

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

TWENTY-SIXTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Tuesday, May 13, 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 Smith, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Smith, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**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. 34—
BY SENATOR GREENE

A RESOLUTION

To commend and congratulate the Brusly High School girls softball team on winning the Class 3-A State Championship and to record their outstanding accomplishments.

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

SENATE RESOLUTION NO. 35—
BY SENATOR FIELDS

A RESOLUTION

To express condolences upon the death of P. Dunn LeDoux, II.

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

Motion

Senator Cain asked for a suspension of the rules for the purpose of considering SCR 108 at this time.

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Barham	Dyess	Lentini
Bean	Ellington	Romero
Branch	Fields	Short
Cain	Guidry	Siracusa
Casanova	Hines	Smith
Cravins	Hollis	Tarver
Dean	Lambert	Theunissen
Total—21		

NAYS

Irons	Landry	Robichaux
Total—3		

ABSENT

Mr. President	Dardenne	Jones
Bagneris	Greene	Jordan
Bajoie	Hainkel	Malone
Campbell	Heitmeier	Schedler
Cox	Johnson	Ullo
Total—15		

The Chair declared the rules were suspended.

SENATE CONCURRENT RESOLUTION NO. 108—
BY SENATOR CAIN

A CONCURRENT RESOLUTION

To urge and request the Supreme Court of Louisiana not to discipline Judge Thomas P. Quirk of the Lake Charles City Court for sentencing persons to attend church.

The resolution was read by title.

Motion

Senator Dardene moved to refer the resolution to the Committee on Judiciary B.

Senator Cain objected.

ROLL CALL

The roll was called with the following result:

YEAS

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Bajoie	Greene	Landry
Bean	Heitmeier	Robichaux
Casanova	Hines	Schedler
Dardenne	Hollis	Tarver
Dean	Irons	Ullo
Total—15		

NAYS

Barham	Johnson	Short
Branch	Jones	Siracusa
Cain	Jordan	Smith
Cravins	Lambert	Theunissen
Dyess	Lentini	
Ellington	Malone	
Total—16		

ABSENT

Mr. President	Cox	Hainkel
Bagneris	Fields	Romero
Campbell	Guidry	
Total—8		

The Chair declared the Senate refused to refer the resolution to committee.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Original Senate Concurrent Resolution 108 by Senator Cain

AMENDMENT NO. 1

On page 1, line 2, change "not to discipline" to "to give"

AMENDMENT NO. 2

On page 1, line 3, after "Court" insert "a lesser degree of discipline than recommended by the Judiciary Commission"

AMENDMENT NO. 3

On page 2, line 2, change "not to discipline" to "to give"

AMENDMENT NO. 4

On page 2, line 3, after "Court" insert "a lesser degree of discipline than recommended by the Judiciary Commission"

Senator Landry moved adoption of the amendments.

Senator Cain objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Guidry	Landry
Bean	Hainkel	Lentini
Campbell	Heitmeier	Robichaux
Cravins	Hines	Schedler
Dardenne	Hollis	Tarver
Fields	Irons	Ullo
Total—18		

NAYS

Barham	Ellington	Romero
Branch	Greene	Short
Cain	Jordan	Siracusa

Dean	Lambert	Smith
Dyess	Malone	Theunissen
Total—15		

ABSENT

Bagneris	Casanova	Johnson
Bajoie	Cox	Jones
Total—6		

The Chair declared the amendments were adopted.

Motion

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

Senator Cain objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Guidry	Robichaux
Bajoie	Hainkel	Romero
Barham	Heitmeier	Schedler
Bean	Hines	Smith
Campbell	Hollis	Tarver
Cox	Irons	Theunissen
Dardenne	Johnson	Ullo
Fields	Lentini	
Total—23		

NAYS

Branch	Dyess	Lambert
Cain	Ellington	Landry
Casanova	Greene	Malone
Cravins	Jones	Short
Dean	Jordan	Siracusa
Total—15		

ABSENT

Bagneris
Total—1

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

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

SENATE CONCURRENT RESOLUTION NO. 109—

BY SENATOR LANDRY

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to take whatever steps necessary to establish a rest area on the east bank of St. Charles Parish.

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

Rules Suspended

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

**Senate Concurrent Resolutions
to be Adopted, Subject to Call**

The following Senate Concurrent Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Schedler asked that Senate Concurrent Resolution No. 82 be called from the Calendar at this time.

**SENATE CONCURRENT RESOLUTION NO. 82—
BY SENATOR SCHEDLER
A CONCURRENT RESOLUTION**

To urge and request the Department of Health and Hospitals to study the feasibility of including hospice care services as an optional service covered under the Medical Assistance Program for a recipient of Medicaid.

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

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Fields	Lentini
Bajoie	Greene	Malone
Barham	Guidry	Robichaux
Bean	Hainkel	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Short
Campbell	Hollis	Siracusa
Casanova	Irons	Smith
Cox	Johnson	Tarver
Cravins	Jones	Theunissen
Dardenne	Jordan	Ullo
Dean	Lambert	
Ellington	Landry	
Total—37		
	NAYS	
Total—0		
	ABSENT	
Bagneris	Dyess	
Total—2		

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

Messages from the House

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

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

May 13, 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. 105—

BY SENATOR LAMBERT

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Daniel "Shorty Reid" Folse, Sr.

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**

May 13, 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. 149—

BY REPRESENTATIVE ROUSSELLE

AN ACT

To enact R.S. 34:851.27(B)(7) and (8), relative to regulation of vessels and motorboats; to authorize and provide for the enforcement as to vessels and motorboats of state and local laws and ordinances prohibiting trespass and unauthorized entry; to provide for regulation of watercraft operating near structures in Lake Pontchartrain which are leased by a local governing authority for recreational purposes; and to provide for related matters.

HOUSE BILL NO. 796—

BY REPRESENTATIVE PRATT

AN ACT

To enact R.S. 17:235.1, relative to school attendance; to require parents or guardians to complete an orientation course before their children enter public school; to provide relative to course completion and guidelines; to provide for applicability and scheduling; to provide exceptions; and to provide for related matters.

HOUSE BILL NO. 1012—

BY REPRESENTATIVE WILKERSON

AN ACT

To enact Chapter 20-B-4 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3042.41 through 3042.47, relative to the Bienville Parish School Board loan program; to authorize the school board to make loans to certain students enrolled in collegiate teacher preparation programs; to provide for legislative findings and purpose, eligibility requirements, board rules and regulations, loan amounts, contract requirements, funding, and board resolution and public hearing requirements; and to provide for related matters.

HOUSE BILL NO. 1116—

BY REPRESENTATIVES THORNHILL AND FAUCHEUX

AN ACT

To enact R.S. 22:1404(7), relative to insurance rating; to permit certain insurers to collect rates for property and casualty insurance without prior approval of the Louisiana Insurance Rating Commission; and to provide for related matters.

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.

HOUSE BILL NO. 1956 (Duplicate of Senate Bill No. 795)—
BY REPRESENTATIVE MARTINY AND SENATOR BAGNERIS
AN ACT

To amend and reenact R.S. 32:863.1(C)(1)(a) and to enact R.S. 32:863.1(F), relative to motor vehicle security; to allow a law enforcement officer to issue a traffic citation to an owner of a motor vehicle registered in another state for lack of liability security; to provide for penalties; 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. 149—
BY REPRESENTATIVE ROUSSELLE
AN ACT

To enact R.S. 34:851.27(B)(7) and (8), relative to regulation of vessels and motorboats; to authorize and provide for the enforcement as to vessels and motorboats of state and local laws and ordinances prohibiting trespass and unauthorized entry; to provide for regulation of watercraft operating near structures in Lake Pontchartrain which are leased by a local governing authority for recreational purposes; 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. 796—
BY REPRESENTATIVE PRATT
AN ACT

To enact R.S. 17:235.1, relative to school attendance; to require parents or guardians to complete an orientation course before their children enter public school; to provide relative to course completion and guidelines; to provide for applicability and scheduling; to provide exceptions; 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. 1012—
BY REPRESENTATIVE WILKERSON
AN ACT

To enact Chapter 20-B-4 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:3042.41 through 3042.47, relative to the Bienville Parish School Board loan program; to authorize the school board to make loans to certain students enrolled in collegiate teacher preparation programs; to provide for legislative findings and purpose, eligibility requirements, board rules and regulations, loan amounts, contract requirements, funding, and board resolution and public hearing requirements; 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. 1116—
BY REPRESENTATIVES THORNHILL AND FAUCHEUX
AN ACT

To enact R.S. 22:1404(7), relative to insurance rating; to permit certain insurers to collect rates for property and casualty insurance without prior approval of the Louisiana Insurance Rating Commission; 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. 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.

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

HOUSE BILL NO. 1956 (Duplicate of Senate Bill No. 795)—
BY REPRESENTATIVE MARTINY AND SENATOR BAGNERIS
AN ACT

To amend and reenact R.S. 32:863.1(C)(1)(a) and to enact R.S. 32:863.1(F), relative to motor vehicle security; to allow a law enforcement officer to issue a traffic citation to an owner of a motor vehicle registered in another state for lack of liability security; 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 Transportation, Highways, and Public Works.

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**

May 13, 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. 166—
BY REPRESENTATIVE HOLDEN
A CONCURRENT RESOLUTION

To express the sincere condolences of the Louisiana Legislature upon the death of Mr. John A. Manda, Jr. of Baton Rouge.

HOUSE CONCURRENT RESOLUTION NO. 167—
BY REPRESENTATIVE JOHNS
A CONCURRENT RESOLUTION

To commend and recognize the United Way of Southwest Louisiana for their contributions to the community through their sponsorship of the Charity Pro-Am Golf Tournament with the Ladies Professional Golf Association.

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

House Concurrent Resolutions

Senator Lentini 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. 166—
BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

To express the sincere condolences of the Louisiana Legislature upon the death of Mr. John A. Manda, Jr. of Baton Rouge.

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

HOUSE CONCURRENT RESOLUTION NO. 167—
BY REPRESENTATIVE JOHNS

A CONCURRENT RESOLUTION

To commend and recognize the United Way of Southwest Louisiana for their contributions to the community through their sponsorship of the Charity Pro-Am Golf Tournament with the Ladies Professional Golf Association.

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

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

Regular Order of the Day Resumed

HOUSE BILL NO. 735 (Duplicate of Senate Bill No. 308)—
BY REPRESENTATIVE FORSTER AND SENATOR HAINKEL AND
COAUTHORED BY REPRESENTATIVE MURRAY
AN ACT

To enact R.S. 14:403.5, relative to the reporting of gunshot wounds; to require medical professionals, medical practitioners, and associated personnel to report the treatment of gunshot wounds; to provide for information to be included in the report; to provide for certain immunity; and to provide for related matters.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Hainkel to Reengrossed House Bill No. 735 by Representative Forster (Duplicate of Senate Bill No. 308)

AMENDMENT NO. 1

On page 1, line 2, between "relative to" and "reporting" delete "the" and insert the following:

"offenses affecting law enforcement; to provide for mandatory"

AMENDMENT NO. 2

On page 1, line 2, delete "to require" and delete lines 3 through 5 in their entirety and insert in lieu thereof the following:

"and to"

AMENDMENT NO. 3

On page 1, line 9, after "wounds;" delete the remainder of the line and insert in lieu thereof the following:

"mandatory reporting"

AMENDMENT NO. 4

On page 1, line 12, between "wounds" and "treated" insert "or injuries"

AMENDMENT NO. 5

On page 1, line 12, after "professionals," delete "medical"

AMENDMENT NO. 6

On page 1, line 14, after "case" delete the remainder of the line and insert in lieu thereof the following:

"of a gunshot wound or injury"

AMENDMENT NO. 7

On page 1, line 15, change "medical practitioner," to "practitioner,"

AMENDMENT NO. 8

On page 2, line 1, between "shall" and "either" delete "within six hours notify" and insert in lieu thereof the following:

"make an oral notification to"

AMENDMENT NO. 9

On page 2, line 4, between "treatment" and the period "." insert the following:

"immediately after complying with all applicable state and federal laws, rules, and regulations related to the treatment of emergencies"

AMENDMENT NO. 10

On page 2, line 5, between "the" and "oral" insert "immediate"

AMENDMENT NO. 11

On page 2, line 6, change "three working days" to "twenty-four hours"

AMENDMENT NO. 12

On page 2, line 8, change "written" to "immediate oral"

AMENDMENT NO. 13

On page 2, line 9, between "known" and the colon ":" insert the following:

"if available"

AMENDMENT NO. 14

On page 2, line 16, after "professional," delete "medical"

AMENDMENT NO. 15

On page 2, delete lines 18 through 21 in their entirety and insert in lieu thereof the following:

"D. Any person who fails to file a report under this Section shall be fined not more than five hundred dollars or imprisoned for not more than six months, or both. Any person who knowingly files a false report under this Section shall be fined not more than five hundred dollars or imprisoned for not more than six months, or both."

Under the provisions of Joint Rule No. 5, the amended duplicate bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 739 (Duplicate of Senate Bill No. 311)—
BY REPRESENTATIVE FORSTER AND SENATOR HAINKEL
AN ACT

To amend and reenact Code of Criminal Procedure Art. 334(7), relative to factors considered in determining the amount of bail; to provide that results of tests for controlled dangerous substances by chemical tests of a defendant's blood, urine, or breath shall be considered in setting bail; and to provide for related matters.

Floor Amendments Sent Up

Senator Hainkel sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Conforming Amendments proposed by Senator Hainkel to Reengrossed House Bill No. 739 by Representative Forster (Duplicate of Senate Bill No. 311)

AMENDMENT NO. 1

On page 1, delete lines 3 through 5 in their entirety and insert in lieu thereof the following:

"bail; to provide with respect to factors to be considered in determining the amount of bail;"

AMENDMENT NO. 2

On page 1, line 17, delete "at the time of arrest"

AMENDMENT NO. 3

On page 2, line 2, after "breath," and before "conducted" delete "or urine" and insert in lieu thereof the following:

"urine, hair, perspiration or other bodily substances"

Under the provisions of Joint Rule No. 5, the amended duplicate bill 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 ENVIRONMENTAL QUALITY

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

May 13, 1997

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 89—
BY SENATOR ULLO
A CONCURRENT RESOLUTION

To memorialize Congress to request the Environmental Protection Agency to grant an exemption relative to the painting of the Crescent City Connection which would limit the requirements for the removal and capture of residue from previous paint coatings during the painting procedure.

Reported favorably.

SENATE BILL NO. 628—
BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT
AN ACT

To enact R.S. 30:2014(D)(4), relative to fees for the Department of Environmental Quality; to provide for an increase in fees charged by the department; to provide for limitations on the amount of fee increases; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1217—
BY SENATOR EWING
AN ACT

To amend and reenact R.S. 30:2524 and 2525(C)(19), relative to litter; to create the Louisiana Litter Abatement Grant Program; to provide relative to grant authority of the program; to provide relative to approved uses of grant money; to require monetary match by recipients to grant money; to require the promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1762 —
BY REPRESENTATIVES DAMICO AND DEWITT
AN ACT

To amend and reenact R.S. 30:2039(A) and to enact R.S. 30:2039(F), relative to solid waste; to provide for notice and recordation; to provide for waivers; to provide for evidence; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1764 —
BY REPRESENTATIVES DAMICO AND DEWITT
AN ACT

To enact Chapter 22 of Subtitle II of Title 30 of the Louisiana Revised Statutes of 1950, consisting of R.S. 30:2561 through 2566, relative to environmental regulation; to provide for the Louisiana Environmental Regulatory Innovations Programs; to provide for regulatory flexibility; to provide for the Excellence and Leadership Program; to provide for criteria and requirements; to provide for regulations; to provide for demonstration projects; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
LOUIS LAMBERT
Chairman

REPORT OF COMMITTEE ON

AGRICULTURE

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

May 13, 1997

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 101—
BY SENATOR CAIN

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 with amendments.

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.

Reported with amendments.

Respectfully submitted,
JAMES DAVID CAIN
Chairman

REPORT OF COMMITTEE ON

RETIREMENT

Senator Heitmeier, Chairman on behalf of the Committee on

Retirement, submitted the following report:

May 12, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 488—
BY SENATOR HEITMEIER
AN ACT

To amend and reenact R.S. 11:2178(J), relative to the Sheriffs' Pension and Relief Fund; to provide that survivors may apply for reciprocal recognition of service credit of deceased members; to provide for an effective date; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 1491—
BY SENATOR LANDRY
AN ACT

To enact R.S. 11:1523(H), relative to the Clerks' of Court Retirement and Relief Fund; to provide with respect to survivor benefits; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1501—
BY SENATOR ROMERO
AN ACT

To amend and reenact R.S. 11:1632(A)(2), relative to the District Attorneys Retirement System; to authorize eligibility for certain retirement benefits at age sixty or older with ten years of creditable service; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1400—
BY REPRESENTATIVE BRUNEAU
AN ACT

To amend and reenact R.S. 11:2228, relative to the Municipal Police Employees' Retirement System; to provide relative to exemption from execution; to provide with respect to certain exemptions from levy and sale, garnishment, or attachment applicable to a return of contributions; to provide with respect to the assignment of benefits; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
FRANCIS C. HEITMEIER
Chairman

REPORT OF COMMITTEE ON

JUDICIARY B

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

May 13, 1997

To the President and Members of the Senate:

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

May 13, 1997

SENATE CONCURRENT RESOLUTION NO. 3—

BY SENATOR BARHAM

A CONCURRENT RESOLUTION

To urge and request the Department of Revenue and Taxation, Department of Health and Hospitals, Department of Social Services, the Louisiana Lottery Corporation, and the Louisiana Gaming Commission to jointly study the possibility of creating a mechanism which could determine if an individual owes money to the state or has received public assistance benefits and provide for a deduction from moneys received from lottery, river boat, or casino gaming proceeds.

Reported with amendments.

SENATE BILL NO. 959—

BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS

AN ACT

To amend and reenact R.S. 15:587(A)(2) and R.S. 46:282(A); to authorize the Department of Social Services, office of community services to access all criminal history record information maintained by the Louisiana Bureau of Criminal Identification and Information on foster and adoptive parent applicants and adult members of foster and adoptive parent households and to obtain and utilize FBI criminal history records for screening those individuals; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1252—

BY SENATOR BAGNERIS

AN ACT

To enact Chapter 18 of Title VIII of the Louisiana Children's Code, to be comprised of Arts. 917 through 922, relative to the motion, procedure, and grounds for expungement of court or agency records concerning juvenile activity; to provide an age limit for eligibility for expungement; to provide a framework of time requirements for eligibility; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1256—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 27:270(A)(3), to enact R.S. 39:91(B)(3), and to repeal R.S. 27:270(B), relative to casino gaming proceeds; to dedicate net gaming revenue to the Revenue Stabilization/Mineral Trust Fund; to eliminate the Casino Gaming Proceeds Fund; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1343—

BY SENATOR BAGNERIS

AN ACT

To amend and reenact R.S. 9:334(A), relative to child custody dispute mediation; to establish qualifications of child custody dispute mediators who supervise co-mediation training; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1488—

BY SENATOR CAIN AND REPRESENTATIVES BARTON AND HILL

AN ACT

To enact Part XIII-A of Title 15 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 15:1137 through 1139, relative to sentencing of certain inmates; to provide for purposes; to provide for a community-based drug punishment center; to provide for duties of the Department of Public Safety and Corrections; to provide for a pilot program; to provide for sentencing to such center; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1489—

BY SENATOR JONES

AN ACT

To amend and reenact R.S. 27:15(B)(2), relative to the Louisiana Gaming Control Board, to provide for compulsory meetings; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1490—

BY SENATOR JONES

AN ACT

To amend and reenact R.S. 27:306(A)(5), relative to the Video Draw Poker Devices Control Law; to provide with respect to the licensure of qualified truck stop facilities; to provide for the leasing of aspects of the business within qualified truck stop facilities; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DONALD R. CRAVINS
Chairman

REPORT OF COMMITTEE ON

FINANCE

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

May 12, 1997

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 104—

BY SENATORS HAINKEL AND EWING

A CONCURRENT RESOLUTION

To clarify the Louisiana Legislature's intent that Act 761 of the 1985 Regular Session, which added R.S. 47:1580(B)(2) and (3), and Act 245 of the 1991 Regular Session, which added R.S. 47:1623(E)(1) and (2), were enacted to suspend the prescription of income tax solely for the purpose of incorporating federal changes that result from audits by the Internal Revenue Service.

Reported favorably.

SENATE BILL NO. 59—

BY SENATOR GUIDRY

AN ACT

To enact R.S. 32:295.3, relative to school buses; to implement a school bus safety belt pilot program in East Baton Rouge Parish; to provide for the promulgation of rules and regulations; to provide that the owner or operator of a school bus shall not be liable for injuries sustained by an individual not wearing a safety belt or child restraint system; to require a report on the pilot program; to require funding of program by the Board of Elementary and Secondary Education to the extent that funds are appropriated; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 234—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 32:3 and to enact R.S. 32:2(D), Part VI-A of Chapter 1 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 32:390.1 through 390.4, and R.S. 36:409(O), 45:163(E), and 47:802.4, relative to motor carriers; to provide relative to issuance of permits and licenses; to create the Louisiana Truck Center; to place such center within the Department of Public Safety and Corrections; to determine required services of such center; to authorize participation of certain state agencies; to establish a coordinating authority; to determine responsibilities of such authority; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 427—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:2260(A)(7), relative to the Firefighters' Retirement System; to provide for computation of cost-of-living adjustments; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 868—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:2178(K), relative to the Sheriffs' Pension and Relief Fund; to provide with respect to cost-of-living adjustments; to provide for the payment of cost-of-living adjustments on the current benefit being received; to establish maximum and minimum allowable cost-of-living adjustments; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 881—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 17:3977(B)(3), and to enact R.S. 17:3977(E), relative to the charter schools demonstration program; to require compliance by charter schools with the public bid law; to provide that charter schools be subject to certain audits; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1171—
BY SENATORS HAINKEL, DARDENNE, AND EWING

AN ACT

To amend and reenact R.S. 39:1593, relative to state procurement contracts; to provide for facsimile solicitations for procurement in certain state contracts; to provide for certain documentation; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1305—
BY SENATOR COX

AN ACT

To amend and reenact R.S. 47:101(A)(1), relative to returns and payment of tax; to require all individuals required to file a federal tax return, to file a state tax return; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1364—
BY SENATOR BAJOE

AN ACT

To enact R.S. 46:460.4, relative to welfare reform; to continue the state's commitment to provide educational opportunities to promote the self-sufficiency of welfare recipients; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 598—
BY REPRESENTATIVE BARTON

AN ACT

To amend and reenact R.S. 17:2007(A) and (D), 2050, and 3217 and to enact Part III-B of Chapter 5 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1825, relative to public higher education; to recognize Bossier Parish Community College as a two-year institution of higher education; to transfer Bossier Parish Community College from the Bossier Parish School Board to the Board of Trustees for State Colleges and Universities; to provide for the supervision and management of the community college by the Board of Trustees for State Colleges and Universities; to provide with regard to the students, faculty, employees, funds, obligations, programs, and functions of Bossier Parish Community College; to provide with regard to the lands, buildings and improvements, facilities, and other property of Bossier Parish Community College; to provide relative to the composition of the University of Louisiana system; to provide for effectiveness; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JOHN HAINKEL
Chairman

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

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

SENATE BILL NO. 53—
BY SENATORS SMITH AND CAIN

AN ACT

To enact R.S. 32:387.8, relative to motor vehicles; to provide for issuance of special permits for vehicles transporting logging equipment from weight restrictions under certain conditions; to provide for weight limits under the special permit; and to provide for related matters.

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

SENATE BILL NO. 851—
BY SENATOR SHORT

AN ACT

To amend and reenact R.S. 47:463.38(A), relative to license plates; to provide relative to World War II veteran prestige plates; to authorize issuance of such plates for recreational vehicles; and to provide for related matters.

Reported by substitute by the Committee on Transportation, Highways, and Public Works. The bill was read by title; the committee substitute bill was read.

SENATE BILL NO. (SUBSTITUTE FOR SENATE BILL NO. 851 BY SENATOR SHORT)

May 13, 1997

BY SENATOR SHORT

MOTOR VEHICLES. Authorizes the issuance of certain prestige license plates for recreational vehicles.

AN ACT

To amend and reenact R.S. 47:463.20(A), 463.25(A), 463.27(A), 463.29(A), 463.32(A), 463.34(A), 463.36(A), 463.37(A), 463.38(A), 463.41(A), 463.42(A), and 463.45(A), relative to motor vehicles; to authorize the issuance of certain prestige plates for recreational vehicles; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 47:463.20(A), 463.25(A), 463.27(A), 463.29(A), 463.32(A), 463.34(A), 463.36(A), 463.37(A), 463.38(A), 463.41(A), 463.42(A), and 463.45(A) are hereby amended and reenacted to read as follows:

§463.20. Special prestige license plates for survivors of Pearl Harbor

A. The secretary of the Department of Public Safety and Corrections shall establish special prestige license plates for motor vehicles, restricted to passenger cars, pickup trucks, recreational vehicles, and vans, which may be issued upon application to any person who is a survivor of Pearl Harbor. The license plates shall be designed to indicate that the recipient of the plate is a survivor of the Japanese attack on Pearl Harbor if he or she:

(1) Was a member of the United States Armed Forces on December 7, 1941;

(2) Was on station on December 7, 1941, during the hours of 7:55 a.m. to 9:45 a.m. Hawaii time at Pearl Harbor, the island of Oahu, or offshore at a distance not to exceed three miles;

(3) Received an honorable discharge from the United States Armed Forces; and

(4) Holds a current membership in a Louisiana Chapter of the Pearl Harbor Survivors' Association.

* * *

§463.25. Special prestige license plates for veterans of the Vietnamese Conflict

A. The secretary of the Department of Public Safety and Corrections shall establish special prestige license plates for motor vehicles, restricted to passenger cars, pickup trucks, recreational vehicles, and vans, which may be issued, upon application, to any veteran or retired veteran of the armed forces of the United States who served in the Vietnamese Conflict. The prestige license plate shall be of a color and design which is in general compliance with R.S. 47:463(A)(3). However, the plate shall bear the name of the appropriate branch of the armed service and shall designate "VIETNAM VETERAN" or "RETIRED VIETNAM VETERAN" as the case may be.

* * *

§463.27. Special prestige license plates for veterans of the Korean War

A. The secretary of the Department of Public Safety and Corrections shall establish special prestige license plates for motor vehicles, restricted to passenger cars, pickup trucks, recreational vehicles, and vans, which may be issued, upon application, to any veteran or retired veteran of the armed forces of the United States who served in the Korean War. The prestige license plate shall be of a color and design which is in general compliance with R.S. 47:463(A)(3). However, the plate shall bear the name of the appropriate branch of the armed service and the words "KOREAN WAR".

* * *

§463.29. Special prestige license plates for veterans of the United States Merchant Marine

A. The secretary of the Department of Public Safety and Corrections shall establish special prestige license plates for motor vehicles, restricted to passenger cars, pickup trucks, recreational vehicles, and vans, which may be issued, upon application, to any veteran of the United States Merchant Marine. The prestige license plate shall be of a color and design selected by the secretary and shall bear the words "US Veteran" and the letters "USMM".

* * *

§463.32. Special prestige license plates for members of Knights of Columbus

A. The secretary of the Department of Public Safety and Corrections shall establish special prestige license plates for passenger cars, pickup trucks, recreational vehicles, and vans, which plates may be issued, upon application, to members of the Knights of Columbus.

* * *

§463.34. Special prestige license plates for participants in Operation Desert Shield/Desert Storm

A. The secretary of the Department of Public Safety and Corrections shall establish prestige license plates for motor vehicles, restricted to passenger cars, pickup trucks, recreational vehicles, and vans, which may be issued upon application of any citizen of Louisiana who was a member of the U.S. Armed Forces or of the Coast Guard who served in Operation Desert Shield/Desert Storm as certified by the office of veterans' affairs.

* * *

§463.36. Special prestige license plates; clergy

A. The secretary of the Department of Public Safety and Corrections shall establish prestige license plates for motor vehicles, restricted to passenger cars, pickup trucks, recreational vehicles, and vans, which may be issued upon application of any member of the clergy.

* * *

§463.37. Special prestige license plates; retired legislators

A. The secretary of the Department of Public Safety and Corrections shall establish prestige license plates for motor vehicles, restricted to passenger cars, pickup trucks, recreational vehicles, and vans, which may be issued upon application of any retired member of the legislature.

* * *

§463.38. Special prestige license plates; World War II veterans

A. The secretary of the Department of Public Safety and Corrections shall establish prestige license plates for motor vehicles, restricted to passenger cars, pickup trucks, recreational vehicles, and vans, which may be issued upon application of any citizen of Louisiana who was a member of the U.S. Armed Forces or of the Coast Guard who served in World War II.

* * *

§463.41. Special prestige license plate for members of Knights of Peter Claver and the Knights of Peter Claver, Ladies Auxiliary

A. The secretary of the Department of Public Safety and Corrections shall establish a special prestige license plate for passenger cars, pickup trucks, recreational vehicles, and vans, which plate may be issued, upon application, to members of the Knights of Peter Claver and the Knights of Peter Claver, Ladies Auxiliary.

* * *

§463.42. Special prestige license plates for certain veterans of the United States Marine Corps

A. The secretary of the Department of Public Safety and Corrections shall establish special prestige license plates for motor vehicles, restricted to passenger cars, pickup trucks, recreational vehicles, and vans, which may be issued, upon application, to any veteran of the United States Marine Corps who is a member of the Marine Corps League. The prestige license plate shall be of a color and design selected by the secretary.

* * *

§463.45. Special prestige license plates; Louisiana black bear

A. The secretary of the Department of Public Safety and Corrections shall establish prestige license plates for motor vehicles, restricted to passenger cars, pickup trucks, and vans, recreational vehicles, which plates shall bear a logo with a picture of a Louisiana black bear.

* * *

On motion of Senator Landry, the committee substitute bill was adopted and becomes Senate Bill No. 1555 by Senator Short, substitute for Senate Bill No. 851 by Senator Short.

SENATE BILL NO. 1555 (Substitute for Senate Bill No. 851 by Senator Short)—

BY SENATOR SHORT

AN ACT

To amend and reenact R.S. 47:463.20(A), 463.25(A), 463.27(A), 463.29(A), 463.32(A), 463.34(A), 463.36(A), 463.37(A), 463.38(A), 463.41(A), 463.42(A), and 463.45(A), relative to motor vehicles; to authorize the issuance of certain prestige plates for recreational vehicles; and to provide for related matters.

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

SENATE BILL NO. 1354—

BY SENATOR BARHAM

AN ACT

To amend and reenact R. S. 47:1707, relative to exemptions from ad valorem taxes; to clarify the definition of "agricultural products" and "agricultural products while owned by the producer" as intended by and for purposes of Article VII, Section 21 of the Constitution of Louisiana; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 1354 by Senator Barham

AMENDMENT NO. 1

On page 1, delete lines 2 and 3, and insert the following:

"To enact R.S. 47:1707.1; to clarify the definition of"

AMENDMENT NO. 2

On page 1, delete lines 8 and 9, and insert the following:

"Section 1. R.S. 47:1707.1 is hereby enacted to read as follows:"

AMENDMENT NO. 3

On page 1, delete lines 10 through 15, delete page 2, and on page 3 delete lines 1 through 9 and insert the following:

"§1707.1 Agricultural by products

For the purpose of Section 21(C)(11) of Article VII of the Constitution of Louisiana, the phrase "agricultural products while owned by the producer" shall include standing timber and the right to cut and use standing timber, whether held by the owner of the land or any other person."

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

SENATE BILL NO. 1371—

BY SENATOR JOHNSON

AN ACT

To enact R.S. 47:322.1, relative to the state sales tax on hotel occupancy in parishes with a population of over four hundred seventy-five thousand; to establish a special fund in the state treasury; to provide for deposit of monies into the fund and allowable uses of monies in the fund; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 1371 by Senator Johnson

AMENDMENT NO. 1

On page 1, line 14, after "R.S. 47:301(14)(a) in", insert:

"the area within the geographic boundaries westbound to the Industrial Canal, eastbound to the Orleans/St. Tammany Parish line, southbound to Almonaster Avenue, and northbound one mile into Lake Ponchartrain, in"

AMENDMENT NO. 2

On page 2, delete line 7, and insert: " "New Orleans East Visitor's Center, Inc. Fund". "

AMENDMENT NO. 3

On page 2, line 11, at the beginning of the line, delete, "Orleans Business and Industrial District" and insert: "Orleans East Visitor's Center, Inc."

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

SENATE BILL NO. 1514—

BY SENATORS BAJOIE, HAINKEL, BAGNERIS, JORDAN AND SHORT

AN ACT

To amend and reenact Sections 4(C) and 20 of Act No. 305 of the 1978 Regular Session of the Legislature, as amended by Act No. 657 of the 1979 Regular Session of the Legislature, Act No. 99 of the 1980 Regular Session of the Legislature, Act No. 9 of the 1980 Second Extraordinary Session of the Legislature, Act No. 287 of the 1982 Regular Session of the Legislature, Act No. 572 of the 1984 Regular Session of the Legislature, Act No. 390 of the 1987 Regular Session of the Legislature, Act No. 43 of the 1992 Regular Session of the Legislature, Act No. 1013 of the 1993 Regular Session of the Legislature, and Acts 13 and 42 of the 1994 Regular Session of the Legislature, and to amend and reenact Section 1 of Act 45 of the 1995 Regular Session of the Legislature and Section 1 of Act 1096 of the 1996 Regular Session of the Legislature concerning a provision for a certain capital outlay project, and to enact Section 4(P) of Act No. 305 of the 1978 Regular Session of the Legislature, all relative to the Ernest N. Morial Convention Center-New Orleans; to provide to the New Orleans Exhibition Hall Authority authorizations for the acquisition of property; to provide for values for property acquired or disposed of; to provide for expansion projects and the sites thereof; and to provide for related matters.

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

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:

HOUSE BILL NO. 399—

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 47:631 and to repeal R.S. 47:633(17), to repeal the severance tax on gravel; 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. 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.

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. 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.

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. 1532—
BY REPRESENTATIVE BRUCE
AN ACT

To amend and reenact R.S. 47:2180(A), relative to collection of ad valorem taxes; to provide for notice of delinquency; to provide that a taxpayer may designate an additional person to be notified of delinquent taxes; 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.

Rules Suspended

Senator Schedler asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 261 from the Committee on Commerce and Consumer Protection.

SENATE BILL NO. 261—
BY SENATOR SCHEDLER
AN ACT

To amend and reenact R.S. 12:1301(A)(2), (10), and (16), 1303, and 1304(A), to enact R.S. 12:1335.1, and to repeal R.S. 12:1334(3), relative to limited liability companies; to clarify that professionals may operate through limited liability companies; to provide with respect to single member limited liability companies; to clarify the respective rights and privileges of a limited liability company; to provide with respect to the authority of a limited liability company to have perpetual existence; to provide with respect to dissolution of limited liability companies; to provide for retroactivity; and to provide for related matters.

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

Rules Suspended

Senator Schedler asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 327 from the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 327—
BY SENATOR SCHEDLER
A JOINT RESOLUTION

Proposing to amend Article XI, Section 5 of the Constitution of Louisiana; to require each office of registrar of voters be an elected position rather than an appointed position; to provide for the terms of office; to provide for the registrar of voters' election; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

Rules Suspended

Senator Schedler asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 328 from the Committee on Senate and Governmental Affairs.

SENATE BILL NO. 328—
BY SENATOR SCHEDLER
A JOINT RESOLUTION

Proposing to amend Article XI, Section 5 of the Constitution of Louisiana, to authorize the governing authority for St. Tammany Parish to submit to the parish voters a proposition to make the registrar of voters an elected office if the office becomes vacant; to provide for the terms of office; and to specify an election date for submission of the proposition to electors and provide a ballot proposition.

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

Rules Suspended

Senator Schedler asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 1254 from the Committee on Health and Welfare.

SENATE BILL NO. 1254—
BY SENATOR SCHEDLER
AN ACT

To amend and reenact R.S. 12:242 (C); and to enact R.S. 12:242(D) and 243.1, relative to nonprofit corporations; to provide the method for the sale, transfer, lease, exchange, option, conveyance, or otherwise disposal of the assets of a nonprofit corporation which is or which operates as a health care provider to a for-profit corporation or entity or to a mutual benefit corporation or entity; to provide the method for the transfer of control, responsibility, or governance of a "material amount" of the assets or of the operations of a nonprofit corporation which is or which operates as a health care provider to a for-profit corporation or entity or to a mutual benefit corporation or entity; to require notice to the attorney general as a condition of a sale, transfer, lease, exchange, option, conveyance or other disposal of assets or control; to provide for the powers, duties, and functions of the attorney general in granting consent, conditional consent or no consent to such agreement or transaction; to provide with respect to time limitations for action by the attorney general; to provide for public meetings; to provide for reimbursement to the attorney general for any actual, reasonable, and direct costs incurred in reviewing, evaluating, and making determinations related to authorized transfers, agreements, or transactions; and to provide for related matters.

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

Motion

Senator Schedler moved to suspend the rules to advance to the order of Senate Bills on Third Reading and Final Passage, Subject to Call to take up Senate Bill No. 373 out of its regular order.

Without objection, so ordered.

SENATE BILL NO. 373—
BY SENATORS SCHEDLER AND FIELDS
AN ACT

To enact R.S. 14:91.9, relative to the sales of tobacco products from vending machines; to provide for definitions; to provide for penalties; and to provide for related matters.

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

Motion to Recommit

Senator Heitmeier asked for and obtained a suspension of the rules and asked that Senate Bill No. 1539 be recommitted from the Committee on Transportation, Highways, and Public Works to the Committee on Commerce and Consumer Protection.

Without objection, so ordered.

**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. 333—
BY SENATOR JOHNSON
A JOINT RESOLUTION

Proposing to amend Article X, Section 10(A)(1)(a) of the Constitution of Louisiana, relative to state and city civil service rules; investigations, wages and hours; to authorize supplemental pay to certain police officers from self-generated funds; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE BILL NO. 790—
BY SENATOR CAMPBELL
AN ACT

To enact Part XVI of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:369, and Chapter 9-C of Subtitle II of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:1357, relative to public property; to provide for the ownership of certain property purchased with certain funds; and to provide for related matters.

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

SENATE BILL NO. 940—
BY SENATOR CAIN
AN ACT

To amend and reenact R.S. 14:93.2, relative to offenses affecting general morality; to provide with respect to tattooing and body piercing of minors; and to provide for related matters.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Engrossed Senate Bill No. 940 by Senator Cain

AMENDMENT NO. 1

On page 1, line 11, between "parents" and "of" insert "**or tutor**"

On motion of Senator Cain, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Barham	Fields	Lentini
Bean	Greene	Malone
Branch	Guidry	Robichaux
Cain	Hainkel	Romero
Campbell	Heitmeier	Schedler
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	Lambert
Total—3		

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

SENATE BILL NO. 942—
BY SENATORS BARHAM, HAINKEL, DARDENNE AND EWING
AN ACT

To amend and reenact R.S. 39:101(A)(1) and (3),(B)(1) and (C), 112(A)(3)(a), and 122, to enact R.S. 39:101(D)(3), and to repeal R.S. 39:112(B), relative to capital outlay; to provide with respect to the capital outlay budget development; to provide relative to the submission of capital outlay requests; to provide for certain exemptions; to provide relative to the commencement of work; to delete the requirement for the resolution implementing the remaining four-year plan; to provide for an effective date; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 942 by Senator Barham

AMENDMENT NO. 1

On page 5, line 4, following "which" and before "retain" change "helps" to "help"

On motion of Senator Bagneris, the amendments were adopted.

May 13, 1997

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Engrossed Senate Bill No. 942 by Senator Barham

AMENDMENT NO. 1

On page 5, line 3, after "improvements" insert "on publicly or government owned property"

AMENDMENT NO. 2

On page 5, line 5, after "improvements" insert "on publicly or government owned property"

On motion of Senator Barham, the amendments were adopted.

Floor Amendments Sent Up

Senator Bean sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Bean and Cain to Engrossed Senate Bill No. 942 by Senator Barham

AMENDMENT NO. 1

On page 6, between lines 3 and 4, insert the following:

"C. This Part shall not require matching state funds for any project provided for in this Section."

AMENDMENT NO. 2

Delete Senate Floor Amendments proposed by Senator Barham and adopted by the Senate on May 13, 1997.

Motion

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

Without objection, the division of the question was ordered.

Senator Bean moved the adoption of Amendment No. 1.

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields	Lentini
Barham	Greene	Malone
Bean	Guidry	Siracusa
Cain	Hainkel	Smith
Campbell	Heitmeier	Theunissen
Dardenne	Hollis	Ullo
Dyess	Jones	
Total—20		

NAYS

Branch	Ellington	Robichaux
Casanova	Jordan	Short
Dean	Landry	
Total—8		

ABSENT

Bagneris	Hines	Romero
Bajoie	Irons	Schedler
Cox	Johnson	Tarver
Cravins	Lambert	
Total—11		

The Chair declared Amendment No. 1 was adopted.

Senator Bean moved the adoption of Amendment No. 2.

Senator Barham objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Heitmeier	Schedler
Bean	Hines	Siracusa
Cain	Johnson	Tarver
Dyess	Lentini	
Total—11		

NAYS

Barham	Dean	Landry
Branch	Ellington	Malone
Campbell	Fields	Romero
Casanova	Hainkel	Short
Cox	Hollis	Smith
Cravins	Irons	Theunissen
Dardenne	Jordan	Ullo
Total—21		

ABSENT

Bagneris	Guidry	Robichaux
Bajoie	Jones	
Greene	Lambert	
Total—7		

The Chair declared Amendment No. 2 was rejected.

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 942 by Senator Barham

AMENDMENT NO. 1

On page 5, line 8, after "life" insert ", health"

On motion of Senator Landry, the amendments were adopted.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 942 by Senator Barham

AMENDMENT NO. 1

On page 3, line 17, after "shall" insert "contain and"

AMENDMENT NO. 2

On page 5, line 7, change "(ii)" to "(iii)"

On motion of Senator Landry, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing yeas for Mr. President, Dean, Malone, Bagneris, Dyess, Robichaux, Bajoie, Ellington, Romero, Barham, Fields, Schedler, Bean, Greene, Short, Cain, Guidry, Siracusa, Campbell, Hainkel, Smith, Casanova, Hines, Tarver, Cox, Hollis, Theunissen, Cravins, Johnson, Ullo, Dardenne, Lentini. Total—32.

NAYS

Table listing nays for Branch, Jordan, Heitmeier, Landry. Total—4.

ABSENT

Table listing absentees: Irons, Jones, Lambert. Total—3.

The Chair declared the amended 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.

SENATE BILL NO. 1253— BY SENATOR DARDENNE

AN ACT

To enact R.S. 36:4(R) and Part V-B of Chapter 1 of Subtitle I of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:211 through 216, relative to technology innovations; to establish a technology innovation fund; to create a council; to provide for application and review process; to provide for funding; and to provide for related matters.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 1253 by Senator Dardenne

AMENDMENT NO. 1

On page 6, line 9, delete "offers" and insert "offerers"

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 1253 by Senator Dardenne

AMENDMENT NO. 1

On page 4, line 3, after "the" insert "Joint Legislative Committee on the Budget, the"

On motion of Senator Landry, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 1253 by Senator Dardenne

AMENDMENT NO. 1

On page 7, line 4, change "one hundred" to "fifty"

AMENDMENT NO. 2

On page 7, line 10, change "one hundred" to "fifty"

On motion of Senator Dardenne, 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

Table listing yeas for Mr. President, Dyess, Ellington, Lentini, Bagneris, Bajoie, Fields, Robichaux, Barham, Guidry, Romero, Bean, Hainkel, Schedler, Campbell, Heitmeier, Short, Casanova, Hines, Tarver, Cox, Hollis, Theunissen, Cravins, Johnson, Ullo, Dardenne, Landry. Total—29.

NAYS

Table listing nays for Branch, Irons, Siracusa, Cain, Jordan, Dean, Malone. Total—7.

ABSENT

Table listing absentees: Greene, Jones, Lambert. Total—3.

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

SENATE BILL NO. 1289—

BY SENATORS HAINKEL, DARDENNE AND EWING AN ACT

To enact R.S. 40:600.25, relative to the Louisiana Housing Finance Agency; to provide for certain fees; and to provide for related matters.

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

May 13, 1997

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Branch	Landry
Total—2	

ABSENT

Jones	Lambert	Tarver
Total—3		

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. 1441—
BY SENATOR BARHAM

AN ACT

To amend and reenact R.S. 56:10(B)(7) and to enact R.S. 47:463.46, relative to motor vehicles; to establish the Louisiana Wild Turkey Federation license plate; to provide for a fee; to provide for the use of the revenues from the license plate; to provide relative to the Louisiana Wild Turkey Stamp Fund; and to provide for related matters.

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

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

NAYS

Total—0

ABSENT

Hainkel	Lambert
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Total—2

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.

SENATE BILL NO. 1549 (Substitute for Senate Bill No. 1448 by Senator Hollis)—
BY SENATORS HOLLIS AND SCHEDLER
AN ACT

To enact Subpart B of Part II of Chapter 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2115.11 through 2115.22, and to redesignate R.S. 40:2100 through 2115 as Subpart A of Part II of Chapter 11 of the Louisiana Revised Statutes of 1950, relative to hospitals; to authorize the attorney general to review and approve or disapprove the acquisition of certain hospitals; to provide for criteria for such review and procedures; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1549 by Senator Hollis

AMENDMENT NO. 1

On page 1, lines 2, 5 and 10 and page 10, line 12, following "11" and before "of" insert "of Title 40"

AMENDMENT NO. 2

On page 6, line 6, following "and" and before "2115.18" delete "R.S. 40:"

AMENDMENT NO. 3

On page 6, line 23, following "R.S. 40:2115.18" and before the period "." delete "of this Section"

On motion of Senator Bagneris, the amendments were adopted.

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Engrossed Senate Bill No. 1549 by Senator Hollis

AMENDMENT NO. 1

On page 1, line 2, after "11 of" insert "Title 40 of"

AMENDMENT NO. 2

On page 1, line 5, after "11 of" insert "Title 40 of"

AMENDMENT NO. 3

On page 1, line 10, change "Title" to "Chapter" and after "11 of" insert "Title 40 of"

AMENDMENT NO. 4

On page 2, line 13 after "provided" insert "below." and delete the remainder of the line and all of line 14

AMENDMENT NO. 5

On page 3, delete lines 2 and 3

AMENDMENT NO. 6

On page 5, line 21, delete "standards enumerated" and insert "criteria set forth"

AMENDMENT NO. 7

On page 6, line 6, after "criteria" insert "set forth"

AMENDMENT NO. 8

On page 8, line 7, after "(1)" delete "Whether" and insert "In cases where the seller's or purchaser's traditional mission has not been medical education and teaching or medical research oriented, whether"

AMENDMENT NO. 9

On page 8, line 14, delete "may" and insert "or to provide support or medical education and teaching programs or medical research programs shall"

AMENDMENT NO. 10

On page 9, at the end of line 8, insert: "Any action by the department to revoke the license shall conform to the procedure in R.S. 40:2109 et seq. and the regulations promulgated thereunder."

AMENDMENT NO. 11

On page 9, line 12, delete "attorney general" and insert "department"

AMENDMENT NO. 12

On page 9, between lines 21 and 22, insert the following:
"Any decision to refuse to issue or renew a license under this Subpart, and any action to revoke or suspend a license under this Subpart, shall conform to the procedure for issuance, renewal, revocation and suspension of licensure in R.S. 40:2109 et seq. and the regulations promulgated thereunder."

AMENDMENT NO. 13

On page 10, line 7, after "criteria" delete "provided for" and insert "set forth"

AMENDMENT NO. 14

On page 10, line 12, after "11 of" insert "Title 40 of"

On motion of Senator Hollis, the amendments were adopted.

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

SENATE BILL NO. 1550 (Substitute for Senate Bill No. 1046 by Senator Ellington)—

BY SENATOR ELLINGTON

AN ACT

To amend and reenact R.S. 56:320(A)(1) and to enact R.S. 56:8(131), 302.3(B)(6), 305(B)(15), 320(A)(5) and 322(E)(5) relative to fishing gear, to provide definitions; to authorize the use of certain types of gear; to provide for fees; to provide for limitations; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1550 by Senator Ellington

AMENDMENT NO. 1

On page 1, line 2, following "reenact" and before "and" change "R.S. 56:320(A)(1)" to "R.S. 56:305(B)(15) and 320(A)(1)" and on line 3, following "(305)(B)" change "(15)" to "(16)" and on line 8, following "R.S. 56:" and before "hereby" change "320(A)(1) is" to "305(B)(15) and 320(A)(1) are" and on line 9, following "305(B)" change "(15)" to "(16)"

On motion of Senator Bagneris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Cravins	Lambert
Total—2	

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

SENATE BILL NO. 64—

BY SENATORS LENTINI AND SHORT
AN ACT

To enact R. S. 15:572.3(4) and 15:574.2(C)(11), relative to pardon and parole; to provide for the powers of the Board of Pardons and the Board of Parole; to impose sanctions for contempt; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 64 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 1, following "and" and before "574.2(C)(11)" delete "15:"

AMENDMENT NO. 2

On page 1, line 17, following "and" and before "574.2(C)(11)" delete "R.S. 15:"

AMENDMENT NO. 3

On page 1, line 14, following "(4)" and before "Find" insert "(a)"

AMENDMENT NO. 4

On page 2, line 2, before "A" insert "(b)"

AMENDMENT NO. 5

On page 2, line 5, before "The" insert "(c)"

AMENDMENT NO. 6

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On page 2, line 14, following "of" and before "Part" change "the" to "this"

AMENDMENT NO. 7

On page 2, line 18, following "(11)" and before "To" insert "(a)"

AMENDMENT NO. 8

On page 2, line 22, before "A" insert "(b)"

AMENDMENT NO. 9

On page 2, line 25, before "The" insert "(c)"

On motion of Senator Bagneris, the amendments were adopted.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed Senate Bill No. 64 by Senator Lentini

AMENDMENT NO. 1

On page 2, line 23, before "permanent" insert "suspension or the"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Jones Lambert
Total—2

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

SENATE BILL NO. 111— BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 13:72.1 and to enact R.S. 13:4521(A)(3) and (4), relative to courts and judicial procedure; to provide relative to court costs; to provide relative to certain exceptions; 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 Dyess Landry
Bagneris Ellington Lentini
Bajoie Fields Malone
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
Total—38

NAYS

Total—0

ABSENT

Lambert
Total—1

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

SENATE BILL NO. 184— BY SENATOR DARDENNE

AN ACT

To enact R.S. 4:145(D), R.S. 27:15(B)(3)(c), and R.S. 33:4861.4(D)(3) and 4861.6(D), relative to gaming; to provide relative to a central registry of licensed gaming operators; to provide for the establishment of a central registry of licensed gaming operators; to specify information listed in such central registry; to require submission of certain information pertaining to licensees by certain regulatory entities; to provide relative to the requirements for the conduct of certain charitable raffles; and to provide for related matters.

Floor Amendments Sent Up

Senator Campbell sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Campbell to Engrossed Senate Bill No. 184 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 27:15(B)(3)(c)," insert "R.S. 27:27,"

AMENDMENT NO. 2

On page 3, between lines 4 and 5, insert the following:

"Section 3. R.S. 27:27 is hereby enacted to read as follows:

§27. Gambling on prohibited days

R.S. 27:27 is all proposed new law.

A. Notwithstanding any other law to the contrary, gambling on Christmas day and Easter Sunday shall be prohibited.

B. For purposes of this Section, gambling is the offering, as a business, of any activity involving wagering including pari-mutuel wagering on live horse races, off track wagering, gaming

on a riverboat, gaming in the official gaming establishment, playing a video draw poker device, participating in any charitable gaming activity, and the purchase of a lottery ticket."

AMENDMENT NO. 3

On page 3, line 5, after "Section" change "3" to "4"

Senator Campbell moved adoption of the amendments.

Senator Heitmeier objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dean	Jones
Bajoie	Dyess	Lentini
Bean	Fields	Malone
Branch	Greene	Robichaux
Cain	Guidry	Romero
Campbell	Hainkel	Short
Casanova	Hines	Smith
Cox	Hollis	Tarver
Cravins	Irons	Theunissen
Dardenne	Johnson	Ullo
Total—30		

NAYS

Bagneris	Landry
Heitmeier	Siracusa
Total—4	

ABSENT

Barham	Jordan	Schedler
Ellington	Lambert	
Total—5		

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	Dean	Lentini
Bagneris	Dyess	Malone
Bajoie	Ellington	Robichaux
Barham	Fields	Romero
Bean	Guidry	Schedler
Branch	Hainkel	Short
Cain	Heitmeier	Smith
Campbell	Hines	Tarver
Casanova	Hollis	Theunissen
Cox	Irons	Ullo
Cravins	Johnson	
Dardenne	Jones	
Total—34		

NAYS

Landry	Siracusa
Total—2	

ABSENT

Greene	Jordan	Lambert
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Total—3

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

SENATE BILL NO. 257—
BY SENATORS LENTINI AND SHORT
AN ACT

To amend and reenact R.S. 15:574 (D) and R.S. 46:1844(O), and to enact R.S. 15:573.1, relative to proceedings on punishment for crimes committed; to allow certain persons to appear before the Board of Pardons or the Board of Parole by means of telephone communication from the office of the local district attorney; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 257 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 2, following "15:" and before "(D)" change "574" to "574.4"

On motion of Senator Bagneris, the amendments were adopted.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed Senate Bill No. 257 by Senator Lentini

AMENDMENT NO. 1

On page 1, lines 13 and 14, delete "victims, victim advocacy groups," and insert in lieu thereof "victim or the victim's family, a victim advocacy group,"

AMENDMENT NO. 2

On page 2, line 18, delete "victims, victim advocacy groups," and insert in lieu thereof "victim or the victim's family, a victim advocacy group, and"

AMENDMENT NO. 3

On page 3, line 5, after "family," delete "or"

AMENDMENT NO. 4

On page 3, line 6, after "**group**," insert "**and**"

On motion of Senator Lentini, the amendments were adopted.

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

SENATE BILL NO. 282—
BY SENATOR LENTINI
A JOINT RESOLUTION

Proposing to amend Article I, Section 17 of the Constitution of Louisiana, relative to jury trials in criminal cases; to provide relative to joinder of felonies; and to specify an election date for submission of the proposition to electors and provide a ballot proposition.

May 13, 1997

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bagneris	Schedler
Lambert	Siracusa
Total—4	

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

SENATE BILL NO. 308—

BY SENATOR HAINKEL

AN ACT

To enact R.S. 14:403.5, relative to offenses affecting law enforcement; to provide for mandatory reporting of gunshot wounds; and to provide for related matters.

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

SENATE BILL NO. 311—

BY SENATOR HAINKEL

AN ACT

To amend and reenact the Code of Criminal Procedure Art. 334(7), relative to bail; to provide with respect to factors in determining the amount of bail; and to provide for related matters.

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

SENATE BILL NO. 317—

BY SENATOR HAINKEL

AN ACT

To amend and reenact the Code of Criminal Procedure Art. 321, relative to bail; to provide with respect to the affidavit of a personal surety; to provide for documents of support; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Cain
Total—1

ABSENT

Lambert
Total—1

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.

SENATE BILL NO. 404—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 15:1177 and R.S. 49:964(A), relative to administrative remedy procedures; to provide that offenders aggrieved by a decision rendered either by the Department of Public Safety and Corrections or a private prison facility may seek judicial review of said decision only in the Nineteenth Judicial District Court; to provide for a procedure for review of said decision; to provide for remand of case; to provide for additional evidence; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Lambert	Siracusa	Theunissen
Total—3		

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

SENATE BILL NO. 733— BY SENATOR LENTINI

AN ACT

To enact Code of Criminal Procedure Art. 493.2; relative to joinder rules; to provide for joinder of felonies in criminal trials; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 733 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 8, change "493" to "493.2"

AMENDMENT NO. 2

On page 1, line 13, following "labor" delete ". Provided, however," and insert "; provided"

On motion of Senator Bagneris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Dyess, Landry. Lists names of senators and their counts for YEAS.

NAYS

Total—0

ABSENT

Lambert Total—1

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

SENATE BILL NO. 767— BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 14:42(C), relative to offenses against the person; to provide with respect to aggravated rape; to provide for noncapital indictment by district attorney; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 767 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 15, change "(a) and" to "(a) And if"

AMENDMENT NO. 2

On page 2, line 7, change "(b) and" to "(b) And if"

On motion of Senator Bagneris, the amendments were adopted.

Floor Amendments Sent Up

Senator Lentini sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Lentini to Engrossed Senate Bill No. 767 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 15, delete "indictment and" and insert "verdict"

AMENDMENT NO. 2

On page 2, line 1, delete "a capital indictment is returned"

On motion of Senator Lentini, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Dyess, Landry. Lists names of senators and their counts for YEAS.

NAYS

Total—0

ABSENT

Lambert Total—1

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

May 13, 1997

SENATE BILL NO. 768—
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 14:30.1(A)(2), relative to offenses against the person; to provide with respect to homicide involving juveniles; to provide for second degree murder; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Hines	Lambert
Total—2	

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

SENATE BILL NO. 783—
BY SENATOR BAGNERIS

AN ACT

To amend and reenact Civil Code Art. 230(B) and to enact R.S. 9:315.6(3) and 315.22(D), relative to child support; to authorize continued support for a major child in certain higher education programs; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 783 by Senator Bagneris

AMENDMENT NO. 1

On page 3, line 22, before "child" delete "motioning"

On motion of Senator Bagneris, the amendments were adopted.

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

SENATE BILL NO. 1013—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 40:1299.39(A)(4), (B)(1), 1299.39.1(A)(2)(a), (b), and (c), (B)(1)(b), and (3), (D)(3) and (4), (G), and (J), relative to medical liability for state services; to provide additional criteria for claims heard by a state medical review panel; and to provide for related matters.

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

SENATE BILL NO. 1092—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 15:574.2(A)(3), relative to the Board of Parole; to provide for expenses; and to provide for related matters.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 1092 by Senator Hainkel

AMENDMENT NO. 1

On page 2, line 2, after "travel" delete the remainder of the line and delete line 3 and insert "in accordance with state travel regulations and others"

Senator Landry moved adoption of the amendments.

Senator Hainkel objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bagneris	Casanova	Irons
Bajoie	Dardenne	Johnson
Barham	Dean	Landry
Branch	Dyess	Malone
Cain	Heitmeier	Robichaux
Campbell	Hines	Schedler
Total—18		

NAYS

Bean	Hainkel	Short
Cox	Hollis	Siracusa
Cravins	Jones	Smith
Ellington	Jordan	Tarver
Fields	Lentini	Theunissen
Guidry	Romero	Ullo
Total—18		

ABSENT

Mr. President	Greene	Lambert
Total—3		

The Chair declared the amendments were rejected.

Motion

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

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bagneris	Dyess	Jones
Bajoie	Fields	Jordan
Bean	Guidry	Robichaux
Campbell	Heitmeier	Romero
Cox	Hines	Schedler
Cravins	Hollis	Tarver
Dardenne	Irons	Theunissen
Dean	Johnson	Ullo
Total—24		

NAYS

Barham	Ellington	Short
Branch	Landry	Siracusa
Cain	Lentini	Smith
Casanova	Malone	
Total—11		

ABSENT

Mr. President	Hainkel
Greene	Lambert
Total—4	

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

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	Guidry	Robichaux
Bagneris	Hainkel	Romero
Bajoie	Heitmeier	Schedler
Bean	Hines	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dyess	Jones	Theunissen
Ellington	Jordan	Ullo
Fields	Lentini	
Greene	Malone	
Total—31		

NAYS

Barham	Cain	Dean
Branch	Dardenne	Landry
Total—6		

ABSENT

Campbell	Lambert
Total—2	

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. 1155—
BY SENATORS BAGNERIS AND SCHEDLER
AN ACT

To amend and reenact Civil Code Arts. 394 and 405, Code of Civil Procedure Art. 4549, and to repeal Civil Code Arts. 400 and 401, relative to interdiction and curatorship; to provide for notice and hearing in a suit for the appointment of a provisional curator; to provide criteria for appointment of a provisional curator; to provide for the powers and duration of a provisional curator; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1155 by Senator Bagneris

AMENDMENT NO. 1

On page 3, line 6, following "this" and before "at least" change "article" to "Article"

AMENDMENT NO. 2

On page 3, line 23, following "Code" change "Art." to "Article"

On motion of Senator Bagneris, the amendments were adopted.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed Senate Bill No. 1155 by Senator Bagneris

AMENDMENT NO. 1

On page 3, line 20, after "right to counsel." insert the following:

"The ex parte order shall expire ten days after entry or sooner as the court prescribes."

AMENDMENT NO. 2

On page 3, line 24, after "Code Article 389.1." insert the following:

"An order appointing a provisional curator shall not operate to deprive the proposed interdict of any civil right, the right to contract, or any right pertaining to any license, privilege, or benefit unless specifically set forth in the order."

AMENDMENT NO. 3

On page 3, line 24, after "may be" insert "admitted or" and after "mental health" insert "treatment"

On motion of Senator Schedler, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Landry
Bagneris	Ellington	Lentini
Bajoie	Fields	Malone

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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	
Total—38		

NAYS

Total—0

ABSENT

Lambert
Total—1

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

SENATE BILL NO. 1178—
BY SENATORS BAGNERIS AND SCHEDLER
AN ACT

To amend and reenact Children's Code Articles 1186(A), 1187, and 1273, and to enact Articles 1276 and 1277, all relative to adoption; to authorize inspection of adoption records of adoption agencies, the Department of Social Services, and the courts by certain entities in conjunction with post-adoption work; to expand use of the voluntary registry to biological siblings who have attained the age of eighteen; to authorize the department or a licensed adoption agency to search for biological parent or sibling after the adopted person who has registered with the voluntary registry requests such a search; to provide for establishment of fees; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1178 by Senator Bagneris

AMENDMENT NO. 1

On page 1, lines 2 and 3, following "1187," change "and 1273, and to enact Articles 1276 and 1277," to "1273, 1276, 1277, and 1278 and to enact "Articles 1279 and 1280,"

AMENDMENT NO. 2

On page 1, lines 13 and 14, following "1187," change "and 1273 are hereby amended and reenacted, and Children's Code Articles 1276 and 1277" to 1273, 1276, and 1277 are hereby amended and reenacted and Articles 1279 and 1280"

On motion of Senator Bagneris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lentini
Bagneris	Ellington	Malone

Bajoie	Fields	Robichaux
Barham	Greene	Romero
Bean	Guidry	Schedler
Branch	Hainkel	Short
Cain	Heitmeier	Siracusa
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Cravins	Johnson	Ullo
Dardenne	Jones	
Dean	Landry	
Total—37		

NAYS

Jordan
Total—1

ABSENT

Lambert
Total—1

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

SENATE BILL NO. 1179—
BY SENATOR BAGNERIS
AN ACT

To amend and reenact Louisiana Code of Civil Procedure Art. 5183, relative to the determination of poverty and lack of means for court costs; to provide a uniform standard; and to provide for related matters.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1179 by Senator Bagneris

AMENDMENT NO. 1

On page 1, line 2, following "5183" and before ", relative" insert "(A)(1) and (B)" and on line 6, after "5183" delete the remainder of the line and insert "(A)(1) and (B) are hereby"

On motion of Senator Bagneris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—38

NAYS

Total—0

ABSENT

Lambert
Total—1

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

SENATE BILL NO. 1293—
BY SENATOR DARZENNE

AN ACT

To amend and reenact R.S. 40:1299.39(E)(1), 1299.39.1(A)(1), (2)(c), (B)(3), and (G), 1299.47(A)(2)(c), (B)(3), and (G), relative to actions for medical malpractice; relative to claims of prisoners; to provide for application of certain provisions of the governmental claim act; to provide for claims of prisoners; to provide for dismissal of claims; to provide for duties of panel members; to provide relative to the suspension of the running of prescription; and to provide for related matters.

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

Rules Suspended

Senator Hollis 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 Hollis asked that Senate Bill No. 1549 be called from the Calendar at this time for its final passage.

**SENATE BILL NO. 1549 (SUBSTITUTE FOR SENATE
BILL NO. 1448 BY SENATOR
HOLLIS)—**
BY SENATORS HOLLIS AND SCHEDLER
AN ACT

To enact Subpart B of Part II of Chapter 11 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:2115.11 through 2115.22, and to redesignate R.S. 40:2100 through 2115 as Subpart A of Part II of Chapter 11 of the Louisiana Revised Statutes of 1950, relative to hospitals; to authorize the attorney general to review and approve or disapprove the acquisition of certain hospitals; to provide for criteria for such review and procedures; and to provide for related matters.

Floor Amendments Sent Up

Senator Hollis sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hollis to Engrossed Senate Bill No. 1549 by Senator Hollis

AMENDMENT NO. 1

Delete Senate Floor Amendment No. 8 proposed by Senator Hollis and adopted by the Senate on May 13, 1997.

On motion of Senator Hollis, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Landry
Bajoie	Ellington	Lentini
Barham	Fields	Robichaux
Bean	Guidry	Schedler
Campbell	Heitmeier	Short
Casanova	Hines	Siracusa
Cox	Hollis	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Ullo
Dean	Jordan	
Total—29		

NAYS

Branch	Hainkel	Romero
Cain	Malone	Smith
Total—6		

ABSENT

Bagneris	Irons
Greene	Lambert
Total—4	

The Chair declared the amended 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.

Called from the Calendar

Senator Johnson asked that Senate Bill No. 333 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 333—
BY SENATOR JOHNSON

A JOINT RESOLUTION

Proposing to amend Article X, Section 10(A)(1)(a) of the Constitution of Louisiana, relative to state and city civil service rules; investigations, wages and hours; to authorize supplemental pay to certain police officers from self-generated funds; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Floor Amendments Sent Up

Senator Johnson sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Johnson to Engrossed Senate Bill No. 333 by Senator Johnson

AMENDMENT NO. 1

On page 2, line 21, after "areas" add "no state general funds shall be used to pay such benefits, directly or indirectly"

On motion of Senator Johnson, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bagneris, Bajoie, Barham, Bean, Branch, Cain, Cox, Total—23; Cravins, Fields, Guidry, Heitmeier, Hines, Hollis, Johnson, Jones; Landry, Lentini, Robichaux, Smith, Tarver, Theunissen, Ullo.

NAYS

Table with 3 columns of names: Casanova, Dardenne, Dean, Dyess, Total—12; Ellington, Hainkel, Jordan, Malone; Romero, Schedler, Short, Siracusa.

ABSENT

Table with 2 columns of names: Campbell, Greene, Total—4; Irons, Lambert.

The Chair declared the amended bill failed to pass.

Notice of Reconsideration

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

Called from the Calendar

Senator Lentini asked that Senate Bill No. 257 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 257— BY SENATORS LENTINI AND SHORT AN ACT

To amend and reenact R.S. 15:574 (D) and R.S. 46:1844(O), and to enact R.S. 15:573.1, relative to proceedings on punishment for crimes committed; to allow certain persons to appear before the Board of Pardons or the Board of Parole by means of telephone communication from the office of the local district attorney; and to provide for related matters.

Floor Amendments Sent Up

Senator Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Engrossed Senate Bill No. 257 by Senator Lentini

AMENDMENT NO. 1

In Senate Floor Amendment No. 1 proposed by Senator Lentini and adopted by the Senate on May 13, 1997, on line 3, delete "a victim advocacy group,"

AMENDMENT NO. 2

In Senate Floor Amendment No. 2 proposed by Senator Lentini and adopted by the Senate on May 13, 1997, on line 6, delete "a victim advocacy group,"

AMENDMENT NO. 3

Delete Senate Floor Amendment No. 4 proposed by Senator Lentini and adopted by the Senate on May 13, 1997.

AMENDMENT NO. 4

On page 3, line 5, after "family," delete the remainder of the line and on line 6, delete "victim advocacy group,"

Senator Jones moved adoption of the amendments.

Senator Landry objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bagneris, Bajoie, Barham, Cain, Casanova, Total—17; Cox, Cravins, Dyess, Fields, Guidry, Heitmeier; Irons, Johnson, Jones, Malone, Tarver.

NAYS

Table with 3 columns of names: Bean, Branch, Dardenne, Dean, Hainkel, Hines, Total—17; Hollis, Jordan, Landry, Lentini, Romero, Schedler; Short, Siracusa, Smith, Theunissen, Ullo.

ABSENT

Table with 3 columns of names: Campbell, Ellington, Total—5; Greene, Lambert; Robichaux.

The Chair declared the amendments were rejected.

Personal Privilege

Senator Cox asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on the amendment by Senator Jones to Senate Bill No. 257. He voted yea on the amendment and had intended to vote nay. He asked that the Official Journal so state.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Barham, Bean, Branch, Cain, Campbell; Dean, Dyess, Ellington, Greene, Guidry, Hainkel, Heitmeier; Landry, Lentini, Malone, Robichaux, Romero, Schedler, Short.

Casanova
Cox
Cravins
Dardenne
Total—33

Hines
Hollis
Johnson
Jordan

Siracusa
Smith
Theunissen
Ullo

NAYS

Bagneris
Total—3

Irons
ABSENT

Jones

Fields
Total—3

Lambert
Tarver

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

Motion

Senator Robichaux moved to suspend the rules to advance to the order of House Bills on Third Reading and Final Passage, to take up House Bill No. 1665 out of its regular order.

Without objection, so ordered.

House Bills and Joint Resolutions on Third Reading and Final Passage

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

HOUSE BILL NO. 1665—
BY REPRESENTATIVE DUPRE
AN ACT

To amend and reenact R.S. 40:1501(E)(4), relative to certain fire protection districts in Terrebonne Parish; to authorize the governing authority of each such district to levy and collect, subject to voter approval, an additional tax for maintenance and operation of the fire protection district; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Bagneris
Bajoie
Barham
Bean
Branch
Cain
Campbell
Casanova
Cox
Cravins
Dardenne
Dean
Total—37

Dyess
Ellington
Fields
Greene
Guidry
Hainkel
Heitmeier
Hines
Hollis
Irons
Johnson
Jones
Jordan

Landry
Lentini
Malone
Robichaux
Romero
Schedler
Short
Siracusa
Smith
Theunissen
Ullo

NAYS

Total—0

ABSENT

Lambert
Total—2

Tarver

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

Rules Suspended

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

Introduction of Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 110—
BY SENATORS JORDAN, HAINKEL, GREENE, DARDENNE, CASANOVA, CRAVINS, SHORT, JONES, BRANCH, MALONE, EWING, BARHAM AND ROBICHAUX

A CONCURRENT RESOLUTION

To direct the Board of Regents to conduct a study regarding the establishment of a statewide community college system; to adopt a proposal to establish such a system, and to recommend the proposal to a special joint legislative committee; to establish a special joint legislative committee to receive the report of the Board of Regents, review it, and make recommendations regarding it to the legislature; and to direct dates by which all such activity shall occur.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON JUDICIARY C

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

May 13, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 6—
BY SENATOR SCHEDLER
AN ACT

To amend and reenact Code of Criminal Procedure Art. 336(A), relative to release conditioned on participation in a pretrial drug testing program; to require a drug test of every person arrested for a felony prior to setting bond; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 296—
BY SENATOR JORDAN
A JOINT RESOLUTION

Proposing to amend Article I, Section 5 of the Constitution of Louisiana, relative to the right to privacy; to secure electronic transmissions and vehicles or other means of transportation against unreasonable

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searches, seizures, or invasions of privacy; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Reported with amendments.

SENATE BILL NO. 310—
BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 14:64.2(B), relative to offenses against property, to provide with respect to carjacking; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 478—
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 32:378.2(A)(1), the introductory paragraph of (A)(2)(a), and (B)(1) and (G), and to enact R.S. 32:378.2(A)(2)(a)(iv), relative to driving privileges of DWI offenders; to provide restricted driving privileges to certain DWI offenders who install ignition interlock devices in their vehicles; and to provide for related matters.

Reported by substitute.

SENATE BILL NO. 681—
BY SENATOR BARHAM

AN ACT

To enact R.S. 14:72.2; relative to misappropriation without violence; to provide for the crime of monetary instrument abuse; to provide definitions and penalties for such an offense; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 898—
BY SENATOR JORDAN

AN ACT

To enact R.S. 14:98.1 and Code of Criminal Procedure Art. 814(A)(59), relative to driving offenses; to create the crime of operating a vehicle while impaired; to provide penalties; to provide responsive verdicts for the crime of operating a vehicle while impaired; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 899—
BY SENATOR JORDAN

AN ACT

To amend and reenact R.S. 49:992(D)(1) and to enact R.S. 49:992(D)(8), relative to the division of administrative law; to provide for the exemption of the Department of Public Safety and Corrections from provisions requiring adjudications by the division of administrative law; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 900—
BY SENATOR JORDAN

AN ACT

To enact Part XVI of Chapter 3 of Title 32 of the Louisiana Revised Statutes of 1950, to be comprised of R. S. 32:681, relative to enforcement of laws involving motor vehicles; to require a video tape of all traffic stops; to provide for preservation of tapes; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 914—
BY SENATORS COX AND JOHNSON
AN ACT

To amend and reenact R.S. 15:1204.2(B)(4) and 1204.4, to enact R.S. 14:107.2 and R.S. 40:2403(H), relative to offenses affecting the general peace and order; to provide for hate crimes; to provide for penalties; to provide for the training of law enforcement officers; to provide for record keeping and reporting; to provide for studies by the Louisiana Commission on Human Rights; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1076—
BY SENATOR JOHNSON
AN ACT

To enact R.S. 14:97.1, relative to criminal offenses; to provide for the offense of solicitation on state highways; to provide for penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1428—
BY SENATOR DEAN
AN ACT

To amend and reenact R.S. 16:574(A)(2) and (C) and to repeal R.S. 16:571 through 574 as amended by Act No. 198 of the 1986 Regular Session, relative to the district attorney's office in the Twenty-Fifth Judicial District; to delete the authority of the district attorney to increase salaries of the assistant district attorneys up to ten percent annually without the approval of the governing authority; to delete certain expenditures from the portion of the annual budget of the district attorney which the governing authority can not reduce without the district attorney's consent; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
J. LOMAX JORDAN, JR.
Chairman

**REPORT OF COMMITTEE ON
JUDICIARY A**

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

May 13, 1997

To the President and Members of the Senate:

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

SENATE BILL NO. 579—
BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To amend and reenact R.S. 9:224(A)(2) and 245(A)(1) and R.S. 40:34(C), 55, and 57, and to enact R.S. 37:22, R.S. 40:34(B)(2)(s), and Code of Civil Procedure Art. 1923, relative to applications for various licenses, vital statistics records and registries, and certain judicial proceedings; to require the inclusion of the social security numbers of individuals therein; to require parties to paternity and child support proceedings to file and update information regarding their location, identity, and employment; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 583—

BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To amend and reenact Civil Code Art. 203(B)(1) and to enact Civil Code Art. 206, relative to illegitimate children; to provide the effect of a declaration of legitimation or acknowledgment; to provide with respect to rescission of such acknowledgments; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 585—

BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To enact R.S. 9:315.24, relative to child support; to specify that an obligee of child support may seek enforcement of the obligation by all lawful means, including a revocatory or oblique action; to require DSS to pursue such action; to provide a definition for "insolvency"; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 876—

BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To amend and reenact the introductory paragraph of R.S. 6:333(B) and to enact R.S. 6:333(F)(14) and R.S. 46:236.1 (A)(5) and (6) and (D)(1)(d), relative to the disclosure of certain financial data to child support enforcement services; to provide with respect to liability for such disclosure; to provide for penalties; to provide for data matches; and to provide for related matters.

Reported with amendments

SENATE BILL NO. 1087—

BY SENATOR HAINKEL
AN ACT

To enact R.S. 12:96, relative to prescriptive and preemptive periods for actions against officers and directors of business corporations; to provide with respect to liability of directors and officers of business corporations; to provide with respect to prescriptive and preemptive periods for actions against directors and officers; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1090—

BY SENATOR HAINKEL
AN ACT

To amend and reenact R.S. 35:191(A), 323(A), (B), and (C)(1), 323.l(A) and (B), 327, 328, 331, 332, 334, 335, 336(A) and (B), 337(B), and 338, and to enact R.S. 35:321(3), and to repeal R.S. 35:323(D) and (G) and 329, relative to notaries public and commissioners; to provide for the appointment of notaries; to provide for changes in the office of the custodian of notarial records for the parish of Orleans; to provide for the preservation of notarial records; to increase the fees to be charged by the custodian of notarial records; to provide for the use and separate location of microfilm records; to provide for the testing of sureties on bonds and for the giving of new bond; to provide for the revocation of a non-attorney's commission for failure to furnish bond; to provide for notice by the custodian of the bond expiration date; to provide sanction for act after expiration of bond or after surety canceled; to provide for the appointment of a deputy and an archivist; to provide for unbudgeted funds collected by the custodian of notarial records; to provide for the annual budget; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1128—

BY SENATOR ELLINGTON AND REPRESENTATIVE KENNEY
AN ACT

To amend and reenact Section 2 of Act No. 32 of the 1993 Regular Session of the Legislature, relative to disavowal of paternity; to provide additional time for disavowal actions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1164—

BY SENATORS HAINKEL, DARDENNE, EWING AND BAGNERIS
AN ACT

To amend and reenact R.S. 13:4291 and to enact R.S. 46:236.10, relative to the enforcement of child support obligations by the Department of Social Services; to provide with respect to judgments created by operation of law; to dispense with the requirement of a summary proceeding in certain cases; to provide for the filing of such judgments which have the effect of a legal mortgage and privilege; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 1317—

BY SENATOR GUIDRY
AN ACT

To repeal Code of Civil Procedure Art. 3945, relative to incidental orders of temporary child custody; to repeal provisions relative to rendering of a temporary custody order ancillary to a divorce or other summary proceeding for temporary custody; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 1408—

BY SENATOR HAINKEL
AN ACT

To enact Code of Civil Procedure Art. 1913(E), relative to motions to dismiss; to provide for the validity of certain motions without the necessity of mailing of the final judgment; and to provide for related matters.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 89—

BY REPRESENTATIVE WINDHORST
A CONCURRENT RESOLUTION

To suspend until sixty days after final adjournment of the 1998 Regular Session of the Legislature R.S. 49:964(G)(6) only to the extent that it requires the court to find that an agency decision is "manifestly" erroneous in view of the reliable, probative, and substantial evidence on the whole record, thereby making the applicable standard of review to be erroneous in view of the reliable, probative, and substantial evidence on the whole record.

Reported favorably.

HOUSE BILL NO. 41—

BY REPRESENTATIVES RIDDLE AND FRITH
AN ACT

To amend and reenact R.S. 9:315.13, relative to the guidelines for the determination of child support; to provide for allocation of the federal and state tax dependency deductions in certain cases; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 895—

BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 49:964(G)(6) and to enact R.S. 49:964(G)(7), relative to judicial review of adjudication

proceedings; to provide a standard of review for findings of fact in adjudication proceedings; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 1088—

BY REPRESENTATIVE WIGGINS

AN ACT

To amend and reenact R.S. 9:2799.5(A), (B), and (D), relative to offenses and quasi offenses; to limit liability of health care providers, who gratuitously render services in or for community health care clinics, if prior notice of the limitation of liability is given to the person receiving services; to delete obsolete reference to certain health care providers; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 1392—

BY REPRESENTATIVE RIDDLE

AN ACT

To amend and reenact R.S. 9:374(B), relative to community property; to authorize the court to award to one spouse the possession and use of the community family home and other community property subsequent to filing a petition for separation of property during the marriage; and to provide for related matters.

Reported favorably.

Respectfully submitted,
CHRIS ULLO
Chairman

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**

May 13, 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. 5—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To urge and request the Public Service Commission to petition the Federal Communications Commission for authority to regulate the rates charged by commercial mobile service, commercial mobile radio service as defined by the Federal Communications Commission, or private mobile service providers.

HOUSE CONCURRENT RESOLUTION NO. 6—

BY REPRESENTATIVE FAUCHEUX

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take appropriate action to direct the Federal Communications Commission to regulate the rates charged by commercial mobile service, commercial mobile radio service, personal communication device, or private mobile service providers for calls both originated by cellular users or made to them.

HOUSE CONCURRENT RESOLUTION NO. 141—

BY REPRESENTATIVE DOERGE

A CONCURRENT RESOLUTION

To urge and request that the Department of Transportation and Development open the flood gates on Lake Bistineau when the lake reaches two feet above flood stage.

HOUSE CONCURRENT RESOLUTION NO. 143—

BY REPRESENTATIVES FRUGE, HUDSON, MICHOT, ALARIO, BARTON, BRUN, CRANE, DEWITT, FLAVIN, FRITH, GREEN, HAMMETT, HILL, HOPKINS, JOHNS, MCCALLUM, MCMAINS, PIERRE, PINAC, SCALISE, SHAW, JOHN SMITH, THORNHILL, TRICHE, WALSWORTH, AND WINSTON

A CONCURRENT RESOLUTION

To urge and request all law enforcement personnel to strictly enforce minimum speed limits and to enforce the "slower traffic keep right" highway signs.

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.

HOUSE CONCURRENT RESOLUTION NO. 31—

BY REPRESENTATIVE WINDHORST

A CONCURRENT RESOLUTION

To amend the Department of Social Services, office of family support Family Independence Project rule (LAC 67:III.1301(A)), which provides for exceptions to the time limitations on the receipt of cash benefits.

HOUSE CONCURRENT RESOLUTION NO. 156—

BY REPRESENTATIVES RIDDLE AND WINDHORST

A CONCURRENT RESOLUTION

To direct the Louisiana Commission on Law Enforcement and Administration of Criminal Justice to promulgate guidelines similar to the National Asset Forfeiture Ethical Standards; to establish Council on Peace Officer Standards and Training certification status and training for law enforcement officers engaged in interstate highway traffic enforcement and seizures pursuant to state and federal asset forfeiture laws; to gather and report statistics on such highway enforcement activities; and to provide for related matters.

HOUSE CONCURRENT RESOLUTION NO. 136—

BY REPRESENTATIVE ROUSSELLE

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to increase the speed limit on Louisiana Highway 23 in Plaquemines Parish on certain areas of the roadway.

HOUSE CONCURRENT RESOLUTION NO. 171—

BY REPRESENTATIVE JOHN SMITH AND SENATOR DYESS

A CONCURRENT RESOLUTION

To commend and congratulate the Fellowship United Methodist Church in Hineston, Louisiana, on the occasion of its 125th birthday celebration on May 18, 1997.

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

House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 5—
BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION

To urge and request the Public Service Commission to petition the Federal Communications Commission for authority to regulate the rates charged by commercial mobile service, commercial mobile radio service as defined by the Federal Communications Commission, or private mobile service providers.

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

HOUSE CONCURRENT RESOLUTION NO. 6—
BY REPRESENTATIVE FAUCHEUX
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take appropriate action to direct the Federal Communications Commission to regulate the rates charged by commercial mobile service, commercial mobile radio service, personal communication device, or private mobile service providers for calls both originated by cellular users or made to them.

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

HOUSE CONCURRENT RESOLUTION NO. 31—
BY REPRESENTATIVE WINDHORST
A CONCURRENT RESOLUTION

To amend the Department of Social Services, office of family support Family Independence Project rule (LAC 67:III.1301(A)), which provides for exceptions to the time limitations on the receipt of cash benefits.

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

HOUSE CONCURRENT RESOLUTION NO. 136—
BY REPRESENTATIVE ROUSSELLE
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to increase the speed limit on Louisiana Highway 23 in Plaquemines Parish on certain areas of the roadway.

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

HOUSE CONCURRENT RESOLUTION NO. 141—
BY REPRESENTATIVE DOERGE
A CONCURRENT RESOLUTION

To urge and request that the Department of Transportation and Development open the flood gates on Lake Bistineau when the lake reaches two feet above flood stage.

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

HOUSE CONCURRENT RESOLUTION NO. 143—
BY REPRESENTATIVES FRUGE, HUDSON, MICHOT, ALARIO, BARTON, BRUN, CRANE, DEWITT, FLAVIN, FRITH, GREEN, HAMMETT, HILL, HOPKINS, JOHNS, MCCALLUM, MCMAINS, PIERRE, PINAC, SCALISE, SHAW, JOHN SMITH, THORNHILL, TRICHE, WALSWORTH, AND WINSTON
A CONCURRENT RESOLUTION

To urge and request all law enforcement personnel to strictly enforce minimum speed limits and to enforce the "slower traffic keep right" highway signs.

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

HOUSE CONCURRENT RESOLUTION NO. 156—
BY REPRESENTATIVES RIDDLE AND WINDHORST
A CONCURRENT RESOLUTION

To direct the Louisiana Commission on Law Enforcement and Administration of Criminal Justice to promulgate guidelines similar to the National Asset Forfeiture Ethical Standards; to establish Council on Peace Officer Standards and Training certification status and training for law enforcement officers engaged in interstate highway traffic enforcement and seizures pursuant to state and federal asset forfeiture laws; to gather and report statistics on such highway enforcement activities; and to provide for related matters.

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

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.

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

HOUSE CONCURRENT RESOLUTION NO. 171—
BY REPRESENTATIVE JOHN SMITH AND SENATOR DYESS
A CONCURRENT RESOLUTION

To commend and congratulate the Fellowship United Methodist Church in Hinston, Louisiana, on the occasion of its 125th birthday celebration on May 18, 1997.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Casanova	Lambert	Tarver
Hainkel	Siracusa	Theunissen
Total—6		

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

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

May 13, 1997

May 13, 1997

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 163—
BY REPRESENTATIVE THORNHILL AND SENATOR HAINKEL
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of James Edward Champagne of Covington.

HOUSE CONCURRENT RESOLUTION NO. 164—
BY REPRESENTATIVES WILKERSON, R. ALEXANDER, BARTON, BAUDOIN, BAYLOR, BRUCE, BRUN, CARTER, DANIEL, DEVILLE, DIEZ, DOERGE, DURAND, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREAU, GLOVER, HAMMETT, HEBERT, HILL, HOPKINS, HUDSON, ILES, JOHNS, KENNARD, KENNEY, LONG, MARIONNEAUX, MCCAIN, MCCALLUM, MCDONALD, MCMAINS, MONTGOMERY, MORRISH, PERKINS, PINAC, POWELL, QUEZAIRE, RIDDLE, ROUSSELLE, SALTER, JACK SMITH, JOHN SMITH, THERIOT, THOMAS, THOMPSON, THORNHILL, TRAVIS, WALSWORTH, WIGGINS, WINDHORST, WINSTON, AND WRIGHT
A CONCURRENT RESOLUTION

To recognize the month of May as "National Stroke Month" and to commend the National Stroke Association for efforts to promote public awareness of the high incidence of stroke and stroke's symptoms, as well as its preventability and treatability.

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

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

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

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 13, 1997

To the President and Members of the Senate:

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

The following Senate Resolutions have been properly enrolled:

SENATE RESOLUTION NO. 30—
BY SENATOR BARHAM
A RESOLUTION

To amend and readopt Senate Rule Nos. 13.4(15)(j) and 13.5.2 of the Rules of Order of the Senate of the Legislature of Louisiana; to provide for dual referral of legislative matters with a net decrease in taxes or fees or an increase in taxes or fees of five hundred thousand dollars or more.

SENATE RESOLUTION NO. 32—
BY SENATORS DARDENNE AND ELLINGTON
A RESOLUTION

To commend small businesses for their contribution to the economic health of the state and for their civic and social contributions to communities throughout Louisiana and to declare May 8, 1997, as Small Business Day at the Senate of the Louisiana Legislature.

Respectfully submitted,
JAY DARDENNE
Chairman

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

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

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

May 13, 1997

To the President and Members of the Senate:

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

The following Senate Concurrent Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 102—
BY SENATORS SCHEDLER, HAINKEL, AND SHORT AND REPRESENTATIVES SCHNEIDER, STRAIN, THORNHILL, AND WINSTON
A CONCURRENT RESOLUTION

To commend Alta Palmer Brown on her forty years of service in the field of education and to congratulate her on the occasion of her retirement.

Respectfully submitted,
JAY DARDENNE
Chairman

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

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:

May 13, 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. 629 (DUPLICATE OF HOUSE BILL NO. 1760)—
BY SENATOR HAINKEL AND REPRESENTATIVE DAMICO AND COAUTHORED BY SENATORS DARDENNE, EWING AND LAMBERT
AN ACT

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

SENATE BILL NO. 951—

BY SENATORS HAINKEL, DARDENNE, EWING AND LAMBERT
AN ACT

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

SENATE BILL NO. 1026—

BY SENATORS LANDRY AND ROMERO
AN ACT

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

SENATE BILL NO. 1442—

BY SENATOR SIRACUSA
AN ACT

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

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 ½ Day

Adjournment

Senator Bagneris moved that the Senate adjourn until Wednesday, May 14, 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, May 13, 1997.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk