

OFFICIAL JOURNAL
OF THE
HOUSE OF
REPRESENTATIVES
OF THE
STATE OF LOUISIANA

FOURTH DAY'S PROCEEDINGS

Twenty-sixth Extraordinary Session of the Legislature
Under the Adoption of the
Constitution of 1974

House of Representatives
State Capitol
Baton Rouge, Louisiana

Thursday, March 26, 1998

The House of Representatives was called to order at 4:00 P.M., by the Honorable H. B. "Hunt" Downer, Jr., Speaker of the House of Representatives.

Morning Hour

ROLL CALL

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

PRESENT

Mr. Speaker	Guillory	Pinac
Alario	Hammett	Powell
Alexander, A.—93rd	Heaton	Pratt
Alexander, R.—13th	Hebert	Quezaire
Ansardi	Hill	Riddle
Barton	Holden	Romero
Baudoin	Hopkins	Rousselle
Baylor	Hudson	Salter
Bowler	Hunter	Scalise
Bruce	Iles	Schwegmann
Bruneau	Jenkins	Shaw
Carter	Jetson	Smith, J.D.—50th
Chaisson	Johns	Smith, J.R.—30th
Clarkson	Kennard	Stelly
Copelin	Kenney	Strain
Crane	Lancaster	Theriot
Curtis	Landrieu	Thomas
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Deville	Marionneaux	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Dimos	McCallum	Vitter
Doerge	McDonald	Waddell
Donelon	McMains	Walsworth
Dupre	Michot	Warner
Durand	Mitchell	Welch
Flavin	Montgomery	Weston
Fontenot	Morrell	Wiggins

Frith	Morrish	Wilkerson
Fruge	Murray	Willard
Gautreaux	Odinot	Windhorst
Glover	Perkins	Winston
Green	Pierre	Wright
Total—102		

ABSENT

Farve	Faucheux	Schneider
Total—3		

The Speaker announced that there were 102 members present and a quorum.

Prayer

Prayer was offered by Rep. Weston

Pledge of Allegiance

Rep. Morrish led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Holden, the reading of the Journal was dispensed with.

On motion of Rep. Holden, the Journal of March 25, 1998, was adopted.

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

March 25, 1998

To the Honorable Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 3
Returned without amendments.

House Concurrent Resolution No. 4
Returned without amendments.

House Concurrent Resolution No. 5
Returned without amendments.

House Concurrent Resolution No. 6
Returned without amendments.

House Concurrent Resolution No. 8
Returned without amendments.

House Concurrent Resolution No. 11
Returned without amendments.

House Concurrent Resolution No. 12
Returned without amendments.

House Concurrent Resolution No. 14
Returned without amendments.

House Concurrent Resolution No. 18
Returned without amendments.

House Concurrent Resolution No. 21
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

March 25, 1998

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the President of the Senate has signed the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 6

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

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

Privileged Report of the Committee on Enrollment

March 26, 1998

To the honorable Speaker and Members of the House of Representatives:

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

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 3—

BY REPRESENTATIVES DOWNER, BRUNEAU, ANSARDI, DONELON, LANCASTER, ALARIO, A. ALEXANDER, R. ALEXANDER, BARTON, BAUDOIN, BAYLOR, BOWLER, BRUCE, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DEWITT, DIEZ, DIMOS, DOERGE, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREAU, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANDRIEU, LEBLANC, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, ROUSSELLE, SALTER, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JOHN SMITH, STELLY, STRAIN, THERIOT, THOMAS, THOMPSON, THORNHILL, TOOMY, TRAVIS, TRICHE, VITTER, WADDELL, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD, WINDHORST, WINSTON, AND WRIGHT AND SENATORS EWING, BAGNERIS, BRANCH, BAJOIE, BARHAM, BEAN, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, C. FIELDS, W. FIELDS, GREENE, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN, LAMBERT, LANDRY, LENTINI,

MALONE, ROBICHAUX, ROMERO, SCHEDLER, SHORT, SIRACUSA, SMITH, TARVER, THEUNISSEN, AND ULLO

A CONCURRENT RESOLUTION

To record and recognize the remarkable achievements of Major General Ansel M. Stroud, Jr. and to commend him for his able service to the state of Louisiana and the United States as he retires as adjutant general of the state on General Stroud Day.

HOUSE CONCURRENT RESOLUTION NO. 4—

BY REPRESENTATIVE DOWNER

A CONCURRENT RESOLUTION

To commend and congratulate Vic Lafont upon his selection as the Louisiana Innovator of the Year for 1997.

HOUSE CONCURRENT RESOLUTION NO. 5—

BY REPRESENTATIVE DOWNER

A CONCURRENT RESOLUTION

To commend Brigadier General Arthur Abercrombie upon his retirement from the Louisiana National Guard and for his exemplary military service.

HOUSE CONCURRENT RESOLUTION NO. 6—

BY REPRESENTATIVE DOWNER AND SENATOR HAINKEL

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of J. Louis Watkins, Jr., Judge of the First Circuit Court of Appeal.

HOUSE CONCURRENT RESOLUTION NO. 8—

BY REPRESENTATIVE WILKERSON AND SENATORS BARHAM, EWING, AND MALONE

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Mr. F. A. "Red" Davis of Homer, who dedicated his life to the educational system in Louisiana, serving as a teacher in West Carroll and Claiborne Parishes, an administrator for the Claiborne Parish school system, a supervisor for the state Board of Education, and a member of the State Board of Elementary and Secondary Education.

HOUSE CONCURRENT RESOLUTION NO. 11—

BY REPRESENTATIVES DIMOS, ALARIO, A. ALEXANDER, R. ALEXANDER, ANSARDI, BARTON, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUNEAU, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DEWITT, DIEZ, DOERGE, DONELON, DOWNER, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREAU, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, ROUSSELLE, SALTER, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JOHN SMITH, STELLY, STRAIN, THERIOT, THOMAS, THOMPSON, THORNHILL, TOOMY, TRAVIS, TRICHE, VITTER, WADDELL, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD, WINDHORST, WINSTON, AND WRIGHT AND SENATOR BARHAM

A CONCURRENT RESOLUTION

To express the sincere congratulations of the Legislature of Louisiana and to commend William Shurley on being named Louisiana's top high school student volunteer and the Louisiana recipient of the Prudential Spirit of Community Award.

HOUSE CONCURRENT RESOLUTION NO. 12—

BY REPRESENTATIVE CURTIS

A CONCURRENT RESOLUTION

To commend the Alexandria Chapter of Links, Inc. for outstanding service and to congratulate the Alexandria Chapter upon its twenty-fifth anniversary.

HOUSE CONCURRENT RESOLUTION NO. 14—

BY REPRESENTATIVES WRIGHT, LONG, AND BRUNEAU AND SENATORS BAGNERIS, BAJOIE, BARHAM, BEAN, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, EWING, C. FIELDS, W. FIELDS, GREENE, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SHORT, SIRACUSA, SMITH, TARVER, THEUNISSEN, AND ULLO

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Richard Thompson, and to record the tribute of the citizens of Louisiana for the many contributions and achievements of Mr. Thompson, particularly during his twelve-year tenure as a distinguished member of the House of Representatives of the Legislature of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 18—

BY REPRESENTATIVE LONG AND SENATORS JOHNSON AND SMITH

A CONCURRENT RESOLUTION

To commend Mr. Ben D. Johnson of Natchitoches for his generous donation to the Natchitoches Parish School Board to fund an innovative alternative education center in Natchitoches which has been named the Ben D. Johnson Education Center in his honor and for his many other contributions to education and to his community and state.

HOUSE CONCURRENT RESOLUTION NO. 21—

BY REPRESENTATIVES JOHN SMITH AND ILES AND SENATOR CAIN

A CONCURRENT RESOLUTION

To recognize and commend the players, coaches, and managers of the Anacoco High School Lady Indians on an impressive season and on capturing the high school basketball championship.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Concurrent Resolutions contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk of the House and were signed by the President of the Senate and taken by the Clerk of the House to the Secretary of State in accordance with the rules of the House.

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

March 25, 1998

To the Honorable Speaker and Members of the House of Representatives:

I am directed to inform your honorable body that the Senate has adopted and asks your concurrence in the following Senate Concurrent Resolutions:

Senate Concurrent Resolution No. 15

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Strain, the rules were suspended in order to take up Senate Concurrent Resolutions at this time.

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions contained in the message were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 15—

BY SENATOR SHORT

A CONCURRENT RESOLUTION

To express the condolences of the Senate of the Legislature of Louisiana upon the death of Chief Judge France W. Watts.

Read by title.

On motion of Rep. Strain, and under a suspension of the rules, the resolution was concurred in.

**Introduction of House Bills
and Joint Resolutions**

The following named members introduced the following House Bills and Joint Resolutions, which were read the first time by their titles, and placed upon the calendar for their second reading:

HOUSE BILL NO. 182—

BY REPRESENTATIVE HEBERT

AN ACT

To enact R.S. 38:2184.1, relative to public contracts, works, and improvements; to provide relative to purchase of supplies, material, or equipment by a parish, municipality, and school board; to provide certain preferences for local businesses; to provide terms and conditions; and to provide for related matters.

Read by title.

HOUSE BILL NO. 183—

BY REPRESENTATIVE DONELON

AN ACT

To amend and reenact the heading of Part VI-B of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950 and R.S. 22:244, 245(A), (B), and (C)(introductory paragraph) and (10)(introductory paragraph), and 246, and to repeal R.S. 22:247, relative to health insurance; to enact the Louisiana Children's Health Insurance Program; to delete certain references to the Louisiana Basic Health Insurance Plan Pilot Program; to provide for definitions; to provide for the LA CHIP Advisory Committee; to provide for an advisory task force; to create the LA CHIP Fund within the state treasury; to provide for program administration, funding, and eligibility; to provide for the adoption of rules; and to provide for related matters.

Read by title.

HOUSE BILL NO. 184—

BY REPRESENTATIVE DAMICO

AN ACT

To amend and reenact R.S. 30:2054(B)(8)(a) and (b), R.S. 32:1304(A)(2), to enact R.S. 32:1306(C)(4), and to repeal Section 3 of Act No. 393 of the 1995 Regular Session of the Legislature, relative to a motor vehicle emission inspection program; to provide for certification of emission inspection and testing facilities and establish a fee for the inspection; to provide for assistance to low-income motorists who fail the emission inspection; to except from the statutory inspection requirement the emission control devices on vehicles included in the emission inspection program; to authorize an additional annual fee to benefit the emission inspection program; to delete the

requirement that the emission inspection program be reauthorized by the legislature every two years; and to provide for related matters.

Read by title.

HOUSE BILL NO. 185—
BY REPRESENTATIVE SCALISE
AN ACT

To enact R.S. 16:546, relative to the district attorney of the Twenty-fourth Judicial District; to provide for additional powers and duties; to authorize the district attorney to enter into certain cooperative endeavors; and to provide for related matters.

Read by title.

HOUSE BILL NO. 186—
BY REPRESENTATIVES ANSARDI AND MARTINY
AN ACT

To enact R.S. 33:2740.17.1, to authorize the city of Kenner to impose a one percent hotel occupancy tax within the city limits to be used solely and exclusively for parks, recreational facilities, and related activities; and to provide for related matters.

Read by title.

HOUSE BILL NO. 187—
BY REPRESENTATIVES DEWITT, DOWNER, AND MCMAINS
AN ACT

To amend and reenact R.S. 18:1491.7(B)(4)(a) and 1495.5(B)(4)(a) and to enact R.S. 18:1491.7(F) and 1495.5(F), relative to campaign finance; to require the disclosure of the name, address, and occupation of certain contributors, the name and address of the employers of such contributors, and the classification of the occupation and employer of such contributors; to require the Supervisory Committee on Campaign Finance Disclosure to develop a filing, coding, and cross-indexing system for the categorization of contributors; to provide for certain criteria for such system; to require the reporting of certain contributions in accordance with such system; to make applicable certain civil and criminal penalties to the failure to so report; and to provide for related matters.

Read by title.

HOUSE BILL NO. 188—
BY REPRESENTATIVE FONTENOT
AN ACT

To enact R.S. 13:961(F)(1)(i), relative to court reporters for the Twenty-first Judicial District Court; to authorize a majority of the judges of the judicial district to determine certain fees to be paid to court reporters; and to provide for related matters.

Read by title.

**House Bills and Joint Resolutions on
Second Reading to be Referred**

The following House Bills and Joint Resolutions on second reading to be referred to committees were taken up, read, and referred to committees, as follows:

HOUSE BILL NO. 107—
BY REPRESENTATIVE DUPRE
AN ACT

To amend and reenact R.S. 32:667(H), relative to driver's licenses; to delete exemptions for reinstatement fees under certain circumstances; to provide relative to seizure of drivers' licenses in connection with criminal charges; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

On motion of Rep. Dupre, the bill was withdrawn from the files of the House.

Motion

On motion of Rep. Dupre, the Committee on Transportation, Highways and Public Works was discharged from further consideration of House Bill No. 73.

HOUSE BILL NO. 73—
BY REPRESENTATIVE DUPRE
AN ACT

To amend and reenact R.S. 32:728(7), relative to permit fees to sell, duplicate permits to sell, permits to dismantle, or duplicate permits to dismantle motor vehicles; to provide for fee increases; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Dupre, the bill was withdrawn from the files of the House.

**House and House Concurrent Resolutions
Reported by Committees**

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

HOUSE CONCURRENT RESOLUTION NO. 1—
BY REPRESENTATIVE RIDDLE
A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to instruct West Publishing Company to reprint the Revision Comments of 1996 to Civil Code Article 1493 (comment (c)) by deleting all references describing such incapable children in terms other than those used in the article, to wit: children who are "permanently incapable of caring for their persons or administering their estates".

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. Riddle, the resolution was ordered engrossed and passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 2—

BY REPRESENTATIVE RIDDLE

A CONCURRENT RESOLUTION

To amend the Department of Transportation and Development Board of Registration for Professional Engineers and Land Surveyors rule (LAC 46:LXI.1701(B)), to provide for when the use of seals and signatures of engineers or land surveyors is required for sewage or water facility projects, and in-kind replacement of facilities.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the resolution was ordered engrossed and passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 9—

BY REPRESENTATIVES WILKERSON AND BRUCE

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to post signs on both sides of the city of Grambling on Interstate 20 and Highways 167 and 80 stating that Grambling, Louisiana, is the home of Eddie Robinson.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the resolution was ordered engrossed and passed to its third reading.

HOUSE CONCURRENT RESOLUTION NO. 16—

BY REPRESENTATIVE LONG

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations to the legislature concerning foreign adoptions, procedures for recognizing foreign adoption orders, and other related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. McMains, the resolution was ordered engrossed and passed to its third reading.

House Bills and Joint Resolutions on Second Reading Reported by Committees

The following House Bills and Joint Resolutions on second reading reported by committees were taken up and acted upon as follows:

HOUSE BILL NO. 15—

BY REPRESENTATIVES FAUCHEUX AND DUPRE

AN ACT

To amend and reenact R.S. 48:2042(B) and 2044(A), (C), and (F), relative to the South Central Regional Transportation Authority; to provide for its composition; to provide for its board of commissioners; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 18—

BY REPRESENTATIVE GAUTREAUX

AN ACT

To redesignate the Greenwood Overpass located on U.S. Highway 90 near Morgan City in St. Mary Parish as the Sam Siracusa Overpass.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 45 (Duplicate of Senate Bill No. 87)—

BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, BRUCE, QUEZAIRE, AND ROUSSELLE AND SENATORS EWING, DARDENNE, AND HAINKEL

AN ACT

To amend and reenact R.S. 48:757(A), relative to construction or maintenance work performed by the Department of Transportation and Development; to provide for certain exceptions to the prohibition against the department to performing off-system work; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 46 (Duplicate of Senate Bill No. 14)—

BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, BRUCE, AND QUEZAIRE AND SENATORS EWING, DARDENNE, HAINKEL, BAGNERIS, AND BARHAM

AN ACT

To amend and reenact R.S. 48:252(C), relative to projects of the Department of Transportation and Development; to provide relative to bidding of department contracts; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 47 (Duplicate of Senate Bill No. 31)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND
COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS,
BRUCE, QUEZAIRE, AND ROUSSELLE AND SENATORS EWING,
DARDENNE, HAINKEL, AND BARHAM

AN ACT

To amend and reenact R.S. 48:252(I)(1), relative to projects of the Department of Transportation and Development; to provide relative to the opening of bids; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 48 (Duplicate of Senate Bill No. 32)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND
COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS,
BRUCE, AND QUEZAIRE AND SENATORS EWING, DARDENNE,
HAINKEL, BAGNERIS, AND BARHAM

AN ACT

To amend and reenact R.S. 48:252(I)(2)(b), relative to projects of the Department of Transportation and Development; to provide relative to the issuance of addenda modifying such projects; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 49 (Duplicate of Senate Bill No. 13)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND
COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS,
BRUCE, AND QUEZAIRE AND SENATORS EWING, DARDENNE,
HAINKEL, BAGNERIS, AND BARHAM

AN ACT

To amend and reenact R.S. 48:253(A), relative to contracts let for bid by the Department of Transportation and Development; to provide relative to which such contracts shall require a form of surety; to provide for the amount of the required form of surety; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 50 (Duplicate of Senate Bill No. 46)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND
COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS,
BRUCE, AND QUEZAIRE AND SENATORS EWING,
DARDENNE, HAINKEL, BAGNERIS, BARHAM, AND ROMERO

AN ACT

To amend and reenact R.S. 48:256.1(A), relative to contracts for the construction, improvement, maintenance, or repair of highways,

roads, or bridges; to provide relative to the final payment of retained amounts; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 51 (Duplicate of Senate Bill No. 85)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND
COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS,
BRUCE, AND QUEZAIRE AND SENATORS EWING, DARDENNE,
HAINKEL, AND BAGNERIS

AN ACT

To amend and reenact R.S. 2:1(15), relative to the regulation of aeronautics; to provide for definitions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 52 (Duplicate of Senate Bill No. 86)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND
COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS,
BRUCE, AND QUEZAIRE AND SENATORS EWING, DARDENNE,
HAINKEL, AND BARHAM

AN ACT

To amend and reenact R.S. 38:2(A), relative to the administrative functions of the Department of Public Works; to delete the administrative functions of the department regarding landing fields and other aeronautical facilities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 53 (Duplicate of Senate Bill No. 50)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND
COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS,
BRUCE, AND QUEZAIRE AND SENATORS EWING, DARDENNE,
HAINKEL, BAGNERIS, BARHAM, AND ROMERO

AN ACT

To amend and reenact R.S. 2:805, R.S. 34:3455, and R.S. 38:90.7, relative to the Department of Transportation and Development; to provide for the authorization of and use by the secretary of projects of the Airport Construction and Development Priority Program, Statewide Flood Control Program, and Port Commission and Development Priority Program when such projects are undertaken due to emergencies; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 54—
BY REPRESENTATIVES FRUGE AND BRUCE
AN ACT

To enact R.S. 32:298.1, relative to off-road vehicles; to permit certain off-road vehicles to operate on public roads and highways for specific purposes; to provide for restrictions; to provide for rules and regulations; to provide for fees; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Transportation, Highways and Public Works.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original House Bill No. 54 by Representative Fruge

AMENDMENT NO. 1

On page 1, at the end of line 3, add "to provide for restrictions;"

AMENDMENT NO. 2

On page 1, at the end of line 14, change the period "." to a comma "," and add the following words:

"provided that such operators possess a valid Class "E" driver's license. In addition, the owner or the operator of such off-road vehicle shall own at least one motor vehicle which is registered with the Department of Public Safety and Corrections, office of motor vehicles, as a vehicle which is engaged in the business of actual farming under the provisions of R.S. 47:462."

AMENDMENT NO. 3

On page 1, at the end of line 17, add the following:

"However, the provisions of R.S. 32:190 shall not apply to this Section."

AMENDMENT NO. 4

On page 1, line 19, after "Corrections" and before "shall" insert "office of motor vehicles."

AMENDMENT NO. 5

On page 2, at the end of line 4, add the following:

"Prior to the issuance of such permit, owners of off-road vehicles shall provide proof to the Department of Public Safety and Corrections, office of motor vehicles, that the off-road vehicle is covered by valid liability insurance."

On motion of Rep. Diez, the amendments were adopted.

On motion of Rep. Diez, the bill, as amended, was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 57—
BY REPRESENTATIVE MCMAINS AND SENATOR DARDENNE
AN ACT

To amend and reenact R.S. 31:149.1, relative to prescription of mineral rights; provides for mineral rights imprescriptibility on land transferred to nonprofit land conservation organizations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

On motion of Rep. McMains, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 74—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 34:1863(A), to enact R.S. 34:1865, 1866, and 1867, and to repeal R.S. 34:3141, 3142, 3143, 3144, and 3145, relative to the Vidalia Port Commission; to provide for the limits of the district; to provide for the board of commissioners; to provide for the rights and powers of the board; to provide for the sale of bonds; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 77—
BY REPRESENTATIVES THORNHILL AND BRUCE AND SENATOR SHORT
AN ACT

To enact R.S. 38:291(O), relative to the St. Tammany Levee District; to require the transfer of funds and assets belonging to the district to the parish governing authority; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 82 (Duplicate of Senate Bill No. 47)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, BRUCE, AND QUEZAIRE AND SENATORS EWING, DARDENNE, HAINKEL, BAGNERIS, BARHAM, AND ROMERO
AN ACT

To amend and reenact R.S. 48:286(B)(1), (2), and (4) and 292(B), relative to the retention of consultants by the Department of

Transportation and Development; to authorize retention of consultants at the recommendation of the assistant secretary for public works and intermodal transportation; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 83 (Duplicate of Senate Bill No. 45)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND
COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS,
BRUCE, AND QUEZAIRE AND SENATORS EWING, DARDENNE,
HAINKEL, BAGNERIS, BARHAM, AND ROMERO
AN ACT

To amend and reenact R.S. 48:253(C), relative to contracts let by the Department of Transportation and Development projects; to require the department to destroy the bid bonds of unsuccessful bidders; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 84 (Duplicate of Senate Bill No. 43)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND
COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS,
BRUCE, AND QUEZAIRE AND SENATORS EWING, DARDENNE,
HAINKEL, BARHAM, AND ROMERO
AN ACT

To repeal R.S. 36:509(P) and Chapter 35 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2161, relative to the Red River Valley Area Council; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 86 (Duplicate of Senate Bill No. 99)—
BY REPRESENTATIVE DIEZ AND SENATOR BEAN AND COAUTHORED
BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, BRUCE, AND
QUEZAIRE AND SENATORS LANDRY, EWING, DARDENNE, HAINKEL,
BARHAM, AND ROMERO
AN ACT

To enact R.S. 32:7, relative to the enforcement of size and weight laws; to authorize the Department of Transportation and Development or the Department of Public Safety and Corrections to enter into agreements with contiguous states establishing joint weight enforcement facilities; to authorize the location, construction, staffing, and operation of such facilities; to authorize the enforcement of state laws, rules, and regulations

and the laws of contiguous states, agencies, and departments; to provide for appointment of employees as enforcement officers; to provide for the status of such employees; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 87 (Duplicate of Senate Bill No. 15)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND
COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT,
MCMAINS, HUDSON, QUEZAIRE, AND ROUSSELLE AND SENATORS
EWING, DARDENNE, HAINKEL, AND BARHAM
AN ACT

To amend and reenact R.S. 51:781(4) and 784.1, relative to petroleum products; to transfer the inspection and regulation of petroleum and petroleum products from the Department of Transportation and Development to the Department of Agriculture and Forestry; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 92—
BY REPRESENTATIVE MARIONNEAUX
AN ACT

To rename and designate a portion of Louisiana Highway 413 in Pointe Coupee Parish as "Zach Road"; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 109—
BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 32:874(B)(1), relative to motor vehicle safety laws; to provide for reinstatement fees for suspended, revoked, or withdrawn drivers' licenses; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 111—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 32:863(A)(3), relative to compulsory motor vehicle liability security requirements; to provide for reinstatement fees and sanctions for first and subsequent violations; to provide for dedication of fees; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Transportation, Highways and Public Works.

On motion of Rep. Diez, the bill was ordered engrossed and passed to its third reading.

Under the rules, placed on the regular calendar.

Suspension of the Rules

On motion of Rep. Strain, the rules were suspended in order to take up Introduction of Resolutions, House and House Concurrent at this time.

**Introduction of Resolutions,
House and House Concurrent**

The following members introduced the following entitled House and House Concurrent Resolutions, which were read the first time by their titles and placed upon the calendar for their second reading:

HOUSE CONCURRENT RESOLUTION NO. 41—

BY REPRESENTATIVES STRAIN AND THOMAS

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to support, and to urge and request the Secretary of the United States Department of Agriculture to incorporate, Option 1A of the proposed rules for milk order consolidations as the pricing procedure in all federal marketing orders.

Read by title.

On motion of Rep. Strain, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 42—

BY REPRESENTATIVE DIEZ

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to help fund improvements to Highway 1 in Louisiana.

Read by title.

On motion of Rep. Diez, and under a suspension of the rules, the resolution was adopted.

Ordered to the Senate.

**Introduction of House Bills
and Joint Resolutions**

The following named members introduced the following entitled House Bills and Joint Resolutions which were read the first time by their titles and placed upon the calendar for their second reading and, under a suspension of the rules, were referred to committee as follows:

HOUSE BILL NO. 189 —

BY REPRESENTATIVE DUPRE

AN ACT

To amend and reenact R.S. 26:71(A)(3)(intro. para.), 71.1(intro. para.) and (1)(d), 271(A)(2)(intro. para.), and 271.2(intro. para.) and (1)(d), and to enact R.S. 14:93.21 and R.S. 26:71(A)(3)(iv), 71.1(5), 71.2, 91.1, 271(A)(2)(d), 271.2(5), 271.3, and 287.1, all relative to the regulation of alcoholic beverages, to prohibit the presence of persons under twenty-one years of age at drinking establishments; to provide for the crime of unlawful presence at a drinking establishment; to provide for definitions; to provide for penalties; to provide for exceptions; to provide for a Class-A General Extraordinary permit and in reference to the permit, to provide for applications, fees, bond, forfeiture, and exceptions to age limitations; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Judiciary.

Reports of Committees

The following reports of committees were received and read:

**Report of the Committee on
Administration of Criminal Justice**

March 26, 1998

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Administration of Criminal Justice to submit the following report:

House Concurrent Resolution No. 27, by Windhorst
Reported favorably. (9-0-0)

House Bill No. 13, by Dupre
Reported with amendments. (10-0-0) (Regular)

House Bill No. 34, by Schneider
Reported favorably. (10-0-0) (Regular)

STEPHEN J. WINDHORST
Chairman

Suspension of the Rules

On motion of Rep. McDonald, the rules were suspended to permit the House to receive the following report which contained legislative instruments which were heard without giving the notice required by House Rule 14.21(A).

Report of the Committee on Education

March 26, 1998

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 17, by Long
Reported favorably. (14-0)

House Bill No. 23, by LeBlanc
Reported favorably. (12-0) (Consent)

Page 10 HOUSE

4th Day's Proceedings - March 26, 1998

House Bill No. 28, by DeWitt
Reported with amendments. (13-0) (Consent)

House Bill No. 44, by Wilkerson
Reported favorably. (13-0) (Consent)

House Bill No. 56, by McDonald
Reported favorably. (12-0) (Consent)

House Bill No. 71, by Thompsom
Reported with amendments. (13-0) (Regular)

House Bill No. 79, by Wright
Reported favorably. (11-0) (Regular)

House Bill No. 102, by DeWitt
Reported favorably. (13-0) (Consent)

House Bill No. 116, by McDonald
Reported favorably. (13-0) (Consent)

House Bill No. 118, by McDonald
Reported with amendments. (14-0) (Regular)

House Bill No. 119, by McDonald
Reported favorably. (12-1-1) (Regular)

House Bill No. 125, by Rousselle
Reported favorably. (11-2) (Regular)

House Bill No. 151, by McDonald
Reported with amendments. (12-0) (Regular)

House Bill No. 161, by Alario
Reported with amendments. (13-0) (Regular)

CHARLES McDONALD
Chairman

**Report of the Committee on
House and Governmental Affairs**

March 26, 1998

To the Speaker and Members of the House of Representatives:

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

House Bill No. 20, by Hammett
Reported with amendments. (7-4) (Regular)

House Bill No. 108, by Dupre (Duplicate of Senate Bill No. 53)
Reported with amendments. (11-0) (Consent)

House Bill No. 135, by DeWitt (Duplicate of Senate Bill No. 36)
Reported with amendments. (11-0) (Regular)

House Bill No. 146, by Downer
Reported with amendments. (10-0) (Regular)

CHARLES D. LANCASTER, JR.
Chairman

Report of the Committee on Natural Resources

March 26, 1998

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 19, by Odinet
Reported with amendments. (10-0)

House Concurrent Resolution No. 22, by Schneider
Reported favorably. (10-0)

House Concurrent Resolution No. 34, by Rousselle
Reported favorably. (11-0)

House Concurrent Resolution No. 35, by Dupre
Reported favorably. (10-0)

House Bill No. 25, by McCain
Reported with amendments. (11-0) (Regular)

House Bill No. 32, by Rousselle
Reported favorably. (11-0) (Regular)

House Bill No. 41, by Travis
Reported favorably. (10-0) (Consent)

House Bill No. 59, by Wiggins
Reported favorably. (10-0) (Consent)

House Bill No. 60, by Daniel
Reported favorably. (11-0) (Consent)

House Bill No. 76, by McDonald
Reported favorably. (10-0) (Consent)

House Bill No. 114, by Gautreaux
Reported with amendments. (10-0) (Regular)

House Bill No. 145, by Downer
Reported with amendments. (10-0) (Consent) (Duplicate)

House Bill No. 176, by Daniel
Reported favorably. (11-0) (Regular)

House Bill No. 177, by Daniel
Reported with amendments. (10-0) (Regular)

JOHN R. SMITH
Chairman

Leave of Absence

Rep. Fauchaux - 1 day

Rep. Schneider - 1 day

Rep. Farve - 1 day

Adjournment

On motion of Rep. Kenney, at 4:30 P.M., the House agreed to adjourn until Friday, March 27, 1998, at 1:00 P.M.

The Speaker of the House declared the House adjourned until 1:00 P.M., Friday, March 27, 1998.

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays
Journal Clerk, *Emeritus*