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

THIRD 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

Wednesday, March 25, 1998

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

Morning Hour
ROLL CALL

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

PRESENT

Mr. Speaker
Alario
Alexander, A.—93rd
Alexander, R.—13th
Ansardi
Barton
Baudoin
Baylor
Bowler
Bruce
Bruneau
Carter
Chaisson
Clarkson
Copelin
Crane
Curtis
Damico
Daniel
Deville
DeWitt
Diez
Dimos
Doerge
Donelon
Dupre
Durand
Farve
Faucheux

Green
Gullory
Hammett
Heaton
Hebert
Hill
Holden
Hopkins
Hudson
Iles
Jenkins
Jetson
Johns
Kennard
Kenney
Lancaster
Landrieu
LeBlanc
Long
Martiny
McCain
McDonald
McMains
Michot
Mitchell
Montgomery

Pinac
Powell
Pratt
Quezaire
Riddle
Romero
Rousselle
Salter
Scalise
Schneider
Schwegmann
Shaw
Smith, J.D.—50th
Smith, J.R.—30th
Stelly
Strain
Theriot
Thomas
Thompson
Thornhill
Toomy
Travis
Triche
Vitter
Waddell
Walsworth
Warner
Welch
Weston

ABSENT

Total—105
Total—0

The Speaker announced that there were 105 members present
and a quorum.

Prayer

Prayer was offered by Rep. B. L. Shaw.

Pledge of Allegiance

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

On motion of Rep. Walsworth, the Journal of March 24, 1998,
was adopted.

Petitions, Memorials and
Communications

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

Privileged Report of the Committee on Enrollment

March 24, 1998

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

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

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 1—
BY REPRESENTATIVE DOWNER

A RESOLUTION
To commend and congratulate the Blaine C. Clay Lodge #14, F. &
A.M. of Houma on its one hundred fifteenth anniversary and to
extend the recognition of the House of Representatives of the
Legislature of Louisiana to the lodge and its members.

HOUSE RESOLUTION NO. 2—
BY REPRESENTATIVES DOWNER, ALARIO, A. ALEXANDER, R. ALEXANDER, ANSARDI, BARTON, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUNEAU, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DEWITT, DIETZ, DIMOS, DOERGE, DONELON, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREAUX, GLOVER, GREEN, GUILORY, HAMMETT, HEATH, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LONG, MARTINE, MCCAIN, MCCALLUM, MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, ROUSSELLE, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAH, SMITH, SMITH, STELLY, STRAIN, THERIOT, THOMAS, THOMPSON, THORNHILL, TOOMY, TRAVIS, TRICHE, VITTER, WADDELL, WALSORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERS, WILLARD, WINDHORST, WINSORT, AND WRIGHT

A RESOLUTION
To commend Mr. Donaldo Batiste of McDonough High School in
New Orleans for his dedication to the public school system and
its students and to congratulate him upon being named the outstanding high school principal in Orleans Parish and the Principal of the Year for high schools in Louisiana this year.

**HOUSE RESOLUTION NO. 3—**
**BY REPRESENTATIVE JOHN SMITH**

A RESOLUTION
To extend to the family of Joy Louise Sullivan the condolences of the members of the Legislature of Louisiana.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

**Message from the Senate**

ASKING CONCURRENCE IN SENATE CONCURRENT RESOLUTIONS

March 24, 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

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

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

**Suspension of the Rules**

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

**Senate Concurrent Resolutions**

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

**SENATE CONCURRENT RESOLUTION NO. 10—**
**BY SENATOR SCHEDLER**

A CONCURRENT RESOLUTION
To designate November 13th as "National Diabetes Awareness Day".

Read by title.

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

**SENATE CONCURRENT RESOLUTION NO. 11—**
**BY SENATOR SCHEDLER**

A CONCURRENT RESOLUTION
To express the sincere condolences of the Legislature of Louisiana upon the death of Russell "Tippy" DePaula, mayor of Hammond, Louisiana.

Read by title.

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

**Message from the Senate**

SIGNED SENATE CONCURRENT RESOLUTIONS

March 24, 1998

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

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

Senate Concurrent Resolution No. 5

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.

**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. 31—**
**BY REPRESENTATIVE WESTON**

A CONCURRENT RESOLUTION
To create an advisory committee to study and make recommendations to certain standing legislative committees for the reform of the municipal fire and police civil service systems.

Read by title.

On motion of Rep. Weston, and under a suspension of the rules, the above resolution was referred to the Committee on Municipal, Parochial and Cultural Affairs, under the rules.

**HOUSE CONCURRENT RESOLUTION NO. 32—**
**BY REPRESENTATIVE CURTIS**

A CONCURRENT RESOLUTION
To express the condolences of the Legislature of Louisiana and its sincere regrets upon the death of Mr. Louis Alfred Roberts.

Read by title.

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

Ordered to the Senate.

**Introduction of House Bills and Joint Resolutions**

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

**HOUSE BILL NO. 168—**  
BY REPRESENTATIVE DOWNER  
AN ACT  
To amend and reenact R.S. 39:330.1(A) and to enact R.S. 39:330(G), all relative to property control; to prohibit the disposal by sale, donation, transfer, or other form of alienation of historically significant property; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 169—**  
BY REPRESENTATIVE DOWNER  
AN ACT  
To amend and reenact R.S. 42:1102(22)(a)(introductory paragraph) and (d), relative to the ethics code; to change the definition of thing of economic value; to define "reasonable transportation" for state employees; 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. 170—**  
BY REPRESENTATIVE BRUNEAU  
AN ACT  
To enact R.S. 24:38.1, relative to the Legislative Budgetary Control Council; to provide for the powers, duties, and authority of the Legislative Budgetary Control Council; to authorize the reorganization of legislative branch agencies by the Legislative Budgetary Control Council; to provide relative to powers, duties, functions, and responsibilities of employees and officers of the legislature; 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. 171—**  
BY REPRESENTATIVES DOWNER, CRANE, DEWITT, MCDONALD, MCMAINS, STELTY, AND WALSWORTH  
AN ACT  
To amend and reenact R.S. 11:791(A)(2), to enact R.S. 11:791, and to repeal R.S. 11:791 and 791(3), (4), and (5), relative to the reemployment of teachers who have retired from the Teachers’ Retirement System of Louisiana; to provide for the adoption of rules by the State Board of Elementary and Secondary Education to establish guidelines and procedures for the hiring of retired teachers; to encourage the use of certain funds provided by the state in furtherance of hiring retired teachers; to provide an effective date; and to provide for related matters.

Read by title.

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

**HOUSE BILL NO. 172—**  
BY REPRESENTATIVE MCMAINS  
AN ACT  
To amend and reenact R.S. 13:5105, relative to suits against the state and political subdivisions; to provide with respect to jury trials in suits in which a political subdivision or an officer or employee thereof is a party; to provide for applicability to pending suits; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Civil Law and Procedure.

**HOUSE BILL NO. 173—**  
BY REPRESENTATIVES DEWITT, DOWNER, AND MCMAINS AND SENATORS DARDEEN, EWING, HAINKEL, BARHAM, AND ROMERO  
AN ACT  
To enact Chapter 23 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1011 through 1016, and R.S. 36:4(T), to create the Louisiana Governor's Mansion Commission; to provide for the jurisdiction and purpose of the commission; to provide for membership appointment, powers, duties, and responsibilities; to provide for the audit and investment of certain property; to provide that certain inventory is covered by adequate insurance; to require certain repairs and maintenance be performed; to define public and private areas of the Governor's Mansion and its grounds; to authorize certain civil actions; 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. 174—**  
BY REPRESENTATIVES DEWITT, DOWNER, AND MCMAINS AND SENATORS DARDEEN, EWING, HAINKEL, BARHAM, AND ROMERO  
AN ACT  
To enact R.S. 27:15(D) and (E), relative to the Louisiana Gaming Control Board; to provide for assessment of fines for riverboat gambling violations; to provide that the board may adopt a schedule of fines by rule; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

**HOUSE BILL NO. 175—**  
BY REPRESENTATIVES DEWITT, DOWNER, AND MCMAINS AND SENATORS DARDEEN, EWING, HAINKEL, BARHAM, AND ROMERO  
AN ACT  
To amend and reenact R.S. 27:319, relative to video draw poker devices control law; to provide that no person under the age of twenty-one shall be allowed to play video draw poker devices; to provide penalties; and to provide for related matters.

Read by title.

Under the rules, the above bill was referred to the Committee on Administration of Criminal Justice.

**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.

Under the rules, the above bill was referred to the Committee on Natural Resources.
HOUSE BILL NO. 177—
BY REPRESENTATIVES DANIEL AND JOHN SMITH AND SENATORS ROMERO AND MALONE
AN ACT
To amend and reenact R.S. 33:1423(B)(1) and 1423.1 and R.S. 56:6(21), 8(12)(a)(ii) and (601.1), 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.

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

HOUSE BILL NO. 178—
BY REPRESENTATIVE DOWNER AND SENATOR EWING
AN ACT
To amend and reenact R.S. 47:6011(A)(2), to enact R.S. 24:38(D), (E), and (F), 39, 40, and Part II-A of Chapter 1 of Title 24 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 24:41 through 49, and to repeal R.S. 36:4(B)(2) and Subparts A, C, D, and E of Part VII of Chapter 1 of Title 49 of the Louisiana Revised Statutes of 1950, comprised of R.S. 49:131 through 136, R.S. 49:145 and 146, R.S. 49:148 through 148.3, and R.S. 49:149 through 149.5, respectively, and R.S. 49:149.22, 149.23, and 150.1, relative to public buildings and grounds; to provide for the state capitol complex; to provide for the preservation of the State Capitol, the Capitol Annex, the Pentagon Barracks, the Old Arsenal Museum, and the surrounding grounds; to provide for the powers of the Budgetary Control Council; to provide for the powers and duties of the division of administration in relation to the state capitol complex; to provide for security services for the state capitol complex; to create the State Capitol Preservation Board; to provide for powers and duties of the State Capitol Preservation Board; to provide for the necessary employees of the State Capitol Preservation Board; to define the state capitol complex; to provide for the master plan for the state capitol complex; to provide for certain offenses and penalties relating to certain actions within the state capitol complex; to provide for certain fees and deposits for certain activities within the state capitol complex; to remove provisions of law relative to the access and use of public buildings and grounds; to remove certain provisions of law relative to plaques and memorials; 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 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. 117—
BY REPRESENTATIVES MCDONALD, DOWNER, DEWITT, MCMAINS, CRANE, KENNEY, AND WALSWORTH AND SENATORS EWING, DARDENNE, HAINKEL, AND BARHAM
AN ACT
To enact R.S. 17:24.10 and to repeal R.S. 17:24.7, relative to preschool programs and early childhood development projects; to provide for the development of preschool programs for at-risk children; to provide for program procedures, guidelines, and participation; to provide relative to funding for the program and review and evaluation; to provide for rules and regulations; to remove provisions relative to early childhood development projects; and to provide for related matters.

Called from the calendar.

Read by title.

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

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Civil Law and Procedure
March 25, 1998

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Civil Law and Procedure to submit the following report:

House Concurrent Resolution No. 1, by Riddle
Reported favorably. (7-0)

House Concurrent Resolution No. 16, by Long
Reported favorably. (7-0)

House Bill No. 57, by McMains
Reported favorably. (8-0) (Regular)

F. CHARLES MCMAINS, JR.
Chairman

Report of the Committee on Transportation, Highways and Public Works
March 25, 1998

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Transportation, Highways and Public Works to submit the following report:

House Concurrent Resolution No. 2, by Riddle
Reported favorably. (12-0)

House Concurrent Resolution No. 9, by Wilkerson
Reported favorably. (10-0)

House Bill No. 15, by Faucheux
Reported favorably. (13-0) (Regular)
House Bill No. 18, by Gautreaux
Reported favorably. (10-0) (Regular)

House Bill No. 45, by Diez (Duplicate of Senate Bill No. 87)
Reported favorably. (12-0) (Regular)

House Bill No. 46, by Diez (Duplicate of Senate Bill No. 14)
Reported favorably. (12-0) (Regular)

House Bill No. 47, by Diez (Duplicate of Senate Bill No. 31)
Reported favorably. (11-0) (Regular)

House Bill No. 48, by Diez (Duplicate of Senate Bill No. 32)
Reported favorably. (12-0) (Regular)

House Bill No. 49, by Diez (Duplicate of Senate Bill No. 13)
Reported favorably. (12-0) (Regular)

House Bill No. 50, by Diez (Duplicate of Senate Bill No. 46)
Reported favorably. (12-0) (Regular)

House Bill No. 51, by Diez (Duplicate of Senate Bill No. 85)
Reported favorably. (13-0) (Regular)

House Bill No. 52, by Diez (Duplicate of Senate Bill No. 86)
Reported favorably. (13-0) (Regular)

House Bill No. 53, by Diez (Duplicate of Senate Bill No. 50)
Reported favorably. (13-0) (Regular)

House Bill No. 54, by Fruge
Reported with amendments. (6-4) (Regular)

House Bill No. 74, by Hammett
Reported favorably. (12-0) (Regular)

House Bill No. 77, by Thornhill
Reported favorably. (13-0) (Regular)

House Bill No. 82, by Diez (Duplicate of Senate Bill No. 47)
Reported favorably. (13-0) (Regular)

House Bill No. 83, by Diez (Duplicate of Senate Bill No. 45)
Reported favorably. (13-0) (Regular)

House Bill No. 84, by Diez (Duplicate of Senate Bill No. 43)
Reported favorably. (13-0) (Regular)

House Bill No. 86, by Diez (Duplicate of Senate Bill No. 99)
Reported favorably. (13-0) (Regular)

House Bill No. 87, by Diez (Duplicate of Senate Bill No. 15)
Reported favorably. (12-0) (Regular)

House Bill No. 92, by Marionneaux
Reported favorably. (13-0) (Regular)

House Bill No. 109, by Triche
Reported favorably. (8-5-1) (Regular)

House Bill No. 111, by Triche
Reported favorably. (8-4-1) (Regular)

JOHN C. DIEZ
Chairman

Suspension of the Rules
On motion of Rep. Murray, 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 RESOLUTION NO. 4—
BY REPRESENTATIVE MURRAY
A RESOLUTION
To authorize the House Committee on Insurance to study the use of credit reports and determinations of credit worthiness to set insurance premiums for individuals or determine insurability.

Read by title.

On motion of Rep. Murray, and under a suspension of the rules, the above resolution was referred to the Committee on Insurance, under the rules.

HOUSE CONCURRENT RESOLUTION NO. 33—
BY REPRESENTATIVE HOLDEN
A CONCURRENT RESOLUTION
To memorialize the United States Senate to support the inclusion of Poland, Hungary, and the Czech Republic in the North Atlantic Treaty Organization.

Read by title.

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

Ordered to the Senate.

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.

On motion of Rep. Roussel, and under a suspension of the rules, the above resolution was referred to the Committee on Natural Resources, under the rules.

HOUSE CONCURRENT RESOLUTION NO. 35—
BY REPRESENTATIVES DUPRE, GAUTREAUX, ROUSSELLE
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.

On motion of Rep. Dupre, and under a suspension of the rules, the above resolution was referred to the Committee on Natural Resources, under the rules.
Introduction of House Bills and Joint Resolutions

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

HOUSE BILL NO. 179—
BY REPRESENTATIVE THORNHILL
AN ACT
To enact R.S. 13:719 and 720, relative to the office of commissioner for the Twenty-second Judicial District Court; to create and to provide for qualifications, salary and benefits, restrictions on employment, quarters, supplies, equipment, and employees for such office; to provide for duties and powers of such office; to provide for funding; 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. 180—
BY REPRESENTATIVE BARTON
AN ACT
To amend and reenact Section 2(A) of Act No. 19 of the 1970 Regular Session of the Legislature, as amended by Act No. 623 of the 1974 Regular Session, Act No. 629 of the 1979 Regular Session, Act No. 465 of the 1990 Regular Session, Act No. 303 of the 1993 Regular Session, and Act No. 1167 of the 1997 Regular Session, relative to the Shreveport-Bossier Convention and Tourist Commission; to provide relative to the composition of the commission; 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 Concurrent Resolution Nos. 34 and 35
Adjournment

On motion of Rep. Riddle, at 4:30 P.M., the House agreed to adjourn until Thursday, March 26, 1998, at 4:00 P.M.

The Speaker of the House declared the House adjourned until 4:00 P.M., Thursday, March 26, 1998.

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays
Journal Clerk, Emeritus