provide for waiver of such requirement; to provide for involuntary dismissal of suit in certain cases and the effects thereof; and to provide for related matters.

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

HOUSE BILL NO. 1403—
BY REPRESENTATIVE WRIGHT AND SENATOR SMITH
AN ACT

To enact R.S. 13:961(F)(1)(g) and (h), relative to court reporters; to provide for fees in civil and criminal cases in the Twenty-eighth and Thirty-fifth Judicial District Courts; and to provide for related matters.

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

HOUSE BILL NO. 1409—
BY REPRESENTATIVE BARTON
AN ACT

To amend and reenact Section 2(A) of Act No. 19 of the 1970 Regular Session of the Legislature, as amended by Act No. 623 of the 1974 Regular Session, Act No. 629 of the 1979 Regular Session, Act No. 465 of the 1990 Regular Session, and Act No. 303 of the 1993 Regular Session, relative to the Shreveport-Bossier Convention and Tourist Commission; to provide relative to the composition of the commission; to establish limits on the terms a commissioner may serve; and to provide for related matters.

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

HOUSE BILL NO. 1462—
BY REPRESENTATIVES JETSON AND DEWITT
AN ACT

To enact Part L of Chapter 5 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1300.111 through 1300.113, relative to health care and morbidity reporting; to recognize the Department of Health and Hospitals, office of public health, as a state health care data clearinghouse; to provide for the collection and dissemination of health care data by the Department of Health and Hospitals, office of public health; to require state agencies to provide information to the office of public health; to require licensed health care providers to provide information; to provide for confidentiality of reported data; to provide penalties for violations regarding confidentiality of information; to provide penalties for failure to provide such information; and to provide for related matters.

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

HOUSE BILL NO. 1511—
BY REPRESENTATIVES DONELON, BRUCE, DUPRE, HEATON, KENNARD,
ROMERO, WINDHORST, AND WALSWORTH
AN ACT

To amend and reenact R.S. 14:98(B)(introductory paragraph), (C)(introductory paragraph), (D), and (E) and to enact R.S. 14:98(K) and (L), relative to driving offenses involving alcoholic beverages; to provide for an increase in penalties for commission of the offense of driving while intoxicated; to provide for mandatory driver's license revocation and imprisonment; to provide for use of an ignition interlock device as an alternative to revocation; to prohibit the suspension of sentence relating to the term of imprisonment; to provide for the seizure and sale of the motor vehicle; to provide for the distribution of the proceeds from the sale; to provide for rules and regulations to institute an administrative hearing process; and to provide for related matters.

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

June 10, 1997

HOUSE BILL NO. 1550—

BY REPRESENTATIVES WRIGHT, DANIEL, DOERGE, FORSTER, HOLDEN, HUNTER, JENKINS, JETSON, LONG, MCCAIN, MONTGOMERY, ODINET, PIERRE, RIDDLE, SALTER, SCHNEIDER, TRAVIS, AND WALSWORTH
AN ACT

To enact R.S. 47:1992(A)(3), (4), and (5), relative to assessment of property for ad valorem tax purposes; to require assessors to notify property owners of increases in assessments on immovable property; to provide for effectiveness of increased assessment; and to provide for related matters.

On motion of Senator Hainkel, the bill was read by title and referred to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 1673—

BY REPRESENTATIVE DONELON
AN ACT

To amend and reenact R.S. 22:224(A)(2), (B)(2), and (F)(3)(introductory paragraph), and (H) and to repeal R.S. 22:224(F)(3)(c) and (d), relative to Medicare supplemental insurance; to provide for minimum standards; to provide for notice requirements; and to provide for related matters.

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

HOUSE BILL NO. 1754—

BY REPRESENTATIVE TOOMY
AN ACT

To enact R.S. 14:93.20, relative to the unlawful sale, purchase, and possession of alcoholic beverages; to provide for the crime of unlawful shipments of beverage alcohol to Louisiana consumers under certain circumstances; to provide for registration and for payment of fees and taxes on authorized shipments; to provide for an exception; to provide for penalties; and to provide for related matters.

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

HOUSE BILL NO. 1806—

BY REPRESENTATIVES R. ALEXANDER AND DEWITT
AN ACT

To enact Part XI-A of Chapter 11 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2197, relative to rural health clinics; to authorize the Department of Health and Hospitals to license rural health clinics; to prohibit operation of a rural health clinic without a license; to require the department to prescribe and publish minimum standards, rules, and regulations as necessary; to provide that licenses issued for rural health clinics are not transferrable or assignable between persons, rural health clinics, or both; to provide for the location of each rural health clinic; to require each location of a rural health clinic to be separately licensed; to provide for exemptions; to define rural health clinic and midlevel practitioner; and to provide for related matters.

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

HOUSE BILL NO. 1836—

BY REPRESENTATIVE VITTER
AN ACT

To amend and reenact R.S. 15:574.4(A)(2)(a), relative to intensive incarceration; to provide for certain types of offenders who are eligible for intensive incarceration and intensive parole supervision programs; and to provide for related matters.

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

HOUSE BILL NO. 1862—

BY REPRESENTATIVE R. ALEXANDER
AN ACT

To enact R.S. 46:924.1, relative to charity hospitals; to provide for forfeiture of licenses of third party payors under certain conditions; and to provide for related matters.

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

HOUSE BILL NO. 1975—

BY REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 11:2175(E)(1), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to reemployment after retirement; to provide income limits during reemployment on a part-time basis; and to provide for related matters.

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

HOUSE BILL NO. 2374—

BY REPRESENTATIVE DURAND
AN ACT

To enact R.S. 46:450.4, relative to providers of nonemergency, nonambulance transportation services for Medicaid recipients; to require the Department of Health and Hospitals to withhold Medicaid reimbursement for a provider of nonemergency, nonambulance transportation services for Medicaid recipients under certain circumstances; to provide for notification of the provider; to provide for fines; to provide for rules and regulations; and to provide for related matters.

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

HOUSE BILL NO. 2451—

BY REPRESENTATIVES ANSARDI, PIERRE, AND DANIEL
AN ACT

To enact R.S. 33:2740.35, to create an educational facilities improvement district in certain school districts; to provide for the purposes and governance of such districts; to provide for the rights and powers of any such district including the authority, subject to voter approval, to levy a sales and use tax and to issue bonds; to provide relative to agreements between educational facilities improvement districts and school districts; and to provide for related matters.

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

HOUSE BILL NO. 2495—

BY REPRESENTATIVE WALSWORTH
AN ACT

To amend and reenact R.S. 18:55(A)(2) and (3)(a) and (C) and 59(B)(2) and (3)(a), (C)(2) and (3)(a), and (E), relative to the compensation of certain registrars of voters, chief deputy registrars, and confidential assistants; to provide for a salary increase for certain registrars of voters, chief deputy registrars, and confidential assistants; to provide for changes to the pay schedule for each; and to provide for related matters.

On motion of Senator Hainkel, the bill 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**

June 10, 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. 234—
BY REPRESENTATIVES MARTINY, ANSARDI, BOWLER, DONELON, LANCASTER, AND SCALISE
A CONCURRENT RESOLUTION
To commend the Rummel Raiders baseball team, its coaches, and support personnel for a great season and for winning the state Class 5A baseball championship.

HOUSE CONCURRENT RESOLUTION NO. 230—
BY REPRESENTATIVE PRATT
A CONCURRENT RESOLUTION
To commend Dr. Charles C. Teamer and Mrs. Mary D. Teamer, upon the occasion of their retirement, for their splendid and effective service to Dillard University and to recognize and record their myriad accomplishments and significant contributions to the city of New Orleans and the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 229—
BY REPRESENTATIVE JETSON
A CONCURRENT RESOLUTION
To express the condolences of the Legislature of Louisiana to the family of Dr. Lincoln J. Harrison.

HOUSE CONCURRENT RESOLUTION NO. 231—
BY REPRESENTATIVE MONTGOMERY
A CONCURRENT RESOLUTION
To commend and congratulate Linda P. Talbert for her efforts as Pageant Coordinator for the Miss USA Pageant held in Shreveport on February 5, 1997.

HOUSE CONCURRENT RESOLUTION NO. 186—
BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION
To urge the secretary of the Department of Wildlife and Fisheries and Wildlife and Fisheries Commission to use the mean or average of the range of spawning potential ratio for flounders.

HOUSE CONCURRENT RESOLUTION NO. 187—
BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION
To suspend Louisiana Administrative Code Title 76, Part VII, Chapter 3, Section 351, prohibiting certain commercial possession and sale of southern flounder, insofar as such rules prohibit possession and sale of flounder taken as a by-catch from commercial shrimp trawls.

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

House Concurrent Resolutions

Senator Hainkel 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. 186—
BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION
To urge the secretary of the Department of Wildlife and Fisheries and Wildlife and Fisheries Commission to use the mean or average of the range of spawning potential ratio for flounders.

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

HOUSE CONCURRENT RESOLUTION NO. 187—
BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION
To suspend Louisiana Administrative Code Title 76, Part VII, Chapter 3, Section 351, prohibiting certain commercial possession and sale of southern flounder, insofar as such rules prohibit possession and sale of flounder taken as a by-catch from commercial shrimp trawls.

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

HOUSE CONCURRENT RESOLUTION NO. 229—
BY REPRESENTATIVE JETSON
A CONCURRENT RESOLUTION
To express the condolences of the Legislature of Louisiana to the family of Dr. Lincoln J. Harrison.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lentini
Bajoie	Fields	Malone
Barham	Guidry	Robichaux
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Casanova	Hines	Short
Cox	Hollis	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Lambert	Ullo
Dyess	Landry	
Total—32		

NAYS

Total—0

ABSENT

Bagneris	Greene	Siracusa
Cain	Jones	
Campbell	Jordan	
Total—7		

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

HOUSE CONCURRENT RESOLUTION NO. 230—
BY REPRESENTATIVE PRATT
A CONCURRENT RESOLUTION
To commend Dr. Charles C. Teamer and Mrs. Mary D. Teamer, upon the occasion of their retirement, for their splendid and effective service to Dillard University and to recognize and record their myriad accomplishments and significant contributions to the city of New Orleans and the state of Louisiana.

The resolution was read by title. Senator Bajoie moved to concur

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in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dean Landry
Bajoie Dyess Lentini
Barham Fields Robichaux
Bean Guidry Romero
Branch Heitmeier Schedler
Cain Hines Short
Casanova Irons Smith
Cox Jones Tarver
Cravins Jordan Theunissen
Dardenne Lambert Ullo
Total—30

NAYS

Total—0

ABSENT

Bagneris Greene Johnson
Campbell Hainkel Malone
Ellington Hollis Siracusa
Total—9

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

HOUSE CONCURRENT RESOLUTION NO. 231— BY REPRESENTATIVE MONTGOMERY

A CONCURRENT RESOLUTION

To commend and congratulate Linda P. Talbert for her efforts as Pageant Coordinator for the Miss USA Pageant held in Shreveport on February 5, 1997.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dyess Lentini
Bajoie Ellington Malone
Barham Fields Robichaux
Bean Guidry Romero
Branch Heitmeier Schedler
Cain Hines Short
Casanova Irons Smith
Cravins Johnson Tarver
Dardenne Lambert Theunissen
Dean Landry Ullo
Total—30

NAYS

Total—0

ABSENT

Bagneris Greene Jones
Campbell Hainkel Jordan
Cox Hollis Siracusa
Total—9

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

HOUSE CONCURRENT RESOLUTION NO. 234— BY REPRESENTATIVES MARTINY, ANSARDI, BOWLER, DONELON, LANCASTER, AND SCALISE

A CONCURRENT RESOLUTION

To commend the Rummel Raiders baseball team, its coaches, and support personnel for a great season and for winning the state Class 5A baseball championship.

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

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie Ellington Lentini
Barham Fields Malone
Bean Guidry Robichaux
Branch Hainkel Romero
Cain Heitmeier Schedler
Casanova Hines Short
Cox Irons Smith
Cravins Johnson Tarver
Dardenne Jordan Theunissen
Dean Lambert Ullo
Dyess Landry
Total—32

NAYS

Total—0

ABSENT

Mr. President Greene Siracusa
Bagneris Hollis
Campbell Jones
Total—7

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

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

June 10, 1997

To the President and Members of the Senate:

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

The following Senate Resolution has been properly enrolled:

SENATE RESOLUTION NO. 49—

BY SENATOR IRONS

A RESOLUTION

To urge and request the division of administration to study the feasibility of establishing a state welcome center in or near the Vieux Carre in New Orleans.

Respectfully submitted,
JAY DARDENNE
Chairman

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

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

ENROLLMENTS

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

June 10, 1997

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 51—
BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To request the Department of Wildlife and Fisheries to study that portion of the Tangipahoa River from the I-12 crossing to its entrance into Lake Pontchartrain for possible inclusion in the Louisiana natural and scenic rivers system.

SENATE CONCURRENT RESOLUTION NO. 67—
BY SENATOR LANDRY

A CONCURRENT RESOLUTION

To direct the office of aviation in the Department of Transportation and Development to develop rules and regulations for the selection of projects to be included in the airport priority program.

SENATE CONCURRENT RESOLUTION NO. 76—
BY SENATORS CASANOVA, HINES AND SIRACUSA

A CONCURRENT RESOLUTION

To create and provide for the Atchafalaya and Tech-Vermilion Flood Control Advisory Commission to study and make recommendations relative to solutions to the flood problems in the parishes of Rapides, Avoyelles, St. Landry, Evangeline, Lafayette, St. Martin, Vermilion, Iberia, and St. Mary.

SENATE CONCURRENT RESOLUTION NO. 77—
BY SENATORS ROMERO, BEAN, IRONS AND LANDRY

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to revise the federal highway funding formulas to ensure that Louisiana gets its fair share of federal highway funds.

SENATE CONCURRENT RESOLUTION NO. 95—
BY SENATOR HINES

A CONCURRENT RESOLUTION

To urge and request the secretary of the Department of Transportation and Development to expedite the awarding of funds designated for Intermodal Surface Transportation Efficiency Act enhancement activities.

Respectfully submitted,
JAY DARDENNE
Chairman

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

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

ENROLLMENTS

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

June 10, 1997

To the President and Members of the Senate:

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

The following Senate Bills have been properly enrolled:

SENATE BILL NO. 11—
BY SENATOR BARHAM

A JOINT RESOLUTION

Proposing to amend Article V, Section 27 and to add Article V, Section 28(C) of the Constitution of Louisiana, relative to the terms of office of certain local officials; to provide that such terms shall begin at the same time as the term of the governor; to provide for the transition to such a beginning date; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

SENATE BILL NO. 524—
BY SENATOR ROBICHAUX

AN ACT

To enact R.S. 56:57.4, relative to commercial fishing; to provide relative to enforcement of certain federal laws, rules or regulations; to provide relative to adoption of certain rules and regulations; and to provide for related matters.

SENATE BILL NO. 544—
BY SENATORS HAINKEL, DARDENNE, EWING AND ROMERO

AN ACT

To amend and reenact R.S. 56:332.1(A), relative to the license requirements for taking eel; to require that an eel fisherman need only possess a valid commercial fishing license to fish and sell eel; and to provide for related matters.

SENATE BILL NO. 545—
BY SENATORS HAINKEL, DARDENNE, EWING AND ROMERO

AN ACT

To amend and reenact R.S. 56: 327(A)(1)(a), relative to fisheries, to clarify a technical reference to rock bass; and to provide for related matters.

SENATE BILL NO. 551—
BY SENATORS HAINKEL, DARDENNE, EWING AND ROMERO

AN ACT

To amend and reenact R.S. 56:8(77), relative to fish and fish products; to define processing fish and fish products; and to provide for related matters.

SENATE BILL NO. 573—
BY SENATORS HAINKEL, DARDENNE, EWING AND ROMERO

AN ACT

To repeal R.S. 56:302.8, relative to the requirement that an owner of a charter vessel obtain a charter vessel fishing license; and to provide for related matters.

SENATE BILL NO. 595—
BY SENATORS HAINKEL, DARDENNE, EWING, BAGNERIS AND SCHEDLER

AN ACT

To enact R.S. 49:191(11) and to repeal R.S. 49:191(8)(l), relative to the Department of Social Services, including provisions to provide for the re-creation of the Department of Social Services and the statutory entities made a part of the Department of Social Services

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by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

SENATE BILL NO. 703—
BY SENATOR MALONE

AN ACT

To require the commissioner of conservation to hold monthly public hearings in Shreveport; to provide relative to funding; and to provide for related matters.

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.

SENATE BILL NO. 922—

BY SENATORS DARDENNE, HAINKEL, BARHAM, ELLINGTON, BEAN, HOLLIS AND ROMERO AND REPRESENTATIVES MCMAINS, FORSTER, DEWITT, WIGGINS, DOWNER, BARTON, BOWLER, CRANE, DONELON, FONTENOT, FRUGE, LANCASTER, PERKINS, POWELL, SCALISE, VITTER AND WINSTON

AN ACT

To amend and reenact R.S. 23:1031(C) and (D) and 1061(A), and to enact R.S. 23:1031(E), relative to workers' compensation; to provide with respect to liability of principal to employees of independent contractor; to provide for guidelines to determine principal contractors' liability; to provide that a statutory employer relationship shall exist in certain instances; to provide a rebuttable presumption of a statutory employer relationship in certain instances; to provide with respect to borrowed employees; and to provide for related matters.

SENATE BILL NO. 927—
BY SENATOR BRANCH

AN ACT

To enact R.S. 47:463.46, relative to license plates; to create a prestige plate to promote Louisiana education; to provide for a fee; to create a special fund and to provide for the use of revenue from the plate to purchase text books; to provide relative to the design of the plate; to authorize promulgation of rules; and to provide for related matters.

SENATE BILL NO. 1071—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 32:1253(B)(2), (D), and (I), and 1254(C) and (K)(2), and to enact R.S. 32:1254(A)(3) and 1256(I), relative to the Louisiana Motor Vehicle Commission; to provide for the location and domicile of the commission; to provide for certain powers of the commission; to provide for the application for motor vehicle dealer licenses and certain duties of the applicants; to provide for cease and desist orders; and to provide for related matters.

SENATE BILL NO. 1135—

BY SENATOR BRANCH AND REPRESENTATIVE HOLDEN

AN ACT

To authorize the naming of certain veterinary hospitals after a living person; to provide for an expiration date; and to provide for related matters.

SENATE BILL NO. 1360—

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 46:2352(7)(c)(i), relative to the Louisiana Commission for the Deaf; to change the composition of the Interpreter Certification Board; and to provide for related matters.

SENATE BILL NO. 1465—

BY SENATORS CAIN AND GUIDRY AND REPRESENTATIVES ILES AND JOHN SMITH

AN ACT

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

Respectfully submitted,
JAY DARDENNE
Chairman

The foregoing Senate Bills were signed by the President of the Senate and the Speaker of the House of Representatives and presented to the Governor by the Secretary.

Leaves of Absence

The following leaves of absence were asked for and granted:

Bagneris 1 Day

Adjournment

Senator Hainkel moved that the Senate adjourn until Wednesday, June 11, 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, June 11, 1997.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk