

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

**FIFTH 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

Friday, March 27, 1998

The House of Representatives was called to order at 1:00 P.M., by the Honorable C. E. "Peppi" Bruneau, Jr., Speaker Pro Tempore of the House of Representatives.

**Morning Hour**

**ROLL CALL**

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

PRESENT

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

Fontenot	Morrish	Willard
Frith	Murray	Windhorst
Fruge	Odinot	Winston
Gautreaux	Perkins	Wright
Glover	Pierre	
Green	Pinac	
Total—103		

ABSENT

Faucheux	Schneider
Total—2	

The Speaker announced that there were 103 members present and a quorum.

**Prayer**

Prayer was offered by Rep. Riddle.

**Pledge of Allegiance**

Rep. Wright 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. Kenney, the reading of the Journal was dispensed with.

On motion of Rep. Kenney, the Journal of March 26, 1998, was adopted.

**Petitions, Memorials and Communications**

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

**Message from the Senate**

**ASKING CONCURRENCE IN  
SENATE CONCURRENT RESOLUTIONS**

March 26, 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 Nos. 4 and 16.

Respectfully submitted,

MICHAEL S. BAER, III  
Secretary of the Senate

**Message from the Senate**

**SENATE BILLS**

March 26, 1998

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

I am directed to inform your honorable body that the Senate has finally passed the following Senate Bills:

Senate Bill Nos. 3, 8, 18, 26, 29, 36, 38, 52, 53, 55, 56, 71, 72, 73, 74, 75, 93, 121, 122, and 123

Respectfully submitted,  
MICHAEL S. BAER, III  
Secretary of the Senate

**Suspension of the Rules**

On motion of Rep. Rodney Alexander, the rules were suspended in order to take up the bills contained in the message at this time.

**Senate Bills and Joint Resolutions on First Reading**

The following Senate Bills and Joint Resolutions on first reading were taken up, read, and placed upon the calendar for their second reading:

**SENATE BILL NO. 3—**  
BY SENATORS EWING AND BARHAM  
AN ACT

To amend and reenact R.S. 13:621.3, relative to district court judges; to provide for an additional judge for the Third Judicial District Court; to provide for compensation for the additional judge; to provide for his election and his term of office and those of his successors in office; and to provide for related matters.

Read by title.

**SENATE BILL NO. 8—**  
BY SENATOR CAIN AND REPRESENTATIVE J.R. SMITH  
AN ACT

To enact R.S. 13:996.57, relative to courts and judicial procedure; to provide for the creation of a judicial expense fund for the Thirtieth Judicial District Court; to provide for assessment of a fee in certain civil and criminal cases; to provide for disposition and disbursements from the fund; to provide for annual audits of the fund; to authorize hiring and payment of necessary personnel; and to provide for related matters.

Read by title.

**SENATE BILL NO. 18—**  
BY SENATOR BAGNERIS  
AN ACT

To amend and reenact R.S. 42:1113(D)(1), relative to the code of governmental ethics; to require that legislators or their spouses comply with the provisions of the Louisiana Procurement Code when contracting with certain governmental entities; and to provide for related matters.

Read by title.

**SENATE BILL NO. 26—**  
BY SENATOR LENTINI  
AN ACT

To enact R.S. 32:661.2, relative to railroads; to provide relative to operating a locomotive engine while intoxicated; to establish implied consent provisions for such operation; to provide for administration of testing; to require that suspect be informed of rights and certain other information prior to such testing; to require reporting to the United States Department of Transportation upon refusal of compliance; and to provide for related matters.

Read by title.

**SENATE BILL NO. 29—**  
BY SENATORS LENTINI, JORDAN, LANDRY AND SHORT  
AN ACT

To amend and reenact R.S. 14:32.1(B) and R.S. 32:402.2, relative to traffic violations; to require that all driver improvement programs include railroad grade crossing safety education; and to provide for related matters.

Read by title.

**SENATE BILL NO. 36—**  
BY SENATORS DARDENNE & HAINKEL  
AN ACT

To amend and reenact R.S. 42:1102(8), relative to governmental ethics; to provide for the revision of the definition of "controlling interest" as provided for in the Code of Governmental Ethics; and to provide for related matters.

Read by title.

**SENATE BILL NO. 38—**  
BY SENATOR DARDENNE  
AN ACT

To amend and reenact Code of Criminal Procedure Art. 408.1, relative to qualifications and selection of grand and petit jurors; to provide with respect to initial selection of general jury venire; to provide for source; and to provide for related matters.

Read by title.

**SENATE BILL NO. 52—**  
BY SENATOR DARDENNE  
AN ACT

To amend and reenact R.S. 14:98(C)(introductory paragraph), relative to the crime of operating a vehicle while intoxicated; to clarify that the total sentence of imprisonment for a conviction of a second such offense shall not exceed six months; and to provide for related matters.

Read by title.

**SENATE BILL NO. 53—**  
BY SENATOR DARDENNE  
AN ACT

To amend and reenact R.S. 24:802(B)(4), (5), (6), and (7), and (D), relative to the Advisory Commission on Intergovernmental Relations; to provide for the membership and quorum of the commission; and to provide for related matters.

Read by title.

**SENATE BILL NO. 55—**  
BY SENATORS ULLO AND SCHEDLER  
AN ACT

To enact R.S. 26:911(B)(3), relative to the sale of tobacco products; to define those retail dealers who qualify as a tobacconist at a particular retail outlet; to authorize the purchase of tobacco products by a tobacconist at a particular retail outlet directly from manufacturers, wholesalers, or other suppliers; and to provide for related matters.

Read by title.

**SENATE BILL NO. 56—**  
BY SENATORS DARDENNE, EWING, HAINKEL, BARHAM AND ROMERO AND REPRESENTATIVES DOWNER, DEWITT AND MCMAINS  
AN ACT

To amend and reenact R.S. 29:723(2), relative to emergency preparedness; to include in the definition of "emergency" certain events which result in an interruption of utility services and which affect the safety, health, or welfare of the public and

damage to utility property endangering the public; and to provide for related matters.

Read by title.

**SENATE BILL NO. 71—**  
BY SENATOR EWING

AN ACT

To amend and reenact R.S. 40:1849(D) and 1851(F), relative to the Liquefied Petroleum Gas Commission; to provide relative to the receipt, disposition, and expenditure of funds by the commission; and to provide for related matters.

Read by title.

**SENATE BILL NO. 72—**

BY SENATORS EWING, DARDENNE, HAINKEL, BARHAM, ROMERO, BAJOEI, CASANOVA, DYESS, HINES, IRONS, LANDRY AND SCHEDLER AND REPRESENTATIVES DOWNER, DEWITT AND MCMAINS

AN ACT

To amend and reenact R.S. 36:4(B)(8), to enact Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2601 through 2606, and to repeal Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, as enacted by Acts 1992, No. 971, as amended by Acts 1993, No. 424, Acts 1995, No. 945 and No. 1232, Acts 1997, No. 883 and No. 1172, relative to the Children's Cabinet; to provide for the establishment of the cabinet and the Children's Cabinet Advisory Board; to provide for the powers, duties, and functions of the cabinet and the advisory board; to provide for actions taken by the cabinet and board; to provide for termination of the cabinet; to provide for an effective date; and to provide for related matters.

Read by title.

**SENATE BILL NO. 73—**

BY SENATORS EWING, HINES, DARDENNE, HAINKEL, BARHAM, ROMERO, SCHEDLER, ULLO AND BAGNERIS AND REPRESENTATIVES DOWNER, DEWITT AND MCMAINS

AN ACT

To amend and reenact R.S. 9:392 and 396(A) and R.S. 40:46.1(B)(1)(c), (B)(2), and (F)(3), relative to paternity; to require notice of consequences of signing acknowledgment of paternity prior to signing of notarial act; to require genetic testing of parties upon request of a party in a contested paternity case in a court-based proceeding; to require that such request be accompanied by sworn affidavit either alleging or denying paternity; and to provide for related matters.

Read by title.

**SENATE BILL NO. 74—**

BY SENATORS EWING, HINES, DARDENNE, HAINKEL, BARHAM, ROMERO, SCHEDLER, ULLO AND LANDRY AND REPRESENTATIVES DOWNER, DEWITT AND MCMAINS

AN ACT

To amend and reenact R.S. 46:236.3(E)(4) and (I) and to enact R.S. 46:236.3(O), relative to enforcement of child support by income assignment; to provide for the effect of income assignments; to provide that notice to withhold shall operate as an assignment; to provide for the amount of processing fees; to provide for an employer's immunity from civil liability; and to provide for related matters.

Read by title.

**SENATE BILL NO. 75—**

BY SENATORS EWING, HINES, DARDENNE, HAINKEL, BARHAM, ROMERO AND ULLO AND REPRESENTATIVES DOWNER, DEWITT AND MCMAINS

AN ACT

To amend and reenact R.S. 9:251, R.S. 32:409.1(A)(2)(d)(viii), 410(A)(3)(a)(viii), and R.S. 40:34(B)(2)(a) and (C) and to enact R.S. 9:224(A)(6), 313, and 395, R.S. 32:409.1(A)(2)(d)(vi), and R.S. 37:23, relative to provision of information; to require inclusion of social security numbers in certain vital statistics records, certain license applications, and divorce proceedings; to require a party in paternity or child support proceedings to file and update certain identifying information including employment; to provide for notice requirements in subsequent proceedings; to provide for confidentiality; and to provide for related matters.

Read by title.

**SENATE BILL NO. 93—**

BY SENATORS COX, CASANOVA, HINES AND SCHEDLER

AN ACT

To enact R. S. 40:964 (Schedule III)(B)(9), relative to depressants; to include ketamine hydrochloride as a depressant in Schedule III of the Uniform Controlled Dangerous Substances Law; and to provide for related matters.

Read by title.

**SENATE BILL NO. 121—**

BY SENATORS BARHAM, EWING, HAINKEL AND BEAN

AN ACT

To enact the "Louisiana Tax Delinquency Amnesty Act"; to provide for definitions; to require the Department of Revenue to establish a tax amnesty program as provided for in the Act; to provide for terms and conditions of the program; and to provide for related matters.

Read by title.

**SENATE BILL NO. 122—**

BY SENATORS BARHAM, DARDENNE, EWING, HAINKEL, BEAN AND SHORT

AN ACT

To enact Chapter 2 of Subtitle 1 of Title 47 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 47:15, relative to the rights of taxpayers for taxes collected and administered by the Department of Revenue; to provide that the rights, privacy, and property of Louisiana taxpayers are safeguarded and protected during tax assessment, collection, and enforcement processes administered by the Department of Revenue under the tax laws of this state; to provide for a Taxpayer's Bill of Rights; to provide for an effective date; and to provide for related matters.

Read by title.

**SENATE BILL NO. 123—**

BY SENATORS BARHAM, DARDENNE, EWING, HAINKEL AND BEAN

AN ACT

To amend and reenact R.S. 47:1565(C)(2) and 2419, relative to the Department of Revenue; to conform certain provisions regarding the office of legal affairs created within the department; to provide for an effective date; and to provide for related matters.

Read by title.

**Message from the Senate**

**SIGNED SENATE CONCURRENT RESOLUTIONS**

March 26, 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 Nos. 10 and 11.

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.

**Reports of Committees**

The following reports of committees were received and read:

**Report of the Committee on Appropriations**

March 27, 1998

To the Speaker and Members of the House of Representatives:

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

House Bill No. 27, by McDonald  
Reported with amendments. (9-0-1) (Regular)

House Bill No. 38, by Thompson  
Reported favorably. (8-0-2) (Regular)

House Bill No. 39, by Thompson  
Reported favorably. (9-0-1) (Regular)

House Bill No. 40, by Thompson  
Reported with amendments. (9-0-1) (Regular)

House Bill No. 67, by Johns (Duplicate of Senate Bill No. 143)  
Reported favorably. (9-0-1) (Regular)

House Bill No. 168, by Downer  
Reported favorably. (9-0-1) (Regular)

JERRY LUKE LEBLANC  
Chairman

**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. 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.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

**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.

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

**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.

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

**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.

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

**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.

Under the rules, the above bill was referred to the Committee on Municipal, Parochial and Cultural Affairs.

**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.

Under the rules, the above bill was referred to the Committee on House and Governmental Affairs.

**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.

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

**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. 17—**

BY REPRESENTATIVES LONG, BARTON, BAUDOIN, CURTIS, DOERGE, KENNEY, McDONALD, POWELL, PRATT, SALTER, WINSTON, AND WRIGHT

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to develop a comprehensive plan for the statewide implementation of alternative education programs and to present such plan, including any recommendations for full implementation by the beginning of the 1999-2000 school year and any recommended funding methods for the development and implementation of such plan, to the House and Senate Committees on Education prior to the beginning of the 1999 Regular Session of the Legislature.

Read by title.

Reported favorably by the Committee on Education.

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

**HOUSE CONCURRENT RESOLUTION NO. 19—**

BY REPRESENTATIVE ODINET  
A CONCURRENT RESOLUTION

To continue and provide for the Louisiana Oyster Task Force and provide for membership and duties thereof.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Natural Resources to Original House Concurrent Resolution No. 19 by Representative Odinet

AMENDMENT NO. 1

On page 2, line 16, delete "twelve" and insert "thirteen"

AMENDMENT NO. 2

On page 3, between lines 5 and 6, insert

"(11) One member appointed by the Delta Commercial Fisherman's organization."

On motion of Rep. John Smith, the amendments were adopted.

On motion of Rep. John Smith, the resolution, as amended, was ordered engrossed and passed to its third reading.

**HOUSE CONCURRENT RESOLUTION NO. 22—**

BY REPRESENTATIVE SCHNEIDER AND SENATOR SCHEDLER  
A CONCURRENT RESOLUTION

To nominate Bayou Liberty in St. Tammany Parish for inclusion in the Louisiana Natural and Scenic Rivers System and provide for study and recommendations to the legislature on such nomination by the system administrator.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

**HOUSE CONCURRENT RESOLUTION NO. 27—**

BY REPRESENTATIVE WINDHORST  
A CONCURRENT RESOLUTION

To urge and request the Louisiana Gaming Control Board not to negotiate, renegotiate, approve, or execute any contract providing for the operation of any land-based casino in the state of Louisiana, without those negotiations, renegotiations, approval, or that execution being subject to a vote of the Legislature of Louisiana.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

**Motion**

On motion of Rep. McCain, the resolution was returned to the calendar subject to call.

**HOUSE CONCURRENT RESOLUTION NO. 34—**

BY REPRESENTATIVE ROUSSELLE  
A CONCURRENT RESOLUTION

To urge and request the Department of Wildlife and Fisheries to develop a program to control and prevent the problem of black drum predation.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

**HOUSE CONCURRENT RESOLUTION NO. 35—**

BY REPRESENTATIVES DUPRE, GAUTREAUX, ROUSSELLE, FLAVIN, FRITH, HAMMETT, ODINET, PIERRE, JACK SMITH, JOHN SMITH, AND TRICHE AND SENATOR ROBICHAUX  
A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to support and adopt legislation designed to provide for the sharing with coastal states of revenues generated from mineral exploration on the Outer Continental Shelf.

Read by title.

Reported favorably by the Committee on Natural Resources.

On motion of Rep. John Smith, 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. 13—**

BY REPRESENTATIVES DUPRE AND FRITH  
AN ACT

To amend and reenact R.S. 14:98(C)(introductory paragraph), relative to the crime of operating a vehicle while intoxicated; to clarify that the total sentence of imprisonment for a conviction of a second such offense shall not exceed six months; to provide that sentence of home incarceration may be ordered if otherwise allowed by law; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 13 by Representative Dupre

AMENDMENT NO. 1

On page 1, line 5, after "months;" and before "and to" insert "to provide that sentence of home incarceration may be ordered if otherwise allowed by law;"

AMENDMENT NO. 2

On page 2, line 2, after "sentence." and before "Imposition" insert "Nothing herein shall prohibit a court from sentencing a defendant to home incarceration, if otherwise allowed under the provisions of Article 894.2 of the Code of Criminal Procedure."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 20—**

BY REPRESENTATIVE HAMMETT  
AN ACT

To enact R.S. 42:66(M), relative to dual officeholding; to provide that a chief of police of certain villages may also hold the office of deputy sheriff; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 20 by Representative Hammett

AMENDMENT NO. 1

On page 1, delete line 3 in its entirety and at the beginning of line 4 delete "thousand five hundred" and insert "of police of certain villages"

AMENDMENT NO. 2

On page 1, delete line 11 in its entirety and at the beginning of line 12 delete "five hundred" and insert "police of a village with a population of less than one thousand according to the 1990 federal decennial census"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 23—**

BY REPRESENTATIVE LEBLANC  
AN ACT

To amend and reenact R.S. 17:3223(B)(5), to authorize the Board of Trustees for State Colleges and Universities to establish tuition amounts and other fees and charges applicable to students attending South Louisiana Community College; to provide limitations; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the consent calendar.

**HOUSE BILL NO. 25—**

BY REPRESENTATIVES MCCAIN AND MICHOT  
AN ACT

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

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 25 by Representatives McCain and Michot

**AMENDMENT NO. 1**

On page 2, line 9, change "twenty-five" to "fifty"

**AMENDMENT NO. 2**

On page 2, at the end of line 13, add the following:

"The provisions of this Paragraph shall not be applicable to anyone over the age of fifty-five years."

**AMENDMENT NO. 3**

On page 2, line 19, change "one" to "two"

On motion of Rep. John Smith, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 28—**

BY REPRESENTATIVES DEWITT, DOWNER, MCMAINS, MCDONALD, CRANE, AND WALSWORTH AND SENATORS EWING, DARDENNE, HAINKEL, AND BARHAM  
AN ACT

To amend and reenact R.S. 17:354, relative to state funds; to provide for allocation and distribution of monies appropriated from the Teacher Supplies Fund; to provide for expansion of uses and eligibility for receipt of such monies; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Education to Original House Bill No. 28 by Representative DeWitt, et al.

**AMENDMENT NO. 1**

On page 5, line 7, after "to the" delete the remainder of the line and delete lines 8 and 9 and insert the following:

"department for review and approval. A signed affidavit shall be provided annually by each nonpublic school to the department and such affidavit shall indicate the description, location, and use of any non-consumable materials, equipment, and supplies purchased pursuant to this Section."

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

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

Under the rules, placed on the consent calendar.

**HOUSE BILL NO. 32—**

BY REPRESENTATIVE ROUSSELLE  
AN ACT

To enact R.S. 56:305.7 and to repeal R.S. 56:303.10, relative to commercial rod and reel gear licenses; to provide relative to eligibility to hold a rod and reel gear license; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 34—**

BY REPRESENTATIVE SCHNEIDER  
AN ACT

To enact R.S. 40:964(Schedule III)(B)(9), relative to controlled dangerous substances; to add Ketamine as a Schedule III depressant; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 41—**

BY REPRESENTATIVE TRAVIS  
AN ACT

To authorize and empower the Department of Health and Hospitals to transfer title to certain property located in East Feliciana Parish to the East Feliciana Parish Fire Protection District; to provide certain limitations on such transfer; to repeal Act No. 1066 of the 1997 Regular Session of the Legislature; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the consent calendar.

# Page 8 HOUSE

5th Day's Proceedings - March 27, 1998

## HOUSE BILL NO. 44—

BY REPRESENTATIVES WILKERSON, BARTON, BAUDOIN, CRANE, CURTIS, DOERGE, JETSON, KENNEY, MCDONALD, POWELL, PRATT, SALTER, AND WRIGHT

### AN ACT

To rename "Robinson Stadium" located on the campus of Grambling State University in Grambling, Louisiana, as the "Eddie G. Robinson Stadium"; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the consent calendar.

## HOUSE BILL NO. 56—

BY REPRESENTATIVES MCDONALD AND DIMOS  
AN ACT

To enact R.S. 41:898, relative to public lands; to provide relative to school board lands; to authorize the Morehouse Parish School Board to exchange certain unused school land; to provide procedures and conditions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the consent calendar.

## HOUSE BILL NO. 59—

BY REPRESENTATIVE WIGGINS  
AN ACT

To authorize and provide for the transfer or lease of certain state property to Water Works District No. 3 of Rapides Parish, to provide certain terms and conditions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the consent calendar.

## HOUSE BILL NO. 60—

BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 36:605(B)(6) and to enact R.S. 36:605(B)(7) and R.S. 56:6(29), relative to powers, duties, functions, and responsibilities of the Department of Wildlife and Fisheries; to authorize the dissemination of wildlife and fisheries information and education by the department; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the consent calendar.

## HOUSE BILL NO. 71—

BY REPRESENTATIVES THOMPSON, BAUDOIN, CURTIS, DOERGE, LONG, MCDONALD, AND WINSTON  
AN ACT

To enact R.S. 17:53, relative to city and parish school boards; to require certain training and instruction for members of all city and parish school boards; to provide relative to completion of such training and instruction; to provide for rules and regulations; to provide for applicability; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 71 by Representative Thompson

#### AMENDMENT NO. 1

On page 1, line 5, after "instruction;" and before "and" insert "to provide for rules and regulations; to provide for applicability;"

#### AMENDMENT NO. 2

On page 1, line 11, after "state" and before "in" add a comma "," and delete "and"

#### AMENDMENT NO. 3

On page 1, line 12, after "boards" and before "Such" change the period "." to a comma "," and insert "and in educational trends, research, and policy."

#### AMENDMENT NO. 4

On page 1, line 15, after "by" and before "the" insert "a city or parish school board central office or"

#### AMENDMENT NO. 5

On page 1, line 18, after "Education." and before "or" insert "a city or parish school board central office."

#### AMENDMENT NO. 6

On page 2, line 3, after "serves." and before "Upon" insert "The superintendent of the school system on which the member serves shall be responsible for verifying that the instruction meets the requirements of this Section."

#### AMENDMENT NO. 7

On page 2, delete line 7, and insert the following:

"C. The provisions of this Section shall be applicable to any member of a city or parish school board taking office in 1999 or thereafter."

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 76—**

BY REPRESENTATIVES MCDONALD AND DIMOS AND SENATOR BARHAM

## AN ACT

To authorize and provide for the transfer, sale, lease, or other cooperative endeavor involving certain state property in Ouachita Parish by and on behalf of the state through the Department of Wildlife and Fisheries and the United States Fish and Wildlife Service or other appropriate public entity; to provide relative to the Black Bayou Lake National Wildlife Refuge; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the consent calendar.

**HOUSE BILL NO. 79—**

BY REPRESENTATIVES WRIGHT, BARTON, BAUDOIN, DOERGE, LONG, POWELL, AND THOMPSON

## AN ACT

To amend and reenact R.S. 17:100.1(A)(1), relative to educational services for certain students who are in the custody of the Department of Public Safety and Corrections, office of juvenile services; to provide for the duties and responsibilities of city and parish school boards; to limit required expenditures by such school boards to provide educational services for certain students; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 102—**

BY REPRESENTATIVES DEWITT, MCDONALD, DOWNER, MCMAINS, CRANE, KENNEY, WALSWORTH, AND WINSTON AND SENATORS EWING, DARDENNE, HAINKEL, AND BARHAM

## AN ACT

To enact R.S. 17:282.2, relative to character education programs; to require the State Board of Elementary and Secondary Education to provide a clearinghouse for information on character education programs; to permit city and parish school boards to offer character education curriculum; to provide relative to the dissemination of certain information to city and parish school systems; to provide relative to annual progress reports and rules and regulations; to provide for legislative findings; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the consent calendar.

**HOUSE BILL NO. 108 (Duplicate of Senate Bill No. 53)—**

BY REPRESENTATIVE DUPRE AND SENATOR DARDENNE

## AN ACT

To amend and reenact R.S. 24:802(B)(4), (5), (6), and (7), relative to the Advisory Commission on Intergovernmental Relations; to allow for the appointment of certain designees to the commission; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 108 by Representative Dupre

AMENDMENT NO. 1

On page 1, line 2, after "and (7)" delete "and (D)," and insert a comma ",".

AMENDMENT NO. 2

On page 1, delete lines 3 and 4 and insert "the Advisory Commission on Intergovernmental Relations; to allow for the"

AMENDMENT NO. 3

On page 1, line 8, after "and (7)" delete "and (D)"

AMENDMENT NO. 4

On page 2, delete lines 6 and 7

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

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

Under the rules, placed on the consent calendar.

**HOUSE BILL NO. 114—**

BY REPRESENTATIVES GAUTREAUX, DANIEL, FRITH, ODINET, PIERRE, AND TRICHE

## AN ACT

To enact Chapter 17 of Subtitle I of Title 30 of the Louisiana Revised Statutes of 1950, consisting of R.S. 30:2000.1 through 2000.8, inclusive; to provide relative to natural resources; to create the Atchafalaya Basin Program in the Department of Natural Resources and provide for duties and powers thereof; to create the Atchafalaya Basin Promotion and Research Board within the Atchafalaya Basin Program and provide for membership and powers thereof; to create the Atchafalaya Basin Advisory Committee within the Atchafalaya Basin Program and provide for membership and powers thereof; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 114 by Representative Gautreaux

AMENDMENT NO. 1

On page 3, line 21, after "Project" delete the period "." and insert the following:

" and to plan and monitor projects to improve water quality and fish production."

AMENDMENT NO. 2

On page 7, line 24, after "Basin" delete the period "." and insert the following:

" and shall include representatives of the Louisiana Landowners Association, Louisiana Forestry Association, and timber producers."

On motion of Rep. John Smith, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 116—

BY REPRESENTATIVES MCDONALD, DOWNER, DEWITT, MCMAINS, CRANE, KENNEY, AND WALSWORTH AND SENATORS EWING, DARDENNE, HAINKEL, AND BARHAM

AN ACT

To amend and reenact R.S. 17:24.4(F)(2), relative to the Louisiana Educational Assessment Program; to provide relative to the grades in which students are administered norm-referenced tests pursuant to the program; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the consent calendar.

HOUSE BILL NO. 118—

BY REPRESENTATIVES MCDONALD, DOWNER, DEWITT, MCMAINS, CRANE, KENNEY, AND WALSWORTH AND SENATORS EWING, DARDENNE, HAINKEL, AND BARHAM

AN ACT

To amend and reenact R.S. 17:81(A), relative to the general powers of city and parish school boards; to provide relative to the selection of teachers and other certified personnel; to provide for policies and procedures relative to the selection process; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Original House Bill No. 118 by Representatives McDonald, et al.

AMENDMENT NO. 1

On page 2, line 10, after "are" delete the remainder of the line and delete line 11 and insert "qualified for the position."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 119—

BY REPRESENTATIVES MCDONALD, DOWNER, MCMAINS, CRANE, DEWITT, KENNEY, AND WALSWORTH AND SENATORS EWING, DARDENNE, HAINKEL, AND BARHAM

AN ACT

To amend and reenact R.S. 17:154(B), 154.1, and 154.3(A), (B), and (D)(2) and to repeal R.S. 17:225, all relative to requirements concerning school time, including the length of the school day and school year, instructional time, and staff development days for teachers; to provide relative to the minimum number of instructional minutes per day and the minimum number of instructional days per year; to provide relative to modifications made to such instructional time by public school governing authorities with certain limitations; to provide relative to the use of instructional time which exceeds the minimum as required by law; to remove certain provisions relative to the minimum session of attendance required; to provide additional staff development days for teachers under certain circumstances; to provide relative to effectiveness; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 125—

BY REPRESENTATIVE ROUSSELLE

AN ACT

To amend and reenact R.S. 17:54(B), 444(B)(3) and (4)(a), and 463(B)(3) and (4)(a), relative to the power and authority of a city or parish school board to elect a superintendent of schools; to provide for the term of a school superintendent elected by a city or parish school board; to provide limitations; to provide for application; to provide for effectiveness; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 135 (Duplicate of Senate Bill No. 36)—

BY REPRESENTATIVE DEWITT AND SENATOR DARDENNE AND COAUTHORED BY REPRESENTATIVES DOWNER AND MCMAINS AND SENATORS EWING, HAINKEL, BARHAM, AND ROMERO

AN ACT

To amend and reenact R.S. 42:1102(8), relative to the Code of Governmental Ethics; to change the definition of controlling

interest as provided in the Code of Governmental Ethics; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 135 by Representative DeWitt, et al.

##### AMENDMENT NO. 1

On page 1, line 14, after "spouse or" and before "child," delete "minor"

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

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 145 (Duplicate of Senate Bill No. 82)—

BY REPRESENTATIVE MCDONALD AND SENATOR BARHAM AND COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, AND MCMAINS AND SENATORS EWING, DARDENNE, HAINKEL, AND ROMERO

##### AN ACT

To authorize and provide for the transfer, lease, or exchange of certain state property in Ouachita Parish by and on behalf of the state through the Department of Wildlife and Fisheries; to provide certain terms and conditions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 145 by Representative Downer

##### AMENDMENT NO. 1

Change lead author from Representative Downer to Representative McDonald

On motion of Rep. John Smith, the amendments were adopted.

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

Under the rules, placed on the consent calendar.

#### HOUSE BILL NO. 146—

BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, AND MCCAIN AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND ROMERO

##### AN ACT

To amend and reenact R.S. 44:39(A), relative to public records; to provide for the maintenance of records by the Department of Public Safety and Corrections, public safety services; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on House and Governmental Affairs.

The committee amendments were read as follows:

#### HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on House and Governmental Affairs to Original House Bill No. 146 by Representative Downer

##### AMENDMENT NO. 1

On page 2, delete lines 10 through 15 in their entirety and insert the following:

"preservation. Notwithstanding the provisions of this Subsection, public safety services within the Department of Public Safety and Corrections shall not be required to maintain the original source document or microfilm thereof when such document has been preserved utilizing electronic digitizing. For any document which has been preserved utilizing electronic digitizing and for which there is no original source document or microfilm thereof, at least two additional backup copies shall be maintained by public safety services, one of which shall be maintained in a fire-proof vault and the other shall be maintained in a physically separate facility."

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

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

Under the rules, placed on the regular calendar.

#### HOUSE BILL NO. 151—

BY REPRESENTATIVES MCDONALD, DOWNER, DEWITT, MCMAINS, CRANE, KENNEY, AND WALSWORTH AND SENATORS EWING, DARDENNE, HAINKEL, AND BARHAM

##### AN ACT

To amend and reenact R.S. 17:1941, 1942, 1942.1, 1943, 1944, 1945, 1946, 1947, 1948, 1949, 1950, 1951, 1952, 1953, 1954, 1958, 1971(B)(1), 1972(1), (2)(introductory paragraph), (2)(b) and (c)(iii) and (vii), (f)(introductory paragraph), (f)(ii), 1973, 1974, 1975, 1976, 1977, 1978(A), 1979(A)(introductory paragraph) and (1), (7), (8), (C), (D)(1), (2), and (3), and (E), to enact R.S. 17:1971(B)(4), 1979 (A)(9) and (10), and (D)(5), to repeal R.S. 17:1947.1, 1955, 1956, 1957, and 1959, and to rename Chapter 8 of Title 17 of the Louisiana Revised Statutes of 1950, relative to special education; to provide for the education of children with exceptionalities; to provide for state compliance with the federal requirements under the Individuals with Disabilities Education Act; to provide relative to the responsibilities of the state Department of Education and the local educational agencies; to provide relative to the cost of instruction of students with exceptionalities; to delete the special education pilot program in Lafourche Parish; to delete the Northeast Louisiana Special Education Center; to provide

relative to ChildNet; to change the composition of the State Interagency Coordinating Council for ChildNet; to provide for definitions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Education to Original House Bill No. 151 by Representative McDonald

AMENDMENT NO. 1

On page 8, line 3, after "with" and before "to" change "disabilities" to "exceptionalities"

AMENDMENT NO. 2

On page 8, line 4, after "with" and before "children" change "nondisabled" to "nonexceptional"

AMENDMENT NO. 3

On page 18, at the beginning of line 6, change "disabilities and nondisabled" to "exceptionalities and nonexceptional"

AMENDMENT NO. 4

On page 28, line 18, after "with" and before "and" change "disabilities" to "exceptionalities"

AMENDMENT NO. 5

On page 36, line 22, after "services" delete the remainder of the line and deletes lines 23 through 26 and on page 37 delete lines 1 and 2 and insert in lieu thereof "in accordance with R.S. 17:100.1 and 105."

AMENDMENT NO. 6

On page 38, line 17, after "with" and before "and" change "disabilities" to "exceptionalities"

AMENDMENT NO. 7

On page 56, delete lines 3 through 16 and at the beginning of line 17 change "(15)" to "(14)"

AMENDMENT NO. 8

On page 56, at the beginning of line 24, change "(16)" to "(15)"

AMENDMENT NO. 9

On page 56, at the beginning of line 26, change "(17)" to "(16)"

AMENDMENT NO. 10

On page 64, line 14, after "shall" and before "represent" delete "reasonably"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 161—**  
BY REPRESENTATIVE ALARIO  
AN ACT

To enact Part V of Chapter 8 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1987, relative to the education of children confined to certain correctional centers for youth; to establish and provide for a school district for such correctional centers; to provide for the state funding of the district and the uses to which state funds for the district may be put; to provide for the administration of the district; to provide for the provision of educational services; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Education to Original House Bill No. 161 by Representative Alario

AMENDMENT NO. 1

On page 2, line 18, after "equal to" delete the remainder of the line and delete lines 19 and 20 and insert in lieu thereof "seventy percent of the average state share per pupil amount as contained in the minimum foundation program budget letter approved by the State Board of Elementary and Secondary Education in the preceding fiscal year. The"

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

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 176—**  
BY REPRESENTATIVE DANIEL  
AN ACT

To amend and reenact R.S. 30:21(B)(1)(a), relative to the office of conservation within the Department of Natural Resources; to provide relative to certain fees and charges imposed by the office of conservation; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Natural Resources.

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

Under the rules, placed on the regular calendar.

**HOUSE BILL NO. 177—**  
BY REPRESENTATIVES DANIEL, JOHN SMITH, AND FLAVIN AND SENATORS ROMERO AND MALONE  
AN ACT

To amend and reenact R.S. 33:1423(B)(1) and R.S. 56:6(21), 8(12)(a)(ii) and (60.1), 103(B) and (D), 104(A)(introductory paragraph) and (1)(a), 251(A)(1), 302.4(A), 302.5, 302.6, and 642(A), to enact R.S. 56:30.1, 302.4(D), and 641.1, and to repeal R.S. 56:302.4(B), all relative to the issuance of hunting and recreational fishing licenses by the Department of Wildlife and Fisheries; to authorize the issuance of such licenses through electronic means; to authorize the contracting with and payment of special issuing agents for services related to the issuance of

such licenses; to repeal the requirements for license booklets, issuance of licenses by tax collectors, the deduction of commissions by said collectors, and the collection and submission of fees by said tax collectors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Natural Resources.

The committee amendments were read as follows:

**HOUSE COMMITTEE AMENDMENTS**

Amendments proposed by House Committee on Natural Resources to Original House Bill No. 177 by Representative Daniel

AMENDMENT NO. 1

On page 1, line 2, delete "and 1423.1"

AMENDMENT NO. 2

On page 1, line 15, delete "and 1423.1" and change "are" to "is"

AMENDMENT NO. 3

On page 2, delete lines 11 through 24 in their entirety

AMENDMENT NO. 4

On page 5, delete lines 7 through 12 in their entirety and insert the following:

"The Department of Wildlife and Fisheries is hereby authorized to issue hunting and recreational fishing licenses and permits through an electronic"

AMENDMENT NO. 5

On page 11, on line 11, delete "exclusive and plenary"

AMENDMENT NO. 6

On page 11, at the end of line 12, delete the period "." and add "through an electronic issuance system."

AMENDMENT NO. 7

On page 12, delete lines 13 through 16 in their entirety and insert in lieu thereof the following:

"when the commissioner of administration shall certify in writing that the 1998-1999 Fiscal Year state operating budget contains funds sufficient to offset the loss of funds resultant from the enactment of the provisions contained in this Act."

On motion of Rep. John Smith, the amendments were adopted.

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

Under the rules, placed on the regular calendar.

**Speaker Downer in the Chair**

**House and House Concurrent Resolutions on Third Reading for Final Consideration**

The following House and House Concurrent Resolutions on third reading for final consideration 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.

On motion of Rep. Riddle, the resolution was adopted.

Ordered to the Senate.

**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.

Rep. Riddle moved the adoption of the resolution.

**ROLL CALL**

The roll was called with the following result:

YEAS

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

Flavin	Morrell	Weston
Fontenot	Morrish	Wiggins
Frith	Murray	Wilkerson
Frige	Odinet	Willard
Gautreaux	Pierre	Windhorst
Glover	Pinac	Winston
Green	Powell	Wright
Total—96		

NAYS

Total—0

ABSENT

Alexander, A.—93rd	Faucheux	Jetson
Curtis	Holden	Perkins
Damico	Jenkins	Schneider
Total—9		

The resolution was adopted.

Ordered to the Senate.

**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.

On motion of Rep. Wilkerson, the resolution was adopted.

Ordered to the Senate.

**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.

On motion of Rep. McMains, the resolution was adopted.

Ordered to the Senate.

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

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

**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.

Rep. Dupre moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Powell
Alario	Hammett	Pratt
Alexander, R.—13th	Heaton	Quezaire
Ansardi	Hebert	Riddle
Barton	Hill	Romero
Baudoin	Holden	Rousselle
Baylor	Hopkins	Salter
Bowler	Hudson	Scalise
Bruce	Hunter	Schwegmann
Bruneau	Iles	Shaw
Carter	Johns	Smith, J.D.—50th
Clarkson	Kennard	Smith, J.R.—30th
Copelin	Kenney	Stelly
Crane	Lancaster	Strain
Curtis	Landrieu	Thomas
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Dimos	McCain	Triche
Doerge	McCallum	Vitter
Donelon	McDonald	Waddell
Dupre	McMains	Walsworth
Durand	Michot	Warner
Farve	Mitchell	Welch
Flavin	Montgomery	Weston
Fontenot	Morrell	Wiggins
Frith	Morrish	Wilkerson
Frige	Murray	Willard
Gautreaux	Odinet	Windhorst
Glover	Pierre	Winston
Green	Pinac	Wright
Total—96		

NAYS

Total—0

ABSENT

Alexander, A.—93rd	Faucheux	Perkins
Chaisson	Jenkins	Schneider
Damico	Jetson	Theriot
Total—9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Dupre moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**HOUSE BILL NO. 18—**  
BY REPRESENTATIVE GAUTREUX  
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.

Rep. Gautreaux moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Guillory	Powell
Alario	Hammett	Quezaire
Ansardi	Heaton	Riddle
Barton	Hebert	Romero
Baudoin	Hill	Rousselle
Baylor	Holden	Salter
Bowler	Hopkins	Scalise
Bruce	Hudson	Schwegmann
Bruneau	Hunter	Shaw
Carter	Iles	Smith, J.D.—50th
Chaisson	Johns	Smith, J.R.—30th
Clarkson	Kennard	Stelly
Copelin	Kennedy	Strain
Crane	Lancaster	Theriot
Curtis	Landrieu	Thomas
Daniel	LeBlanc	Thompson
Denville	Long	Thornhill
DeWitt	Marionneau	Toomy
Diez	Martiny	Travis
Dimos	McCain	Triche
Doerge	McCallum	Vitter
Donelon	McDonald	Waddell
Dupre	McMains	Walsworth
Durand	Michot	Warner
Farve	Mitchell	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Frith	Morrish	Willard
Fruge	Murray	Windhorst
Gautreaux	Odinet	Winston
Glover	Pierre	Wright
Green	Pinac	
Total—95		

**NAYS**

Total—0

**ABSENT**

Alexander, A.—93rd	Jenkins	Pratt
Alexander, R.—13th	Jetson	Schneider
Damico	Perkins	Welch
Faucheux		
Total—10		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Gautreaux moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**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.

Rep. Diez moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Guillory	Pratt
Alario	Hammett	Quezaire
Alexander, A.—93rd	Heaton	Riddle
Alexander, R.—13th	Hebert	Romero
Ansardi	Hill	Rousselle
Barton	Hopkins	Salter
Baudoin	Hudson	Scalise
Baylor	Hunter	Schwegmann
Bowler	Iles	Shaw
Bruce	Johns	Smith, J.D.—50th
Bruneau	Kennard	Smith, J.R.—30th
Carter	Kennedy	Stelly
Chaisson	Lancaster	Strain
Clarkson	Landrieu	Theriot
Copelin	LeBlanc	Thomas
Crane	Long	Thompson
Curtis	Marionneau	Thornhill
Daniel	Martiny	Toomy
Denville	McCain	Travis
DeWitt	McCallum	Triche
Diez	McDonald	Vitter
Dimos	McMains	Waddell
Doerge	Michot	Walsworth
Dupre	Mitchell	Warner
Durand	Montgomery	Welch
Farve	Morrell	Weston
Flavin	Morrish	Wiggins
Fontenot	Murray	Wilkerson
Frith	Odinet	Willard
Fruge	Perkins	Windhorst
Gautreaux	Pierre	Winston
Glover	Pinac	Wright
Green	Powell	
Total—98		

**NAYS**

Total—0

**ABSENT**

Damico	Holden	Schneider
Donelon	Jenkins	
Faucheux	Jetson	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**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.

Rep. Diez moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Dimos	McCain	Triche
Doerge	McCallum	Vitter
Donelon	McDonald	Waddell
Dupre	McMains	Walsworth
Durand	Michot	Warner
Farve	Mitchell	Welch
Flavin	Montgomery	Weston
Fontenot	Morrell	Wiggins
Frith	Morrish	Wilkerson
Fruge	Murray	Willard
Gautreaux	Odinet	Windhorst
Glover	Perkins	Winston
Green	Pierre	Wright

Total—102

**NAYS**

Total—0

**ABSENT**

Damico	Faucheux	Schneider
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**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.

Rep. Diez moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Dimos	McCain	Triche
Doerge	McCallum	Vitter
Donelon	McDonald	Waddell
Dupre	McMains	Walsworth
Durand	Michot	Warner
Farve	Mitchell	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Frith	Morrish	Willard
Fruge	Murray	Windhorst
Gautreaux	Odinet	Winston
Glover	Perkins	Wright
Green	Pierre	

Total—101

**NAYS**

Total—0

**ABSENT**

Damico	Schneider
Faucheux	Welch
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**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.

Rep. Diez moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Guillory	Powell
Alario	Hammett	Pratt
Alexander, A.—93rd	Heaton	Quezaire
Alexander, R.—13th	Hebert	Riddle
Ansardi	Hill	Romero
Barton	Holden	Rousselle
Baudoin	Hopkins	Salter
Baylor	Hudson	Scalise
Bowler	Hunter	Schwegmann
Bruce	Iles	Shaw
Bruneau	Jenkins	Smith, J.D.—50th
Carter	Jetson	Smith, J.R.—30th
Chaisson	Johns	Stelly
Clarkson	Kennard	Strain
Copelin	Kenney	Theriot
Crane	Lancaster	Thomas
Curtis	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Denville	Long	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Dimos	McCallum	Vitter
Doerge	McDonald	Waddell
Donelon	McMains	Walsworth
Dupre	Michot	Warner
Durand	Mitchell	Welch
Farve	Montgomery	Weston
Flavin	Morrell	Wiggins
Fontenot	Morrish	Wilkerson
Frith	Murray	Willard
Fruge	Odinet	Windhorst
Gautreaux	Perkins	Winston
Glover	Pierre	Wright
Green	Pinac	
Total—101		

**NAYS**

Total—0

**ABSENT**

Damico	Marionneaux
Faucheux	Schneider
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**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.

Rep. Diez moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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
Daniel	LeBlanc	Thompson
Denville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Dimos	McCain	Triche
Doerge	McCallum	Vitter
Donelon	McDonald	Waddell
Dupre	McMains	Walsworth
Durand	Michot	Warner
Farve	Mitchell	Welch
Flavin	Montgomery	Weston
Fontenot	Morrell	Wiggins
Frith	Morrish	Wilkerson
Fruge	Murray	Willard
Gautreaux	Odinet	Windhorst
Glover	Perkins	Winston
Green	Pierre	Wright
Total—102		

**NAYS**

Total—0

**ABSENT**

Damico	Faucheux	Schneider
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**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.

Rep. Diez moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Pratt
Alario	Hammett	Quezaire
Alexander, A.—93rd	Heaton	Riddle
Alexander, R.—13th	Hebert	Romero
Ansardi	Hill	Rousselle
Barton	Hopkins	Salter
Baudoin	Hudson	Scalise
Baylor	Hunter	Schwegmann
Bowler	Iles	Shaw
Bruce	Jenkins	Smith, J.D.—50th
Bruneau	Johns	Smith, J.R.—30th
Carter	Kennard	Stelly
Chaisson	Kenney	Strain
Clarkson	Lancaster	Theriot
Copelin	Landrieu	Thomas
Crane	LeBlanc	Thompson
Curtis	Long	Thornhill
Daniel	Marionneaux	Toomy
Deville	Martiny	Travis
DeWitt	McCain	Triche
Diez	McCallum	Vitter
Dimos	McDonald	Waddell
Doerge	McMains	Walsworth
Donelon	Michot	Warner
Dupre	Mitchell	Welch
Durand	Montgomery	Weston
Farve	Morrell	Wiggins
Flavin	Morrish	Wilkerson
Fontenot	Murray	Willard
Frith	Odinet	Windhorst
Frige	Perkins	Winston
Gautreaux	Pierre	Wright
Glover	Pinac	
Green	Powell	
Total—100		

NAYS

Holden  
 Total—2

ABSENT

Damico  
 Total—3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**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.

Rep. Diez moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Dimos	McCain	Triche
Doerge	McCallum	Vitter
Donelon	McDonald	Waddell
Dupre	McMains	Walsworth
Durand	Michot	Warner
Farve	Mitchell	Welch
Flavin	Montgomery	Weston
Fontenot	Morrell	Wiggins
Frith	Morrish	Wilkerson
Frige	Murray	Willard
Gautreaux	Odinet	Windhorst
Glover	Perkins	Winston
Green	Pierre	Wright
Total—102		

NAYS

Total—0

ABSENT

Damico  
 Faucheux  
 Total—3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**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.

Rep. Diez moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Powell
Alario	Hammett	Pratt
Alexander, A.—93rd	Heaton	Quezaire
Alexander, R.—13th	Hebert	Riddle
Ansardi	Holden	Romero
Barton	Hopkins	Rousselle
Baudoin	Hudson	Salter
Baylor	Hunter	Scalise
Bowler	Iles	Schwegmann
Bruce	Jenkins	Shaw
Bruneau	Jetson	Smith, J.D.—50th
Carter	Johns	Smith, J.R.—30th
Chaisson	Kennard	Stelly
Clarkson	Kenney	Strain
Copelin	Lancaster	Theriot
Crane	Landrieu	Thomas
Curtis	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
Farve	Montgomery	Weston
Flavin	Morrell	Wiggins
Fontenot	Morrish	Wilkerson
Frith	Murray	Willard
Fruge	Odinet	Windhorst
Gautreaux	Perkins	Winston
Glover	Pierre	Wright
Green	Pinac	
Total—101		

NAYS

Total—0

ABSENT

Damico	Hill
Faucheux	Schneider
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**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.

**Motion**

On motion of Rep. Diez, the bill was returned to the calendar subject to call.

**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.

Rep. Fruge sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Fruge to Engrossed House Bill No. 54 by Representatives Fruge and Bruce

AMENDMENT NO. 1

On page 1, line 3, after "operate on" delete "public roads and" and insert "the shoulders of certain"

AMENDMENT NO. 2

On page 1, line 8, after "use on" delete the remainder of the line and insert "highway shoulders;"

AMENDMENT NO. 3

On page 1, at the beginning of line 9, delete "highways;"

AMENDMENT NO. 4

On page 1, line 13, after "on" delete the remainder of the line and insert "the shoulders of any publicly maintained highway with improved asphalt or concrete shoulders except an interstate highway solely for the purposes of farm-"

# Page 20 HOUSE

5th Day's Proceedings - March 27, 1998

## AMENDMENT NO. 5

On page 1, line 14, after "farmer's farm" delete the remainder of the line and delete lines 15 through 18 and insert a period "."

## AMENDMENT NO. 6

On page 2, delete lines 1 and 2 in their entirety

## AMENDMENT NO. 7

On page 2, line 13, after "1998." delete the remainder of the line and delete lines 14 through 16 in their entirety

On motion of Rep. Fruge, the amendments were withdrawn.

Rep. Fruge sent up floor amendments which were read as follows:

### **HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Fruge to Engrossed House Bill No. 54 by Representatives Fruge and Bruce

## AMENDMENT NO. 1

On page 1, line 3, after "operate on" delete "public roads and" and insert "the shoulders of certain"

## AMENDMENT NO. 2

On page 1, line 8, after "use on" delete the remainder of the line and insert "highway shoulders:"

## AMENDMENT NO. 3

On page 1, at the beginning of line 9, delete "highways:"

## AMENDMENT NO. 4

On page 1, line 13, after "on" delete the remainder of the line and insert "the shoulders of any publicly maintained highway with improved asphalt or concrete shoulders except an interstate highway solely for the purposes of farm-"

## AMENDMENT NO. 5

On page 1, line 14, after "farmer's farm" delete the remainder of the line and delete lines 15 through 18 and insert a period "."

## AMENDMENT NO. 6

On page 2, delete lines 1 and 2 in their entirety

## AMENDMENT NO. 7

On page 2, line 13, after "1998." delete the remainder of the line and delete lines 14 through 16 in their entirety

### **Motion**

On motion of Rep. Fruge, the bill was returned to the calendar subject to call.

## **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.

Called from the calendar.

Read by title.

Rep. Holden sent up floor amendments which were read as follows:

### **HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representatives Holden and Copelin to Engrossed House Bill No. 53 by Representative Diez

## AMENDMENT NO. 1

On page 2, at the end of line 10 insert "The department shall submit a quarterly report to the Joint Legislative Committee on the Budget which summarizes and reports the progress to date on all projects and all emergency projects."

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

Rep. Holden sent up floor amendments which were read as follows:

### **HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representatives Holden and Copelin to Engrossed House Bill No. 53 by Representative Diez

## AMENDMENT NO. 1

On page 2, line 26, after "fund" and before "At least" insert "However, the secretary shall not undertake and finance any project out of the secretary's emergency fund, the cost of which is in excess of five hundred thousand dollars without the prior approval of the Joint Legislative Committee on the Budget."

Rep. Holden moved the adoption of the amendments.

Rep. Diez objected.

By a vote of 61 yeas and 38 nays, the amendments were adopted.

Rep. Thompson sent up floor amendments which were read as follows:

### **HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Thompson to Engrossed House Bill No. 53 by Representative Diez

## AMENDMENT NO. 1

On page 1, line 7, after "emergencies;" and before "and" insert "to provide for criteria"

AMENDMENT NO. 2

On page 2, at the end of the line 10, add the following:

"The secretary of the Department of Transportation and Development shall submit criteria and guidelines to the House Committee on Transportation, Highways and Public Works in accordance with the Administrative Procedure Act in which he will list factors to be considered in making his determination of what is deemed an emergency."

AMENDMENT NO. 3

On page 3, at the end of line 5, add the following:

"The secretary of the Department of Transportation and Development shall submit criteria and guidelines to the House Committee on Transportation, Highways and Public Works in accordance with the Administrative Procedure Act in which he will list factors to be considered in making his determination of what is deemed an emergency."

AMENDMENT NO. 4

On page 3, at the end of line 25, add the following:

"The secretary of the Department of Transportation and Development shall submit criteria and guidelines to the House Committee on Transportation, Highways and Public Works in accordance with the Administrative Procedure Act in which he will list factors to be considered in making his determination of what is deemed an emergency."

On motion of Rep. Thompson, the amendments were adopted

Rep. Diez moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

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

Flavin	Morrell	Wilkerson
Fontenot	Morrish	Willard
Frith	Murray	Windhorst
Gautreaux	Odinot	Winston
Glover	Perkins	Wright
Green	Pierre	
Total—95		

**NAYS**

Jenkins	Romero
Jetson	Smith, J.R.—30th
Total—4	

**ABSENT**

Chaisson	Faucheux	Schneider
Damico	Fruge	Theriot
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**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.

Rep. McMains sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative McMains to Engrossed House Bill No. 57 by Representative McMains

AMENDMENT NO. 1

On page 1, lines 10 and 14, change "national" to "state or national"

AMENDMENT NO. 2

On page 2, lines 2, 3, 5, 7, 8, 11, 15, and 21, change "national" to "state or national"

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

Rep. McMains moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Hill	Romero
Alario	Holden	Rousselle
Alexander, A.—93rd	Hopkins	Salter
Alexander, R.—13th	Hudson	Scalise
Ansardi	Hunter	Schwegmann
Baudoin	Iles	Shaw

Page 22 HOUSE

5th Day's Proceedings - March 27, 1998

Baylor	Jenkins	Smith, J.D.—50th
Bowler	Jetson	Smith, J.R.—30th
Bruce	Johns	Stelly
Bruneau	Kennard	Strain
Carter	Kenney	Thomas
Clarkson	Lancaster	Thompson
Copelin	Landrieu	Thornhill
Crane	LeBlanc	Toomy
Curtis	Long	Travis
Daniel	Marrionneau	Triche
Denville	Martiny	Vitter
Dewitt	McCain	Waddell
Diez	McCallum	Walsworth
Dimos	McDonald	Warner
Donelon	McMains	Welch
Dupre	Michot	Weston
Durand	Mitchell	Wiggins
Farve	Montgomery	Wilkerson
Flavin	Morrell	Willard
Fontenot	Morrish	Windhorst
Frith	Murray	Winston
Fruge	Odinet	Wright
Gautreaux	Perkins	
Glover	Pierre	
Green	Pinac	
Guillory	Powell	
Hammett	Pratt	
Heaton	Quezaire	
Hebert	Riddle	
Total—98		

NAYS

Total—0

ABSENT

Barton	Doerge	Theriot
Chaisson	Faucheux	
Damico	Schneider	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. McMains moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**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.

Rep. Thompson moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS		
Mr. Speaker	Hammett	Powell
Alario	Heaton	Pratt
Alexander, A.—93rd	Hebert	Quezaire
Alexander, R.—13th	Hill	Riddle
Ansardi	Holden	Romero
Baudoin	Hopkins	Rousselle
Baylor	Hudson	Salter
Bowler	Hunter	Scalise
Bruce	Iles	Schwegmann
Bruneau	Johns	Shaw
Carter	Kennard	Smith, J.D.—50th
Clarkson	Kenney	Smith, J.R.—30th
Copelin	Lancaster	Stelly
Crane	Landrieu	Strain
Curtis	LeBlanc	Thomas
Daniel	Long	Thompson
Denville	Marionneau	Thornhill
DeWitt	Martiny	Toomy
Diez	McCain	Travis
Dimos	McCallum	Triche
Donelon	McDonald	Vitter
Dupre	McMains	Waddell
Durand	Michot	Walsworth
Farve	Mitchell	Warner
Flavin	Montgomery	Welch
Fontenot	Morrell	Weston
Frith	Morrish	Wiggins
Fruge	Murray	Wilkerson
Gautreaux	Odinet	Willard
Glover	Perkins	Windhorst
Green	Pierre	Winston
Guillory	Pinac	Wright
Total—96		

NAYS

Total—0

ABSENT

Barton	Doerge	Jetson
Chaisson	Faucheux	Schneider
Damico	Jenkins	Theriot
Total—9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Thompson moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**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.

Rep. Thornhill moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Powell
Alario	Heaton	Pratt
Alexander, A.—93rd	Hebert	Quezaire
Alexander, R.—13th	Hill	Riddle
Ansardi	Holden	Romero
Barton	Hopkins	Rousselle
Baudoin	Hudson	Salter
Baylor	Hunter	Scalise
Bowler	Iles	Schwegmann
Bruce	Jenkins	Shaw
Bruneau	Jetson	Smith, J.D.—50th
Carter	Johns	Smith, J.R.—30th
Clarkson	Kennard	Stelly
Copelin	Kenney	Strain
Crane	Lancaster	Theriot
Curtis	Landrieu	Thomas
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Dimos	McCain	Triche
Doerge	McCallum	Vitter
Donelon	McDonald	Waddell
Dupre	McMains	Walsworth
Durand	Michot	Warner
Farve	Mitchell	Welch
Flavin	Montgomery	Weston
Fontenot	Morrell	Wiggins
Frith	Morrish	Wilkerson
Fruge	Murray	Willard
Gautreaux	Odinet	Windhorst
Glover	Perkins	Winston
Green	Pierre	Wright
Guillory	Pinac	
Total—101		

NAYS

Total—0

ABSENT

Chaisson	Faucheux
Damico	Schneider
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Thornhill moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**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, HANKEL, 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.

Rep. Diez moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Heaton	Pratt
Alario	Hebert	Quezaire
Alexander, A.—93rd	Hill	Riddle
Ansardi	Holden	Romero
Barton	Hopkins	Rousselle
Baudoin	Hudson	Salter
Bowler	Hunter	Scalise
Bruce	Iles	Schwegmann
Bruneau	Jenkins	Shaw
Carter	Jetson	Smith, J.D.—50th
Chaisson	Johns	Smith, J.R.—30th
Clarkson	Kenney	Stelly
Copelin	Lancaster	Strain
Crane	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Dimos	McCain	Triche
Doerge	McCallum	Vitter
Donelon	McDonald	Waddell
Dupre	McMains	Walsworth
Durand	Michot	Warner
Farve	Mitchell	Welch
Flavin	Montgomery	Weston
Fontenot	Morrell	Wiggins
Frith	Morrish	Wilkerson
Fruge	Murray	Willard
Gautreaux	Odinet	Windhorst
Glover	Perkins	Winston
Green	Pierre	Wright
Guillory	Pinac	
Hammett	Powell	
Total—97		

NAYS

Total—0

ABSENT

Alexander, R.—13th	Damico	Schneider
Baylor	Faucheux	Thomas
Curtis	Kennard	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**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,  
 HANKEL, 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.

Rep. Diez moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Green	Pinac
Alario	Guillory	Powell
Alexander, A.—93rd	Hammett	Pratt
Alexander, R.—13th	Hebert	Quezairé
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	Kenney	Stelly
Copelin	Lancaster	Strain
Crane	Landrieu	Theriot
Curtis	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
Farve	Montgomery	Weston
Flavin	Morrell	Wiggins
Fontenot	Morrish	Wilkerson
Frith	Murray	Willard
Früge	Odinet	Windhorst
Gautreaux	Perkins	Winston
Glover	Pierre	Wright
Total—99		

**NAYS**

Total—0

**ABSENT**

Damico	Heaton	Schneider
Faucheux	Kennard	Thomas
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Speaker Pro Tempore Bruneau in the Chair**

**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,  
 HANKEL, 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.

Rep. Diez moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

**YEAS**

Mr. Speaker	Heaton	Powell
Alario	Hebert	Pratt
Alexander, A.—93rd	Hill	Quezairé
Alexander, R.—13th	Holden	Riddle
Ansardi	Hopkins	Romero
Baudoin	Hudson	Rousselle
Baylor	Hunter	Salter
Bowler	Iles	Scalise
Bruce	Jenkins	Schwegmann
Bruneau	Jetson	Shaw
Carter	Johns	Smith, J.D.—50th
Chaisson	Kennard	Smith, J.R.—30th
Clarkson	Kenney	Stelly
Copelin	Lancaster	Strain
Crane	Landrieu	Theriot
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Dimos	McCain	Triche
Donelon	McCallum	Vitter
Dupre	McDonald	Waddell
Durand	McMains	Walsworth
Farve	Michot	Warner
Flavin	Mitchell	Welch
Fontenot	Montgomery	Weston
Frith	Morrell	Wiggins
Früge	Morrish	Wilkerson
Gautreaux	Murray	Willard
Glover	Odinet	Windhorst
Green	Perkins	Winston
Guillory	Pierre	Wright
Hammett	Pinac	
Total—98		

**NAYS**

Total—0

**ABSENT**

Barton	Doerge	Thomas
Curtis	Faucheux	
Damico	Schneider	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**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.

Rep. Diez sent up floor amendments which were read as follows:

**HOUSE FLOOR AMENDMENTS**

Amendments proposed by Representative Diez to Engrossed House Bill No. 86 by Representative Diez

AMENDMENT NO. 1

On page 3, line 1, after "state" and before "enters" change "who" to "which"

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

Rep. Diez moved the final passage of the bill, as amended.

**ROLL CALL**

The roll was called with the following result:

YEAS

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
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Dimos	McCain	Triche
Doerge	McCallum	Vitter
Donelon	McDonald	Waddell
Dupre	McMains	Walsworth
Durand	Michot	Warner
Farve	Mitchell	Welch
Flavin	Montgomery	Weston

Fontenot	Morrell	Wiggins
Frith	Morrish	Wilkerson
Fruge	Murray	Willard
Gautreaux	Odinet	Windhorst
Glover	Perkins	Winston
Green	Pierre	Wright

Total—102

NAYS

Total—0

ABSENT

Damico	Faucheux	Schneider
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**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.

Rep. Diez moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneaux	Toomy
Diez	Martiny	Travis
Dimos	McCain	Triche
Doerge	McCallum	Vitter
Donelon	McDonald	Waddell
Dupre	McMains	Walsworth

Durand	Michot	Warner
Farve	Mitchell	Welch
Flavin	Montgomery	Weston
Fontenot	Morrell	Wiggins
Frith	Morrish	Wilkerson
Fruge	Murray	Willard
Gautreaux	Odinet	Windhorst
Glover	Perkins	Winston
Green	Pierre	Wright
Total—102		

NAYS

Total—0

ABSENT

Damico	Faucheux	Schneider
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Diez moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**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.

Rep. Marionneaux moved the final passage of the bill.

**ROLL CALL**

The roll was called with the following result:

YEAS

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	Thomas
Curtis	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Deville	Long	Toomy
DeWitt	Marionneaux	Travis
Diez	Martiny	Triche
Dimos	McCain	Vitter
Doerge	McCallum	Waddell
Donelon	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Michot	Welch

Farve	Mitchell	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Frith	Morrish	Willard
Fruge	Murray	Windhorst
Gautreaux	Odinet	Winston
Glover	Perkins	Wright
Green	Pierre	
Total—101		

NAYS

Total—0

ABSENT

Damico	Schneider
Faucheux	Theriot
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Marionneaux moved to reconsider the vote by which the above bill was finally passed, and, on his own motion, the motion to reconsider was laid on the table.

**Suspension of the Rules**

On motion of Rep. Thompson, 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. 43—**  
BY REPRESENTATIVE THOMPSON  
A CONCURRENT RESOLUTION

To urge and request the Kansas City Southern Railroad to improve its trestle location on Joe's Bayou Lake Road in Madison Parish, Louisiana.

Read by title.

Lies over under the rules.

**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. 190—**  
BY REPRESENTATIVE HEBERT  
AN ACT

To enact R.S. 34:1603.1 and 1603.2, relative to the Twin Parish Port Commission; to provide for the adoption of ordinances; to provide for the port and harbor police thereof; to provide for an effective date; and to provide for related matters.

Read by title.

### Suspension of the Rules

On motion of Rep. Hebert, the rules were suspended in order to refer the bill to committee at this time.

Under the rules, the bill was referred to the Committee on Transportation, Highways and Public Works.

**HOUSE BILL NO. 191—**  
BY REPRESENTATIVE TOOMY AND SENATOR HEITMEIER  
AN ACT

To amend and reenact R.S. 26:326 and 359 and to repeal R.S. 14:93.20, relative to the sale and shipment of beverage alcohol in Louisiana; to provide for the lawful sale and shipment of certain wines to Louisiana consumers; to provide for registration and payment of fees and taxes on authorized shipments; to provide for certain penalties and exceptions; to allow for the sale of wine by native wineries; to repeal certain provisions of law relating to the unlawful sale and shipment of beverage alcohol in Louisiana; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 192—**  
BY REPRESENTATIVES BRUNEAU, COPELIN, AND RIDDLE  
AN ACT

To amend and reenact R.S. 18:481, 511(A) and (B), 512(B), and 551(C)(1), relative to elections; to provide the manner in which candidates for congress qualify for the general election; to provide for the printing of a candidate's name on the ballot; to provide for the election of candidates to office; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 193—**  
BY REPRESENTATIVE LEBLANC  
AN ACT

To amend and reenact R.S. 39:31(A), 32(I) and 33(A)(1) and to enact R.S. 39:28(C), 32(K), and 32.1, relative to the state budget; to provide for budgeting and planning requirements for certain higher education agencies; to authorize the Board of Regents to prescribe the content and format of certain budget documents; to require the preparation and submission of certain budget documents by certain higher education agencies; to provide relative to the contents of certain budget documents; and to provide for related matters.

Read by title.

### Suspension of the Rules

On motion of Rep. LeBlanc, the rules were suspended in order to refer the bill to committee at this time.

Under the rules, the bill was referred to the Committee on Appropriations.

**HOUSE BILL NO. 194—**  
BY REPRESENTATIVES ALARIO, DOWNER, DEWITT, AND MCMAINS  
AND SENATORS EWING, DARDENNE, HAINKEL, BARHAM, AND ROMERO  
AN ACT

To amend and reenact R.S. 47:306(A)(3)(a)(i) and (B)(4)(a) and 318 and R.S. 51:2334(B), relative to compensation for collection of state sales and use tax; to provide that the rate remain at the present rate of such compensation; to provide for the use of monies derived by retaining such rate; and to provide for related matters.

Read by title.

### Suspension of the Rules

On motion of Rep. Alario, the rules were suspended in order to refer the bill to committee at this time.

Under the rules, the bill was referred to the Committee on Ways and Means.

**HOUSE BILL NO. 195—**  
BY REPRESENTATIVE VITTER  
AN ACT

To enact R.S. 33:1236.23.1, relative to Jefferson Parish; to authorize the governing authority of the parish to create a special district for crime prevention purposes in Old Metairie; to provide for the creation and governance of the district as provided by the parish home rule charter; to require voter approval of any district tax; and to provide for related matters.

Read by title.

**HOUSE BILL NO. 196—**  
BY REPRESENTATIVE DIEZ  
AN ACT

To enact R.S. 48:390, relative to public highway railroad grade crossings; to authorize the Department of Transportation and Development to prescribe limitations for the blocking of public highway railroad grade crossings by railroad traffic; and to provide for related matters.

Read by title.

### Suspension of the Rules

On motion of Rep. Diez, the rules were suspended in order to refer the bill to committee at this time.

Under the rules, the bill was referred to the Committee on Transportation, Highways and Public Works.

### Reports of Committees

The following reports of committees were received and read:

**Report of the Committee on Judiciary**

March 27, 1998

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 7, by Hill  
Reported favorably. (4-0-3)

House Bill No. 1, by Alario  
Reported with amendments. (4-0-3) (Consent)

House Bill No. 12, by Downer  
Reported favorably. (4-0-3) (Regular)

House Bill No. 55, by LeBlanc  
Reported favorably. (4-0-3) (Regular)

House Bill No. 61, by Deville  
Reported with amendments. (4-0-3) (Regular)

House Bill No. 70, by Powell  
Reported favorably. (4-0-3) (Consent)

House Bill No. 115, by Hunter  
Reported favorably. (4-0-3) (Regular)

House Bill No. 127, by LeBlanc  
Reported with amendments. (4-0-3) (Regular)

House Bill No. 133, by McCain  
Reported with amendments. (4-0-3) (Regular)

House Bill No. 179, by Thornhill  
Reported favorably. (4-0-3) (Regular)

JOSEPH F. TOOMY  
Chairman

**Report of the Committee on Labor and Industrial Relations**

March 27, 1998

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Labor and Industrial Relations to submit the following report:

House Bill No. 103, by DeWitt (Duplicate of SB 76)  
Reported favorably. (10-0) (Consent)

House Bill No. 104, by DeWitt (Duplicate of SB 77)  
Reported favorably. (8-0) (Consent)

CHARLES DeWITT  
Chairman

**Report of the Committee on Retirement**

March 27, 1998

To the Speaker and Members of the House of Representatives:

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

House Bill No. 6, by Daniel  
Reported with amendments. (7-0) (Regular)

House Bill No. 19, by Gautreaux  
Reported favorably. (8-0) (Regular)

House Bill No. 21, by Iles  
Reported with amendments. (8-0) (Regular)

House Bill No. 36, by Stelly  
Reported favorably. (8-0) (Regular)

House Bill No. 37, by Stelly  
Reported with amendments. (9-0) (Regular)

House Bill No. 171, by Downer  
Reported with amendments. (7-0) (Regular)

VICTOR T. STELLY  
Chairman

**Report of the Committee on  
Municipal, Parochial and Cultural Affairs**

March 27, 1998

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Municipal, Parochial and Cultural Affairs to submit the following report:

House Concurrent Resolution No. 31, by Weston  
Reported favorably. (12-0-1)

House Bill No. 4, by Bruneau  
Reported with amendments. (10-0-1) (Consent)

House Bill No. 5, by Damico  
Reported favorably. (7-0-1) (Regular)

House Bill No. 17, by Frith  
Reported favorably. (7-0-1) (Consent)

House Bill No. 24, by J. D. Long  
Reported favorably. (10-0-1) (Regular)

House Bill No. 30, by Pinac  
Reported by substitute. (10-0-1)

House Bill No. 66, by Hammett  
Reported with amendments. (9-0-1) (Regular)

House Bill No. 160, by Rousselle  
Reported with amendments. (11-0-1) (Consent)

SHARON WESTON  
Chairman

**Leave of Absence**

Rep. Faucheux - 1 day

Rep. Schneider - 1 day

**Adjournment**

On motion of Rep. Morrish, at 2:45 P.M., the House agreed to adjourn until Monday, March 30, 1998, at 2:00 P.M.

The Speaker of the House declared the House adjourned until 2:00 P.M., Monday, March 30, 1998.

ALFRED W. SPEER  
Clerk of the House

C. Wayne Hays  
Journal Clerk, *Emeritus*