

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

NINTH DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Thursday, April 2, 1998

The House of Representatives was called to order at 2:00 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	Hammett	Pratt
Alario	Heaton	Quezairé
Alexander, R.—13th	Hebert	Riddle
Ansardi	Hill	Romero
Barton	Holden	Rousselle
Baudoin	Hopkins	Salter
Baylor	Hudson	Scalise
Bowler	Hunter	Schneider
Bruce	Iles	Schwegmann
Bruneau	Jenkins	Shaw
Carter	Jetson	Smith, J.D.—50th
Chaisson	Johns	Smith, J.R.—30th
Clarkson	Kennard	Stelly
Copelin	Kenney	Strain
Crane	Lancaster	Theriot
Curtis	Landrieu	Thomas
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Deville	Marionneaux	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Dimos	McCallum	Vitter
Doerge	McDonald	Waddell
Donelon	McMains	Walsworth
Dupre	Michot	Warner
Durand	Mitchell	Welch
Faucheux	Montgomery	Weston
Flavin	Morréll	Wiggins
Fontenot	Morrish	Wilkerson

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

ABSENT

Alexander, A.—93rd Farve
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. Faucheux 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. Dimos, the reading of the Journal was dispensed with.

On motion of Rep. Dimos, the Journal of April 1, 1998, was adopted.

**Petitions, Memorials and
Communications**

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

**STATE OF IDAHO
Fifty-Fourth Legislature**

Senate Joint Memorial No. 104

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE UNITED STATES IN CONGRESS ASSEMBLED, TO THE CONGRESSIONAL DELEGATION REPRESENTING THE STATE OF IDAHO IN THE CONGRESS OF THE UNITED STATES, AND THE DIRECTOR OF THE UNITED STATES FOREST SERVICE.

We, your Memorialists, the Senate and the House of Representatives of the State of Idaho assembled in the Second Regular Session of the Fifty-fourth Idaho Legislature, do hereby respectfully represent that:

WHEREAS, the Salmon-Challis National Forests has released a new draft management plan for the Frank Church River of No Return Wilderness; and

WHEREAS, the Frank Church River of No Return Wilderness is at the very heart of the state of Idaho, and as the Middle Fork of the Salmon River pulses through the wilderness, so too does the essence of the Idaho lifestyle pulse through her citizens; and

WHEREAS, the revised plan now proposes drastic reductions in the number of float trips which will be approved for the river, and substantial reductions in the number of people who will experience the thrills of a trip along the river; and

WHEREAS, the proposed reductions not only impact those who will be excluded from the river experience, but also the outfitters and guides whose economic well-being is inexorably linked to the river; and

WHEREAS, the beauty of the river and the aesthetic values of the wilderness must always be balanced against the increasing demands for their use, the needs of the residents, and the preservation of the wilderness for future generations; and

WHEREAS, residents of the state of Idaho and specifically residents of the small rural Idaho communities which are directly impacted by the management of the wilderness should be considered and their voice should be heard in these decisions.

NOW, THEREFORE, BE IT RESOLVED by the members of the Second Regular Session of the Fifty-fourth Idaho Legislature, the Senate and the House of Representatives concurring therein, that on behalf of the many residents of Idaho who would be adversely impacted by the proposal now under consideration, we oppose the revised draft management plan proposed by the Forest Service which further limits the number of permits and number of people who are permitted on the river, and instead support Alternative 1.

BE IT FURTHER RESOLVED that the Secretary of the Senate be, and she is hereby authorized and directed to forward a copy of this Memorial to the President of the Senate and the Speaker of the House of Representatives of Congress, the congressional delegation representing the State of Idaho in the Congress of the United States, and to the Director of the United States Forest Service.

**STATE OF COLORADO
Colorado Legislature**

House Joint Resolution No. 98-1013

BY REPRESENTATIVES: Schauer, Anderson, C. Berry, Epps, George, Grampas, Hagedorn, Hefley, Swenson, and Takis; also SENATORS: Norton, B. Alexander, Ament, Arnold, Bishop, Blickensderfer, Chlouber, Coffman, Congrove, Feeley, Hernandez, Hopper, J. Johnson, Lamborn, Linkhart, Martinez, Masunaka, Mutzebaugh, Pascoe, Perlmutter, Phillips, Powers, Reeves, Rizzuto, Rupert, Schroeder, Tanner, Tebedo, Thiebaut, Weddig, and Wham.

WHEREAS, The federal military base realignment and closure process has led to the closing of Lowry Air Force Base and the impending closure of Fitzsimons Army Garrison; and

WHEREAS, The exchange and commissary at the former Lowry Air Force Base has been closed, and the exchange and commissary at Fitzsimons Army Garrison is scheduled to be closed in March, 1999; and

WHEREAS, Over three thousand two hundred active duty military personnel with approximately six thousand eight hundred dependents are assigned to Buckley Air National Guard Base or other locations in the Denver metropolitan area; and

WHEREAS, Over four thousand members of the National Guard and Reserves in the Denver metropolitan area are entitled to unlimited exchange and limited commissary privileges; and

WHEREAS, Over nineteen thousand military retirees reside in the Denver metropolitan area; and

WHEREAS, The closure of the exchange and commissary at Lowry Air Force Base and the consequent increase in the number of persons using the exchange and commissary at Fitzsimons Army Garrison has resulted in the exchange and commissary at Fitzsimons being inadequate to support the needs of the persons eligible to use it; and

WHEREAS, The active duty military personnel, members of the National Guard and Reserves, and military retirees presently entitled

to exchange and commissary privileges at Fitzsimons Army Garrison will suffer from decreased quality of life and increased financial burdens when the exchange and commissary at Fitzsimons Army Garrison is closed in March, 1999; and

WHEREAS, The closure of the exchange and commissary at Fitzsimons Army Garrison will eliminate over two hundred jobs; and

WHEREAS, The closest alternative exchange and commissary for the Denver metropolitan area is located at the United States Air Force Academy, which is over sixty miles and more than an hour's drive away from Denver; and

WHEREAS, Buckley Air National Guard Base is owned by the United States Air Force, but licensed to the State of Colorado; and

WHEREAS, Buckley Air National Guard Base and the City of Aurora, Colorado have sufficient power, water, and sewer infrastructure to support a new exchange and commissary at Buckley Air National Guard Base; and

WHEREAS, Roy Romer, Governor of Colorado; Major General William A. Westerdahl, Adjutant General of the Colorado National Guard; and Paul E. Tauer, Mayor of Aurora, Colorado all support the relocation of the exchange and commissary from Fitzsimons Army Garrison to new facilities to be constructed at Buckley Air National Guard Base; now, therefore,

Be It Resolved by the House of Representatives of the Sixty-first General Assembly of the State of Colorado, the Senate concurring herein:

That we, the members of the Sixty-first General Assembly, request that the Congress of the United States, the Secretary of Defense, and the Secretary of the Air Force take immediate action to authorize the relocation of the exchange and commissary at Fitzsimons Army Garrison to new facilities to be constructed at Buckley Air National Guard Base and to ensure that the exchange and commissary at Fitzsimons Army Garrison remains open until the new facilities are completed.

Be It Further Resolved, That the new exchange and commissary to be constructed at Buckley Air National Guard Base be sized to adequately meet the needs of all persons in the Denver metropolitan area who are eligible to use it.

Be It Further Resolved, That copies of this Resolution be sent to the President of the United States, the Speaker of the United States House of Representatives, the President of the United States Senate, the Secretary of Defense, the Secretary of the Air Force, the Speaker of the House and the President of the Senate of each state's legislature of the United States of America, and Colorado's Congressional delegation.

Charles E. Berry Tom Norton
SPEAKER OF THE HOUSE PRESIDENT OF THE SENATE
OF REPRESENTATIVES

Judith M. Rodrigue Patrick K. Dicks
CHIEF CLERK OF THE HOUSE ASSISTANT SECRETARY
OF REPRESENTATIVES OF THE SENATE

Privileged Report of the Legislative Bureau

April 2, 1998

To the Speaker and Members of the House of Representatives:

I am directed by your Legislative Bureau to submit the following report:

Senate Bill No. 11
Reported without amendments.

Senate Bill No. 72
Reported without amendments.

Senate Bill No. 107
Reported without amendments.

Respectfully submitted,

JIMMY N. DIMOS
Chairman

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

April 1, 1998

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

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

House Concurrent Resolution No. 52
Returned without amendments.

House Concurrent Resolution No. 54
Returned without amendments.

House Concurrent Resolution No. 55
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

April 1, 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. 31, 32, 33, and 34

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Dupre, 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. 31—
BY SENATOR DYESS

A CONCURRENT RESOLUTION

To designate April 3, 1998 as "National Pay Inequality Awareness Day."

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 32—

BY SENATOR ROBICHAUX

A CONCURRENT RESOLUTION

To commend the players, coaches, managerial personnel, and statisticians of the South Lafourche High School boys basketball team upon its excellence during the 1997-1998 season that culminated in its winning a first Class 5-A state high school basketball title and in compiling a record of 29-5 and a district record of 14-0.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 33—

BY SENATOR ROBICHAUX

A CONCURRENT RESOLUTION

To commend the players, coaches, managerial personnel, and statisticians of the Ellender Memorial High School boys' basketball team upon its excellence during the 1997-1998 season that culminated in its winning a first Class 4-A state high school basketball title and in compiling a record of 30-2 and a district record of 8-0.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 34 —

BY SENATORS BAJOLE, LAMBERT AND IRONS

A CONCURRENT RESOLUTION

To designate April 1998 as Cancer Awareness Month.

Read by title.

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

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

April 2, 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. 12, 21, and 22

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 RESOLUTION NO. 10—

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, DIEZ, DIMOS, DOERGE, DONELON, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREAU, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LONG, MARIONNEAU, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, ROUSSELLE, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JOHN SMITH, STELLY, STRAIN, THERIOT, THOMAS, THOMPSON, THORNHILL, TOOMY, TRAVIS, TRICHE, VITTER, WADDELL, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD, WINDHORST, WINSTON, AND WRIGHT

A RESOLUTION

To commend and congratulate Mr. William "Bill" Benton McMahon on his illustrious and exemplary thirty-year career as a reporter and Capitol Bureau Chief for the Baton Rouge *Advocate* on the occasion of his retirement.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 56—

BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

To memorialize the United States Environmental Protection Agency not to impose sanctions for the state's failure to adopt a vehicle emissions inspection and maintenance program in accordance with the federal Clean Air Act Amendments of 1990 (Public Law 101-549) and to consider the development and adoption of more equitable standards for vehicle emissions inspection and maintenance programs as applied to certain parishes and municipalities, particularly East Baton Rouge Parish, which have been designated as being in violation of federal ozone standards.

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. 205—

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

AN ACT

To amend and reenact R.S. 3:4274.1, R.S. 30:2522(3), 2531(A), (E)(1), and (F), 2532(A), 2544(A) and (D), R.S. 32:414(A)(3)(a) and (b), R.S. 33:1236(54), R.S. 48:347(D), R.S. 49:121(A)(2), and R.S. 56:55.2(B) and 70.3(C)(2), and Code of Criminal Procedure Art. 211.3(A), to enact R.S. 30:2531.1 through 2531.5, and to repeal R.S. 13:2586(C)(2), 2587.1, and 2589(B), R.S. 30:2531(D)(4), R.S. 32:289, and R.S. 36:208(H), all relative to litter; to define terms; to provide for certain littering violations; to provide civil and criminal penalties; to provide for enforcement; and to provide for related matters.

Read by title.

HOUSE BILL NO. 206—

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

AN ACT

To amend and reenact R.S. 39:128(B) and to repeal R.S. 17:3383, relative to certain higher education capital outlay projects; to exempt certain professional service contracts from provisions of law regulating such contracts; and to provide for related matters.

Read by title.

House and House Concurrent Resolutions

The following House and House Concurrent Resolutions lying over were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 53—

BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

To memorialize members of the Louisiana congressional delegation to seek revision of the federal Clean Air Act Amendments of 1990 (Public Law 101-549) and additionally implore the United States Environmental Protection Agency not to impose sanctions for the state's failure to adopt a vehicle emissions inspection and maintenance program applicable to certain parishes and municipalities, particularly East Baton Rouge Parish.

Read by title.

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

Ordered to the Senate.

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions lying over were taken up and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 18—

BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To create a task force to study and make recommendations to the legislature on the current and future availability and affordability of homeowners' insurance and property insurance in Louisiana.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 24—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To commend the president of the United States on his trip to Africa and to invite him to visit the lower Mississippi River delta region.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 25—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To urge and request the Louisiana Housing Finance Authority and other housing agencies or authorities to target the economically depressed area of Northeast Louisiana for assistance.

Read by title.

Under the rules, the above resolution was referred to the Committee on Municipal, Parochial and Cultural 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. 203 (Duplicate of Senate Bill No. 155)—

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

To enact Subpart D of Part II-A of Chapter 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:97.1 through 97.5, relative to the Louisiana Asbestos Detection and Abatement Fund; to provide for the creation, use, and administration of the fund; to provide for sources of monies for the fund; to provide for legal representation; 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.

Senate Bills and Joint Resolutions on Second Reading to be Referred

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

SENATE BILL NO. 9—

BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 32:301(3), relative to traffic; to provide relative to the penalty for not using lighted headlamps when wipers are in use; to set such penalty to twenty-five dollars; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 19—

BY SENATOR LENTINI

AN ACT

To enact R.S. 48:390 and 753(A)(7), relative to railroads; to authorize the Department of Transportation and Development to require closure of certain railroad grade crossings; to require a prioritization of proposed crossing closures; to require notification of affected parties prior to crossing closures; to require public hearings prior to crossing closures; to provide for alternative actions to closing by a local governing authority; to require that funding of such alternative actions be provided by the local government affected by closure; to authorize use of "Parish Transportation Funds" for funding of such alternatives; to require promulgation of rules and regulations; to require certain factors for consideration in development of criteria for crossing closures; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 27—

BY SENATOR LENTINI

AN ACT

To enact R.S. 48:390, relative to railroads; to require periodic reporting of changes in railroad operations to the Department of Transportation and Development; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 33—

BY SENATORS DARDENNE, BARHAM, BRANCH, CAIN, CASANOVA, DEAN, DYESS, ELLINGTON, EWING, GREENE, HAINKEL, HOLLIS, JOHNSON, JORDAN, LAMBERT, LENTINI, MALONE, ROMERO, SCHEDLER, SHORT, SMITH, THEUNISSEN AND ULLO
AN ACT

To amend and reenact R.S. 27:319, and R.S. 47:9025(B)(2) and 9070, relative to video poker and lottery; to provide that twenty-one shall be the minimum age to play video poker or lottery; to provide relative to 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.

SENATE BILL NO. 84—

BY SENATORS BAJOIE AND HAINKEL

AN ACT

To enact R.S. 33:2740.38 relative to special taxing districts; to create a special taxing district for the Garden District in Orleans Parish; to provide for the boundaries, management, powers, and the adoption of rules and regulations for the district's operation; to require an annual plan; to authorize the city of New Orleans to levy and collect an ad valorem tax; 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.

SENATE BILL NO. 90—
BY SENATOR LANDRY

AN ACT

To amend and reenact the introductory paragraph of R.S. 34:3452(A)(1), 3453, 3454, 3455, 3456(A), and the introductory paragraph of R.S. 34:3457(A), relative to the Transportation Trust Fund; to provide for funding or authorized obligation authority for ports under the Port Priority Construction and Development Program; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 96—
BY SENATOR SIRACUSA

AN ACT

To amend and reenact R.S. 38:90.12 (D), relative to statewide flood-control program; to limit the amount of credit for construction work performed in lieu of cash match; to provide for value of in-kind construction; to provide for period of commencement of such work; and to provide for related matters.

Read by title.

Motion

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

SENATE BILL NO. 101—
BY SENATORS LENTINI AND BAJOIE

AN ACT

To amend and reenact R.S. 40:1484.2, 1484.3, 1484.4, 1484.5, 1484.6, 1484.7, 1484.9(A)(1) and (B) and to enact R.S. 40:1484.9(C) and (D) and 1484.10(E), relative to amusement rides and attractions; to provide for inspections of amusement rides and attractions; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 104—
BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 47:463.47(B) relative to motor vehicles; provides for prestige plates; changes wording on prestige plate honoring police officers killed in the line of duty; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 116—
BY SENATOR HAINKEL AND REPRESENTATIVES SCALISE AND DEWITT

AN ACT

To amend and reenact R.S. 39:1536 and to enact R.S. 39:1543(C), relative to the office of risk management; to authorize the office of risk management to perform loss prevention audits of its insured agencies of state government; to provide for credits to

premiums; to provide for penalties; and to provide for related matters.

Read by title.

Motion

Rep. Scalise moved that Senate Bill No. 116 be designated as a duplicate of House Bill No. 181.

Which motion was agreed to.

Rep. Scalise moved that Senate Bill No. 116 be amended to conform with House Bill No. 181 and sent up the following floor amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Scalise to Reengrossed Senate Bill No. 116 by Senator Hainkel (Duplicate of H.B. No. 181)

AMENDMENT NO. 1

On page 2, line 5, after "coverage" insert a comma "," and "excluding the coverages for road hazards and medical malpractice."

AMENDMENT NO. 2

On page 2, line 11, delete "on a non-certified line." and insert a comma "," and "excluding the coverages for road hazards and medical malpractice."

AMENDMENT NO. 3

On page 2, line 23, change "re-certification review preformed" to "recertification review performed"

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

Motion

On motion of Rep. Scalise, the above bill, as amended, was referred to the Legislative Bureau.

Speaker Pro Tempore Bruneau in the Chair

SENATE BILL NO. 125 (Duplicate of House Bill No. 126) —
BY SENATOR LANDRY AND REPRESENTATIVE LeBLANC AND COAUTHORED BY SENATORS EWING, DARDENNE, HAINKEL, BARHAM AND ROMERO AND REPRESENTATIVES DIEZ, DOWNER, DEWITT AND MCMAINS

AN ACT

To amend and reenact R.S. 39:122(A) and R.S. 48:251(C) and (D), relative to the construction programs of the Department of Transportation and Development; to provide for the adoption of rules and for certain reporting requirements for the implementation of warranty requirements and for the cash management program; to provide relative to the requirements which must be met before certain contracts shall be entered into; 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.

SENATE BILL NO. 137—

BY SENATORS BARHAM, DARDENNE, EWING, AND HAINKEL
AN ACT

To amend and reenact R.S. 47:1516(B), (E), and (G), relative to tax debt collection; to authorize the secretary of the Department of Revenue to enter into contracts with debt collection agencies for the collection of certain in-state tax liabilities; to provide for an effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 138—

BY SENATOR ROMERO
AN ACT

To enact R.S. 39:1595.6, relative to certain purchases by political subdivisions; to provide for a five percent preference in certain public purchasing; 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.

SENATE BILL NO. 143—

BY SENATORS COX AND THEUNISSEN
AN ACT

To amend and reenact R.S. 47:322.11(A) and 332.30, relative to the proceeds of the state sales tax on hotel occupancy in Calcasieu Parish; to provide for the dedication of such proceeds; and to provide for related matters.

Read by title.

Motion

Rep. DeWitt moved that Senate Bill No. 143 be designated as a duplicate of House Bill No. 67.

Which motion was agreed to.

Motion

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

SENATE BILL NO. 157(Substitute for Senate Bill No. 113 By Senator Schedler)—

BY SENATORS SCHEDLER, HAINKEL, AND SHORT AND REPRESENTATIVES THORNHILL, SCHNEIDER, STRAIN, AND WINSTON

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.

Motion

Rep. DeWitt moved that Senate Bill No. 157 be designated as a duplicate of House Bill No. 179.

Which motion was agreed to.

Motion

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

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 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.

Reported favorably by the Committee on Insurance.

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

HOUSE CONCURRENT RESOLUTION NO. 10—

BY REPRESENTATIVE MURRAY
A CONCURRENT RESOLUTION

To create a task force to study and make recommendations to the legislature on the affordability and availability of insurance for taxicab operations in the greater New Orleans area.

Read by title.

Reported favorably by the Committee on Insurance.

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

HOUSE CONCURRENT RESOLUTION NO. 25—

BY REPRESENTATIVE DEWITT
A CONCURRENT RESOLUTION

To memorialize the United States Congress to take appropriate action to allow surviving spouses who are eligible for survivor's benefits under Social Security to continue to receive those benefits without a reduction for pension benefits earned by the surviving spouse.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

HOUSE CONCURRENT RESOLUTION NO. 39—

BY REPRESENTATIVES BOWLER, ANSARDI, BAYLOR, DIMOS, MARTINY, AND THORNHILL
A CONCURRENT RESOLUTION

To memorialize congress to defeat S-625 and HR-2021 which would impose a federal auto choice insurance program on the states.

Read by title.

Reported favorably by the Committee on Insurance.

On motion of Rep. Donelon, 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. 11—
BY REPRESENTATIVE DONELON
AN ACT

To enact R.S. 49:191(11)(g) and to repeal R.S. 49:191(8)(c), relative to the Department of Insurance, including provisions to provide for the re-creation of the Department of Insurance, and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Insurance.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 106—
BY REPRESENTATIVES WESTON, MITCHELL, DURAND, CLARKSON,
AND WILKERSON
AN ACT

To enact R.S. 46:939 and to repeal R.S. 46:286.1, relative to foster care; to establish the Grandparent Subsidy Program in the Office of Elderly Affairs; to establish eligibility requirements for the program; to authorize the Office of Elderly Affairs to promulgate rules and regulations to implement the program; to repeal the Kinship Foster Care Program; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 113—
BY REPRESENTATIVE WIGGINS
AN ACT

To amend and reenact R.S. 47:9025(B)(2) and 9070, relative to gaming; to provide that twenty-one years shall be the minimum age for playing the lottery; 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. 113 by Representative Wiggins

AMENDMENT NO. 1

On page 2, at the beginning of line 11, insert "A."

AMENDMENT NO. 2

On page 2, after line 15, insert the following:

"B. (1) It is unlawful for any person under twenty-one years of age to purchase a lottery ticket.

(2) Whoever violates the provisions of this Subsection shall be fined not more than one hundred dollars or imprisoned for not more than six months, or both.

(3) Any person apprehended while violating the provisions of this Subsection shall be issued a citation by the apprehending law enforcement officer, which shall be paid in the same manner as provided for the offenders of local traffic violations."

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. 147 (Duplicate of Senate Bill No. 72)—
BY REPRESENTATIVE DOWNER AND SENATOR EWING AND
COAUTHORED BY REPRESENTATIVES DEWITT, MCMAINS,
CLARKSON, DURAND, AND SCHWEGMANN AND SENATORS
DARDENNE, HAINKEL, BARHAM, ROMERO, BAJOIE, CASANOVA,
DYESS, HINES, IRONS, LANDRY, AND SCHEDLER
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 2607, 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, and 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; 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.

Motion

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

HOUSE BILL NO. 170—
BY REPRESENTATIVES BRUNEAU, HUNTER, AND LANCASTER
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 recommendations for the reorganization of legislative branch agencies by the Legislative Budgetary Control Council; to provide for the approval of such recommendations by the legislature; to provide relative to powers, functions, and responsibilities of employees and officers of the legislature; 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. 170 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 4, after "authorize" and before "the" insert "recommendations for"

AMENDMENT NO. 2

On page 1, line 6, after "Council;" and before "to provide" insert "to provide for the approval of such recommendations by the legislature" and a semicolon ";"

AMENDMENT NO. 3

On page 1, line 15, delete "reorganize" and insert "may recommend to the legislature the reorganization of"

AMENDMENT NO. 4

On page 2, line 3, delete "make" and insert "recommend to the legislature"

AMENDMENT NO. 5

On page 2, line 11, after "branch:" and before "the merger" insert "and"

AMENDMENT NO. 6

On page 2, delete lines 13 through 15 and insert "functions, and responsibilities" and insert a period "."

AMENDMENT NO. 7

On page 2, line 16, delete "action taken" and insert "recommendation made"

AMENDMENT NO. 8

On page 2, line 18, delete "Remove" and insert "Provide for the appointment or removal of the legislative fiscal officer or remove"

AMENDMENT NO. 9

On page 3, line 10, delete "reorganize" and insert "recommend the reorganization of"

AMENDMENT NO. 10

On page 3, between lines 14 and 15 insert the following:

"(2) All recommendations made by the Legislative Budgetary Control Council to reorganize the legislative branch pursuant to this Section shall be submitted to the legislature for approval in the form of a concurrent resolution during any regular or extraordinary session."

AMENDMENT NO. 11

On page 3, line 15, delete "(2) Any action taken" and insert "(3) Notwithstanding any other provision of law, joint rule, or rule of either house of the legislature to the contrary, a recommendation made"

AMENDMENT NO. 12

On page 3, line 17, after "adoption" and before "by" insert "of such a concurrent resolution"

AMENDMENT NO. 13

On page 3, delete line 18, and insert "the legislature or at a time otherwise specified in the concurrent resolution, if adopted."

AMENDMENT NO. 14

On page 3, line 23, after "and" and before "Senate" insert "the"

AMENDMENT NO. 15

On page 3, line 24, after "Section 2." delete the remainder of the line and delete lines 25 through 27 and insert the following:

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

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

Rep. Bruneau moved the bill, as amended, be ordered engrossed and passed to its third reading.

As a substitute motion, Rep. Alario moved the bill, as amended, be recommitted to the Committee on Ways and Means.

Rep. Downer objected.

Acting Speaker LeBlanc in the Chair

Speaker Downer in the Chair

A record vote was asked for and ordered by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Hammett	Perkins
Barton	Heaton	Pierre
Baylor	Hill	Pratt
Carter	Hudson	Quezaire
Clarkson	Iles	Romero
Copelin	Jenkins	Rousselle
Curtis	Kenney	Smith, J.D.—50th
Daniel	Landrieu	Warner
Deville	Marionneaux	Welch
Faucheux	Montgomery	Willard
Frith	Morrell	Wright
Guillory	Odinot	
Total—35		

NAYS

Mr. Speaker	Holden	Schwegmann
Alexander, R.—13th	Hopkins	Smith, J.R.—30th
Ansardi	Hunter	Stelly
Baudoin	Johns	Theriot
Bowler	Lancaster	Thompson

Bruce	LeBlanc	Thornhill
Bruneau	Long	Toomy
Crane	Martiny	Travis
Damico	McCain	Triche
DeWitt	McCallum	Vitter
Diez	McDonald	Waddell
Dimos	Michot	Walsworth
Doerge	Morrish	Weston
Donelon	Murray	Wiggins
Dupre	Pinac	Wilkerson
Durand	Powell	Windhorst
Flavin	Riddle	Winston
Fontenot	Scalise	
Fruge	Schneider	

Total—55

ABSENT

Alexander, A.—93rd	Green	Mitchell
Chaisson	Hebert	Salter
Farve	Jetson	Shaw
Gautreaux	Kennard	Strain
Glover	McMains	Thomas

Total—15

The House refused to recommit the bill to the Committee on Ways and Means.

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

Under the rules, placed on the regular calendar.

Speaker Pro Tempore Bruneau in the Chair

HOUSE BILL NO. 173 (Duplicate of Senate Bill No. 108)—
BY REPRESENTATIVE DEWITT AND SENATOR HEITMEIER AND
COAUTHORED BY REPRESENTATIVES DOWNER AND MCMAINS AND
SENATORS DARDENNE, 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 inventory 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.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the consent calendar.

HOUSE BILL NO. 174—
BY REPRESENTATIVES DEWITT, DOWNER, AND MCMAINS AND
SENATORS DARDENNE, 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 gaming violations; to provide that the board may adopt a schedule of fines by rule; 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. 174 by Representative DeWitt

AMENDMENT NO. 1

On page 1, line 2, after "To" insert "amend and reenact R.S. 27:25(D) and (E) and 26 and to"

AMENDMENT NO. 2

On page 1, line 5, after "rule;" and before "and" insert "to provide for board hearings and appeals from the board;"

AMENDMENT NO. 3

On page 1, line 7, after "Section 1." and before "R.S." insert "R.S. 27:25(D) and (E) and 26 are hereby amended and reenacted and"

AMENDMENT NO. 4

On page 1, line 10, after "D." delete the remainder of the line and delete lines 11 and 12 in their entirety and insert in lieu thereof "The board may"

AMENDMENT NO. 5

On page 2, line 3, after "be" delete the remainder of the line and delete lines 4 and 5 in their entirety and insert in lieu thereof the following:

"payable only after entry of final disposition of the matter pursuant to the provisions of R.S. 27:25 and 26."

AMENDMENT NO. 6

On page 2, after line 10, insert the following:

"§25. Hearing officer; duties

* * *

D. In addition to rules for the hearings provided for in Subsection B of this Section, the Louisiana gaming control hearing officer shall establish rules for the conduct of a short-form hearing to permit the casino operator or any other licensee or permittee of the board who is accused of a violation for which a fine may be imposed to show cause why such fine should not be imposed. Such a short-form hearing may shall be used only with the consent of the alleged violator, but may be waived by should the violator elect not to consent to the imposition of the penalty. If such a hearing is held, it shall be held within fifteen days of notification to the casino operator, licensee, or permittee of the violation. The In any hearing conducted pursuant to the provisions of this Section, the hearing officer shall uphold the imposition of the penalty except upon a upon finding that the violation for which the penalty is opposed has been proven by clear and convincing showing that either the penalty should not be imposed or that the matter is sufficiently disputed to require a full hearing evidence.

E. The hearing officer shall render his decision within thirty days after the hearing is conducted. Either party to such hearing may

appeal the decision of the hearing officer to the board. Such appeal shall be lodged with the board within thirty days of the rendering of the decision and, if lodged, shall be heard and decided by the board within sixty days of such notice. The effect of the hearing officer's decision, including a decision to uphold imposition of a penalty assessed under the provisions of R.S. 27:15, shall be suspended during the pendency of the appeal provided for in this Subsection.

§26. Appeals from board

A. All appeals from any decision of the board shall be filed within ten days of notice of the decision in the Nineteenth Judicial District Court and shall be reviewed solely on the record. Notwithstanding any provision of law to the contrary, any party aggrieved by a decision of the board, including a decision to uphold the imposition of a penalty assessed under R.S. 27:15 may, within ten days of notification of the decision, take an appeal thereof to the state district court of the parish in which the business of the licensee or permittee is domiciled. Such appeal shall be tried de novo. The decision of the board shall be suspended during the pendency of the appeal provided for in this Subsection.

B. Within ten calendar days of the signing of a judgment in the case of an appeal taken pursuant to Subsection A of this Section, any aggrieved party may appeal the judgment of the district court to a state appellate court of proper jurisdiction. Such appeals shall be perfected in the manner provided for in civil cases."

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. 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 the 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 relative to 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.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

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.

Reported favorably by the Committee on Insurance.

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

Under the rules, placed on the regular calendar.

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.

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. 192 by Representative Bruneau

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 18:" and before "481," insert "465(A),"

AMENDMENT NO. 2

On page 1, at the end of line 2, after "551(C)(1)" and before the comma "," insert "and to enact R.S. 18:1275.1"

AMENDMENT NO. 3

On page 1, line 4, after "election;" and before "to" insert "to allow a candidate to qualify for the general election by nominating petition

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under certain circumstances; to provide for the form, time, and manner of filing and certifying such petitions; to provide with respect to challenging such candidates nominated by petition;"

AMENDMENT NO. 4

On page 1, line 8, after "R.S. 18:" and before "481," insert "465(A),"

AMENDMENT NO. 5

On page 1, line 9, after "reenacted" and before "to" insert "and R.S. 18:1275.1 is hereby enacted"

AMENDMENT NO. 6

On page 1, between lines 9 and 10, insert the following:

"§465. Nominating petitions for primary elections

A. Time and place of filing. A nominating petition for a primary election shall be filed with the official with whom the candidate qualifies and shall accompany the notice of candidacy.

* * *

AMENDMENT NO. 7

On page 1, delete line 11 in its entirety and insert "A. For all offices other than that of United States senator or representative in congress, the"

AMENDMENT NO. 8

On page 2, line 2, after "if" and before "there" insert "on the eighth day after the close of qualifying"

AMENDMENT NO. 9

On page 2, line 7, after "as" and before "candidate" delete "the only" and insert "a"

AMENDMENT NO. 10

On page 2, delete lines 8 and 9 in their entirety and on line 10, delete "whatsoever," and insert "election."

AMENDMENT NO. 11

On page 2, at the end of line 11, delete "candidates shall" and delete lines 12 and 13 and insert the following:

"the candidates who received the two highest numbers of votes in the primary election qualify for the general election.

(3)(a) A candidate for United States senator or representative in congress who has submitted a nominating petition in accordance with R.S. 18:1275.1 and which petition has been certified as containing the number of signatures as required by R.S. 18:1275.1 and who was not affiliated with a political party at the time of filing his notice of candidacy and nominating petition with the secretary of state.

(b) A candidate who files a notice of candidacy and nominating petition for the general election shall be disqualified by the secretary of state as a candidate for the general election for any of the following reasons:

(i) He qualified as a candidate for the primary election for the office of United States senator or representative in congress.

(ii) He became affiliated with a political party prior to the day after the general election for the office he seeks.

(c) The secretary of state shall immediately notify any candidate who is disqualified for the general election pursuant to the provisions of Subparagraph (b) of this Paragraph. The candidate shall have the right to seek injunctive relief within twenty-four hours of receipt of notification of such disqualification."

AMENDMENT NO. 12

On page 4, between lines 25 and 26, insert the following:

"§1275.1. Nominating petitions for candidates for general election

A. Any person desiring to become a candidate in a general election who is not affiliated with a political party shall file notice of candidacy along with a certified nominating petition which complies with the provisions of this Section with the secretary of state during the qualifying period for candidates for the primary election for the office he seeks.

B. Method of nominating candidates. A person may only be nominated as a candidate in a general election by persons who are registered to vote on the office he seeks who sign a nominating petition for him. In addition to his signature, each voter who signs a nominating petition shall date his signature and shall provide the ward and precinct in which he is registered to vote, his residence address, including the municipal number, the apartment number, if any, the rural route and box number, or any other physical description that will identify his actual place of residence. Once a voter has signed a nominating petition, he may not withdraw the nomination. The secretary of state shall prepare forms which may be used by any person who seeks nomination as a candidate by nominating petition. The forms shall be available, upon request, at the office of the secretary of state. Nothing in this Subsection shall be construed to require nominating petitions to be filed only on forms prepared by the secretary of state.

C. Number of signatures required. The number of qualified voters who must timely sign a nominating petition is:

(1) For a candidate for the office of United States senator - seventy thousand with at least ten thousand from each congressional district.

(2) For a candidate for the office of representative in congress - ten thousand from within that congressional district.

D. Form. Each sheet of the nominating petition shall set forth the candidate's name, the address of his domicile, the office for which the signers nominate him, and the date of the general election for which he seeks to qualify. The name of each voter who signed the nominating petition shall be typed or legibly written on the petition, and each signature on the nominating petition shall be dated and witnessed by the candidate or the person who obtained the signature on his behalf. The candidate and all persons who obtained signatures on his behalf shall certify on the nominating petition that to the best of their knowledge, information, and belief all of the signatures on the nominating petition are genuine and all of the statements contained in the nominating petition are true and correct.

E. Certification.

(1) A nominating petition shall be submitted to the registrars of voters in the parishes where the signers reside no more than one hundred twenty days before the opening of qualifying for candidates for the primary election for that office and not later than the close of qualifying for candidates for the primary election for that office.

(2) The registrar for each parish shall endorse upon the nominating petitions the date and time of submission and shall promptly certify the nominating petitions, in the order received, by determining and certifying on each nominating petition which of the signers who provided a residence address in the parish signed the nominating petition timely and are registered to vote on the office the candidate seeks. A registrar may stop certifying the signatures on a nominating petition when the total number of the signers he has certified as having signed the petition timely and as being registered to vote on the office the candidate seeks equals one hundred fifteen percent of the number of qualified voters required to nominate the candidate for the office he seeks. A registrar's certification shall be conclusive as to the number of qualified voters who timely signed a nominating petition, and evidence to the contrary shall not be admitted in an action objecting to the candidacy of the candidate who filed the nominating petition.

F. The provisions of Subparts D and E of Part IV of Chapter 5 of this Title shall be applicable to candidates who file a nominating petition to qualify for the general election pursuant this Part.

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.

Senate Instruments on Second Reading Returned from the Legislative Bureau

The following Senate Instruments on second reading, returned from the Legislative Bureau, were taken up and acted upon as follows:

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.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Dupre, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

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.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 73 by Senator Ewing

AMENDMENT NO. 1

On page 2, line 17, after "cause." delete the remainder of the line and insert "before the earlier of the following."

AMENDMENT NO. 2

On page 2, delete lines 18 through 20 and insert the following:

"(i) Sixty days after the signing of the act, in a judicial hearing for the limited purpose of rescinding the acknowledgment.

(ii) A judicial hearing relating to the child, including a child support proceeding, wherein the affiant to the notarial act of acknowledgment is a party to the proceeding."

AMENDMENT NO. 3

On page 2, line 21, after "(b)" and before "the" delete "After the sixty day period." and insert "Thereafter."

AMENDMENT NO. 4

On page 3, line 14, after "desaveu," delete the remainder of the line and insert in lieu thereof "court may, on its own initiative, or shall, under"

AMENDMENT NO. 5

On page 3, line 15, after "following" and before "order" change "circumstances shall." to "circumstances."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

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.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 74 by Senator Ewing

AMENDMENT NO. 1

On page 1, line 3, after "of" and before "support" delete "child"

AMENDMENT NO. 2

On page 2, at the beginning of line 12, delete "child"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

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.

Reported with amendments by the Committee on Civil Law and Procedure.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 75 by Senator Ewing

AMENDMENT NO. 1

On page 3, line 6, delete the period "." and insert "or at any time thereafter."

AMENDMENT NO. 2

On page 4, line 5, after "recent" and before "address" insert "residence and employment"

AMENDMENT NO. 3

On page 4, line 6, delete the period "." and insert "and at any current address of the absentee known by the moving party."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 145—

BY SENATORS HAINKEL AND SCHEDLER

AN ACT

To amend and reenact R.S. 13:621.21, relative to district judges; to provide for two additional judgeships for the Twenty-first Judicial District Court; to provide for compensation of the additional judges; to provide for the election and terms of office and those of the successors in office; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

On motion of Rep. Powell, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

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:

Regular Calendar

HOUSE BILL NO. 42—

BY REPRESENTATIVE TRICHE

AN ACT

To amend and reenact R.S. 42:872(A)(introductory paragraph) and (5)(a) and (c) and (E) and 873(D), to enact R.S. 42:872(A)(7), and to repeal R.S. 42:872(C) and (D), all relative to the Board of Trustees of the State Employees Group Benefits Program; to provide for the membership and composition of the board; to provide for the terms and conditions of certain members; to delete obsolete transitional provisions; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Triche to Engrossed House Bill No. 42 by Representative Triche

AMENDMENT NO. 1

On page 2, line 19, change "employees." to "employee participants."

AMENDMENT NO. 2

On page 4, delete line 2 and insert in lieu thereof "board provided by R.S. 42:872(A)(5)(c) as amended and reenacted in Section 1 of this"

AMENDMENT NO. 3

On page 4, delete lines 4 through 6 in their entirety

AMENDMENT NO. 4

On page 4, line 7, change "Section 5. The initial term of the" to "Section 4. The initial term election of the"

AMENDMENT NO. 5

On page 4, line 9, after "and" and before "shall be" insert "such initial term election"

AMENDMENT NO. 6

On page 4, line 11, change "Elections for the board" to "Elections for the retiree participant members"

AMENDMENT NO. 7

On page 5, line 13, after "Trustees" and before "pursuant" insert "elected"

AMENDMENT NO. 8

On page 7, between lines 8 and 9, insert the following:

"Section 5. Sections 1 and 2 of this Act shall become effective July 1, 1998; but only in the event that the Act which originated as House Bill No. 137 of the First Extraordinary Session of 1998 is not enacted into law."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Gautreaux	Odinot	Willard
Glover	Perkins	Windhorst
Green	Pierre	Winston
Guillory	Pinac	Wright
Total—102		

NAYS

Total—0

ABSENT

Alexander, A.—93rd	Curtis	DeWitt
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Triche 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. Jetson, the rules were suspended to limit the author or proponent handling the legislative instrument to ten minutes for opening remarks and all subsequent speakers on the instrument to five minutes.

HOUSE BILL NO. 80—
BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 46:236.5(B)(1), relative to income assignments; to provide for the collection of child support by the Department of Social Services; to specify that the existing fee of not more than five percent is payable by the obligor; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative DeWitt to Engrossed House Bill No. 80 by Representative DeWitt

AMENDMENT NO. 1

On page 2, line 4, between "a" and "payable by the obligor", change "fee" to "sum"

AMENDMENT NO. 2

On page 2, line 4, after "obligor" and before "of not more", insert "as a fee"

AMENDMENT NO. 3

On page 2, at the end of line 8, insert:

"The fee shall be assessed only against the payor of support and such assessment shall not reduce the amount of child support owed the obligee."

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

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

Point of Order

Rep. Hunter asked for a ruling from the Chair as to the number of votes required to finally pass House Bill No. 80.

Ruling of the Chair

The Chair ruled the bill would require the favorable vote of a majority of the elected members to finally pass the House.

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
Bowler	Hudson	Scalise
Bruce	Iles	Schneider
Bruneau	Jenkins	Schwegmann
Carter	Jetson	Shaw
Chaisson	Johns	Smith, J.D.—50th
Clarkson	Kennard	Smith, J.R.—30th
Crane	Kenney	Stelly
Curtis	Lancaster	Strain
Damico	Landrieu	Theriot
Daniel	LeBlanc	Thomas
Deville	Long	Thompson
DeWitt	Marionneaux	Thornhill
Diez	Martiny	Toomy
Dimos	McCain	Travis
Doerge	McCallum	Triche
Donelon	McDonald	Vitter
Dupre	McMains	Waddell
Durand	Michot	Walsworth
Farve	Mitchell	Warner
Faucheux	Montgomery	Welch
Flavin	Morrish	Weston
Fontenot	Odinet	Wiggins
Frith	Perkins	Wilkerson
Frige	Pierre	Willard
Gautreaux	Pinac	Winston
Glover	Powell	Wright
Total—96		

NAYS

Baylor	Hunter	Windhorst
Copelin	Morrell	
Holden	Murray	
Total—7		

ABSENT

Alexander, A.—93rd	Green
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. DeWitt 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. 110—

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

AN ACT

To enact R.S. 36:406.1, relative to the issuance of revenue bonds by the Louisiana Public Facilities Authority on behalf of the Department of Public Safety and Corrections; to provide for the issuance of revenue bonds for the acquisition, construction, and equipping of a public safety complex; to provide for the requirements of issuance including the revenues to be pledged for payment of such bonds; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Dimos, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dimos on behalf of the Legislative Bureau to Engrossed House Bill No. 110 by Representative Triche

AMENDMENT NO. 1

On page 6, line 1, before "(1)" change "G." to "F."

AMENDMENT NO. 2

On page 6, line 18, before "The" change "H." to "G."

AMENDMENT NO. 3

On page 7, line 3, before "(1)" change "I." to "H."

AMENDMENT NO. 4

On page 8, line 23, before "Nothing" change "J." to "I."

AMENDMENT NO. 5

On page 9, line 12, before "Any" change "K." to "J."

AMENDMENT NO. 6

On page 9, line 17, before "The" change "L." to "K."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pratt
Alario	Heaton	Quezaire
Alexander, R.—13th	Hebert	Riddle
Ansardi	Hill	Romero
Barton	Holden	Rousselle
Baudoin	Hopkins	Salter
Baylor	Hudson	Scalise
Bowler	Hunter	Schneider
Bruce	Iles	Schwegmann
Bruneau	Jenkins	Shaw

Carter	Jetson	Smith, J.D.—50th
Chaisson	Johns	Smith, J.R.—30th
Clarkson	Kennard	Stelly
Copelin	Kenney	Strain
Crane	Lancaster	Theriot
Curtis	Landrieu	Thomas
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Deville	Marionneaux	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Dimos	McCallum	Vitter
Doerge	McDonald	Waddell
Donelon	McMains	Walsworth
Dupre	Michot	Warner
Durand	Mitchell	Welch
Faucheux	Montgomery	Weston
Flavin	Morrell	Wiggins
Fontenot	Morrish	Wilkerson
Frith	Murray	Willard
Fruge	Odinet	Windhorst
Gautreaux	Perkins	Winston
Glover	Pierre	Wright
Green	Pinac	
Guillory	Powell	

Total—103

NAYS

Total—0

ABSENT

Alexander, A.—93rd Farve
Total—2

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Triche 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. 115—
BY REPRESENTATIVE HUNTER
AN ACT

To amend and reenact R.S. 13:477(3) and 621.3, relative to the Third Judicial District; to add an additional judgeship to the Third Judicial District Court; to provide for election sections for the Third Judicial District; to provide relative to the terms of office of the judges; to provide for the effectiveness of such provisions; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hunter to Engrossed House Bill No. 115 by Representative Hunter

AMENDMENT NO. 1

On page 3, line 2, after "the" and before "Judicial" delete "Fifteenth" and insert in lieu thereof "Third"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Wilkerson to Engrossed House Bill No. 115 by Representative Hunter

AMENDMENT NO. 1

Change the lead author from "Representative Hunter" to "Representative Wilkerson"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Heaton	Riddle
Alario	Hebert	Romero
Alexander, R.—13th	Hill	Rousselle
Ansardi	Holden	Salter
Barton	Hopkins	Scalise
Baudoin	Hudson	Schneider
Baylor	Hunter	Schwegmann
Bruce	Iles	Shaw
Bruneau	Jenkins	Smith, J.D.—50th
Carter	Jetson	Smith, J.R.—30th
Clarkson	Kennard	Strain
Copelin	Kenney	Theriot
Crane	Landrieu	Thomas
Curtis	LeBlanc	Thompson
Damico	Long	Thornhill
Daniel	Marionneaux	Toomy
Deville	Martiny	Travis
DeWitt	McCain	Triche
Diez	McDonald	Vitter
Doerge	McMains	Waddell
Donelon	Michot	Walsworth
Dupre	Mitchell	Warner
Durand	Montgomery	Welch
Faucheux	Morrell	Weston
Flavin	Murray	Wiggins
Fontenot	Odinet	Wilkerson
Frith	Perkins	Willard
Gautreaux	Pierre	Windhorst
Glover	Pinac	Winston
Green	Powell	Wright
Guillory	Pratt	
Hammett	Quezaire	
Total—94		

NAYS

Bowler	Lancaster
Fruge	Morrish
Total—4	

ABSENT

Alexander, A.—93rd	Farve	Stelly
Chaisson	Johns	
Dimos	McCallum	
Total—7		

The Chair declared the above bill, having received a two-thirds vote of the elected members, was finally passed.

The title of the above bill was read and adopted.

Rep. Hunter 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 Downer in the Chair

HOUSE BILL NO. 131 (Duplicate of Senate Bill No. 17)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND
COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS,
DUPRE, SHAW, QUEZAIRE, AND THOMAS AND SENATORS EWING,
DARDENNE, HAINKEL, BARHAM, AND ROMERO
AN ACT

To amend and reenact R.S. 36:501(C)(1), 502(A) and (B), 503, 504(A)(8), 505, 506(A), (B), and (C), 508(A), (B), (C), and (G), and 510 and to enact R.S. 36:508.1 and 508.2, relative to the Department of Transportation and Development; to reorganize the Department of Transportation and Development; to provide for the officers of the department and the appointment, salary, powers, duties, and functions thereof; to provide for the offices of the department and the functions thereof; 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. 131 by Representative Diez

AMENDMENT NO. 1

On page 12, line 2, after "functions;" and before "secretary;" delete "assistantant" and insert "assistant"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Diez to Engrossed House Bill No. 131 by Representative Diez

AMENDMENT NO. 1

On page 8, line 1, after "secretary" delete the period "." and insert "in accordance with civil service rules."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Fauchaux to Engrossed House Bill No. 131 by Representative Diez

AMENDMENT NO. 1

On page 1, line 4, after "36:508.1" delete the remainder of the line and insert a comma "," and add "508.2, 511, and 512, relative to the Department of"

AMENDMENT NO. 2

On page 1, line 13, after "36:508.1" delete the remainder of the line and insert a comma "," and add "508.2, 511, and 512 are hereby enacted to read as"

AMENDMENT NO. 3

On page 2, line 8, after "transportation," and before "and" insert "the office of airports, the office of ports and waterways."

AMENDMENT NO. 4

On page 2, line 15, after "operations," and before "and" insert "assistant secretary of airports, assistant secretary of ports and waterways."

AMENDMENT NO. 5

On page 2, line 21, after "transportation," and before "the executive" insert "assistant secretary of airports, assistant secretary of ports and waterways."

AMENDMENT NO. 6

On page 12, line 2, after "functions;" and before "powers" change "assistantant secretary;" to "assistant secretaries;"

AMENDMENT NO. 7

On page 12, at the beginning of line 9, delete "aviation," and at the end of line 9, delete "water"

AMENDMENT NO. 8

On page 12, at the beginning of line 10, delete "transportation systems, and"

AMENDMENT NO. 9

On page 12, at the end of line 16, insert the following:

"the assistant secretary of airports, and the assistant secretary of ports and waterways"

AMENDMENT NO. 10

On page 12, line 17, after "governor;" change "He" to "Each"

AMENDMENT NO. 11

On page 12, line 19, after "governor;" and before "shall" change "He" to "Each"

AMENDMENT NO. 12

On page 12, line 21, after "transportation." and before "shall" change "He" to "Each"

AMENDMENT NO. 13

On page 12, line 22, after "Louisiana." and before "shall" change "He" to "Each"

AMENDMENT NO. 14

On page 12, line 25, after "assistant secretary" and before "shall" insert the following:

"of the office of public works and intermodal transportation, the assistant secretary of airports, and the assistant secretary of ports and waterways"

AMENDMENT NO. 15

On page 13, line 5, after "D." and before "shall" change "He" to "Each"

AMENDMENT NO. 16

On page 13, line 11, after "of" delete the remainder of the line and insert in lieu thereof "each of these offices, each shall take the"

AMENDMENT NO. 17

On page 13, at the end of line 13, change "his" to "their"

AMENDMENT NO. 18

On page 13, line 18, after "transportation" and before "shall" insert a comma "," and add "the assistant secretary of airports, and the assistant secretary of ports and waterways"

AMENDMENT NO. 19

On page 13, line 22, after "state." and before "shall" change "He" to "Each"

AMENDMENT NO. 20

On page 14, line 3, after "transportation" delete the remainder of the line and insert the following:

", the assistant secretary of airports, and the assistant secretary of ports and waterways when any assistant"

AMENDMENT NO. 21

On page 14, after line 9, add the following:

"§511. Office of airports; functions; assistant secretary; powers and duties

A. There is hereby created within the Department of Transportation and Development, the office of airports which shall administer all matters related to the programs of the state relating to and affecting aeronautics and aviation facilities.

B. The office of airports shall be under the immediate supervision of the assistant secretary of airports, who shall be appointed by the governor. He shall serve at the pleasure of the governor. He shall be a competent engineer of recognized ability and standing who is experienced in the engineering duties pertaining to aeronautics and aviation. He shall be licensed to practice civil engineering in Louisiana. He shall give his whole time to the duties of his office.

C. The assistant secretary shall have authority subject to approval of the secretary in accordance with applicable rules and regulations of the civil service commission to employ, appoint, transfer, assign, and promote such personnel as is necessary for the efficient administration of this office.

D. The assistant secretary shall receive an annual salary fixed by the governor, which salary shall not exceed the amount approved for such position by the legislature while in session; payable monthly out of funds appropriated therefor and shall be allowed his actual and necessary traveling expenses incurred in the discharge of his official duties.

E. Before entering upon the duties of his office, he shall take the prescribed oath and give bond to the governor in the sum of ten thousand dollars, conditioned upon the faithful performance of his duties. This bond shall be approved by the governor and filed with the secretary of state. The cost of this bond may be paid by the department with approval of the secretary.

F. The assistant secretary of airports shall administer all department functions and duties for which his office is responsible. He shall also have other duties as may be assigned to him by the secretary, by the provisions of this Chapter, or by the laws of this state. He shall report the proceedings of his office annually to the secretary of the department and at such other times as the secretary may designate, and he shall make any additional reports as are required by the secretary.

G. The secretary is specifically authorized and empowered to perform any of the duties of the assistant secretary when he is absent or incapacitated, or when in the opinion of the secretary, it would be in the best interest of the department. The assistant secretary with approval of the secretary may designate a licensed engineer in the office of operations to perform any duties required of the assistant secretary.

§512. Office of ports and waterways, assistant secretary; powers and duties

A. There is hereby created within the Department of Transportation and Development, the office of ports and waterways which shall administer all matters related to the programs of the state relating to and affecting water transportation systems.

B. The office of ports and waterways shall be under the immediate supervision of the assistant secretary of ports and waterways, who shall be appointed by the governor. He shall serve at the pleasure of the governor. He shall be a competent engineer of recognized ability and standing who is experienced in the engineering duties pertaining to water transportation systems. He shall be licensed to practice civil engineering in Louisiana. He shall give his whole time to the duties of his office.

C. The assistant secretary shall have authority subject to approval of the secretary in accordance with applicable rules and regulations of the civil service commission to employ, appoint, transfer, assign, and promote such personnel as is necessary for the efficient administration of this office.

D. The assistant secretary shall receive an annual salary fixed by the governor, which salary shall not exceed the amount approved for such position by the legislature while in session; payable monthly out of funds appropriated therefor and shall be allowed his actual and necessary traveling expenses incurred in the discharge of his official duties.

E. Before entering upon the duties of his office, he shall take the prescribed oath and give bond to the governor in the sum of ten thousand dollars, conditioned upon the faithful performance of his duties. This bond shall be approved by the governor and filed with the secretary of state. The cost of this bond may be paid by the department with approval of the secretary.

F. The assistant secretary of ports and waterways shall administer all department functions and duties for which his office is responsible. He shall also have other duties as may be assigned to him by the secretary, by the provisions of this Chapter, or by the laws of this state. He shall report the proceedings of his office annually to the secretary of the department and at such other times as the secretary may designate, and he shall make any additional reports as are required by the secretary.

G. The secretary is specifically authorized and empowered to perform any of the duties of the assistant secretary when he is absent or incapacitated, or when in the opinion of the secretary, it would be in the best interest of the department. The assistant secretary with approval of the secretary may designate a licensed engineer in the office of operations to perform any duties required of the assistant secretary."

Rep. Faucheux moved the adoption of the amendments.

Rep. Diez objected.

By a vote of 44 yeas and 53 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Schneider to Engrossed House Bill No. 131 by Representative Diez

AMENDMENT NO. 1

On page 1, line 9, after "thereof;" and before "and" insert "to provide for the creation of a study commission; to provide for its membership; to provide for reporting by the commission;"

AMENDMENT NO. 2

On page 14, after line 9, add the following:

"Section 2. A. There is hereby created a study commission to study the feasibility and advisability of privatizing the functions of the Department of Transportation and Development relating to the design, planning, project development, and construction of the state's highway system.

B. The commission shall consist of the following sixteen members who shall serve without compensation, except for the two legislative members who may receive legislative per diem:

- (1) One member appointed by the governor.
- (2) One member appointed by the presiding officer of the Louisiana Association of Business and Industry.
- (3) One member appointed by the presiding officer of Louisiana Associated General Contractors, Inc.
- (4) One member appointed by the presiding officer of the Associated Builders and Contractors.
- (5) One member appointed by the presiding officer of the Louisiana Engineering Society.
- (6) One member appointed by the secretary of the Department of Transportation and Development.
- (7) One member appointed by the President of the Senate.
- (8) One member appointed by the Speaker of the House of Representatives.
- (9) One member appointed by the presiding officer of the Greater New Orleans Chamber of Commerce.
- (10) One member appointed by the presiding officer of the Greater Baton Rouge Chamber of Commerce.

(11) One member appointed by the presiding officer of the Lake Charles Chamber of Commerce.

(12) One member appointed by the presiding officer of the Monroe Chamber of Commerce.

(13) One member appointed by the presiding officer of the Shreveport Chamber of Commerce.

(14) One member appointed by the presiding officer of the Lafayette Chamber of Commerce.

(15) One member appointed by the presiding officer of the Alexandria Chamber of Commerce.

(16) Louisiana Business League

C. The commission shall convene its first meeting no later than June 1, 1998, and shall meet at least once a month thereafter. The commission shall appear before the House and Senate Committees on Transportation, Highways, and Public Works no later than March 1, 1999 to submit a summary of the information gathered during its study and its recommendations on the feasibility and advisability of such privatization, and shall forward a written report to each member of the House of Representatives and the Senate no later than March 1, 1999.

D. The commission may require the assistance of the staff of the House of Representatives and the Senate."

Rep. Schneider moved the adoption of the amendments.

Rep. Diez objected.

By a vote of 35 yeas and 63 nays, the amendments were rejected.

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	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	Schneider
Bruneau	Iles	Schwegmann
Carter	Jenkins	Shaw
Chaisson	Jetson	Smith, J.D.—50th
Clarkson	Johns	Smith, J.R.—30th
Copelin	Kennard	Stelly
Crane	Kenney	Strain
Curtis	Lancaster	Theriot
Damico	Landrieu	Thomas
Daniel	LeBlanc	Thompson
Deville	Long	Thornhill
DeWitt	Marionneau	Toomy
Diez	Martiny	Travis
Dimos	McCain	Triche
Doerge	McCallum	Vitter
Donelon	McDonald	Waddell
Dupre	McMains	Walsworth

Durand	Michot	Warner
Faucheux	Montgomery	Welch
Flavin	Morrell	Weston
Fontenot	Morrish	Wiggins
Frith	Murray	Wilkerson
Fruge	Odinet	Willard
Gautreaux	Perkins	Windhorst
Glover	Pierre	Winston
Green	Pinac	Wright

Total—102

NAYS

Total—0

ABSENT

Alexander, A.—93rd	Farve	Mitchell
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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. 137 (Duplicate of Senate Bill No. 66) —
 BY REPRESENTATIVE DEWITT AND SENATOR DARDENNE AND
 COAUTHORED BY REPRESENTATIVES MCMAINS AND DOWNER AND
 SENATORS EWING, HAINKEL, BARHAM, AND ROMERO
 AN ACT

To amend and reenact R.S. 42:851(A)(1)(c), 871(A) and (C), 872, 873(A), (D), and (E), 874, and 875, to enact R.S. 36:4(B)(15), and to repeal R.S. 36:769(G), all relative to the Board of Trustees of the State Employees Group Benefits Program; to provide for the transfer of the board from the Department of the Treasury to the division of administration; to provide with respect to certain contributions for the program; to reconstitute the board; to provide for the composition, powers, duties, and functions of the board; to provide for officers and their powers, duties, and functions; to provide for the initial election of certain board members; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Riddle, Thornhill, Deville, Jack Smith, Hopkins, and Hebert to Engrossed House Bill No. 137 by Representative DeWitt, et al.

AMENDMENT NO. 1

On page 16, delete lines 9 through 13 in their entirety and insert in lieu thereof the following:

"executive officer. The"

Rep. Riddle moved the adoption of the amendments.

Rep. DeWitt objected.

By a vote of 19 yeas and 80 nays, the amendments were rejected.

Rep. DeWitt moved the final passage of the bill

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—100

NAYS

Total—0

ABSENT

Alexander, A.—93rd	Farve	Welch
Carter	Morrell	

Total—5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. DeWitt 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. 152—
 BY REPRESENTATIVE WALSWORTH
 AN ACT

To enact Chapter 9 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:1401 through 1406, relative to port commissions; to create and provide with respect to the Greater Ouachita Port Commission; to provide for the membership, officers, rights, and powers of the commission, including the power to incur debt, issue bonds, levy special taxes, and expropriate property; and to provide for related matters.

Read by title.

Rep. Dimos, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dimos on behalf of the Legislative Bureau to Engrossed House Bill No. 152 by Representative Walsworth

AMENDMENT NO. 1

On page 8, line 12, following "obligation" insert "has been complied with"; and on lines 14 and 15, delete ", has been complied with"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hunter to Engrossed House Bill No. 152 by Representative Walsworth

AMENDMENT NO. 1

On page 2, at the end of line 5 delete the period "." and add "and shall be appointed by the governor from a list of three nominees submitted by the state legislators representing these wards."

AMENDMENT NO. 2

On page 2, at the end of line 7 delete the period "." and add "and shall be appointed by the governor from a list of three nominees submitted by the state legislators representing these wards."

AMENDMENT NO. 3

On page 2, at the end of line 8 delete the period "." and add "and shall be appointed by the governor from a list of three nominees submitted by the state legislators representing these wards."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS', including Mr. Speaker, Alario, Alexander, R.—13th, Ansardi, Barton, Baudoin, Baylor, Bowler, Bruce, Bruneau, Carter, Clarkson, Copelin, Crane, Curtis, Damico, Daniel, Deville, DeWitt, Diez, Hammett, Heaton, Hebert, Hill, Holden, Hopkins, Hudson, Hunter, Iles, Jetson, Johns, Kennard, Kenney, Lancaster, Landrieu, LeBlanc, Long, Marionneaux, Martiny, McCain, Pratt, Quezairé, Riddle, Romero, Rousselle, Salter, Scalise, Schneider, Schwegmann, Shaw, Smith, J.D.—50th, Smith, J.R.—30th, Stelly, Theriot, Thomas, Thompson, Thornhill, Toomy, Travis, and Triche.

Table listing names of representatives who voted 'NAYS' and 'ABSENT'. NAYS: Dimos, Doerge, Donelon, Dupre, Durand, Fauchoux, Flavin, Fontenot, Frith, Fruge, Gautreaux, Glover, Green, Guillory, Total—100. ABSENT: McCallum, McDonald, McMains, Michot, Mitchell, Montgomery, Morrell, Morrish, Murray, Odinet, Perkins, Pierre, Pinac, Powell, Vitter, Waddell, Walsworth, Warner, Welch, Weston, Wiggins, Wilkerson, Willard, Windhorst, Winston, Wright.

NAYS

Total—0

ABSENT

Table listing names of representatives who were absent: Alexander, A.—93rd, Chaisson, Total—5, Farve, Jenkins, Strain.

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Walsworth 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. 154— BY REPRESENTATIVE WINDHORST AN ACT

To amend and reenact R.S. 15:1181, 1183(A), 1184(A), (B), (C), and (E), 1185(A), 1186(C), 1187, 1188, and 1189, all relative to civil proceedings brought by persons confined in state or local correctional facilities; to provide for the time for determining "prisoner" status; to define "failure to state a claim upon which relief can be granted" in certain proceedings; to provide the method for determining whether a petition states a claim upon which relief can be granted; to provide that a defendant's waiver of the right to reply does not waive affirmative defenses; to provide with regard to the payment of damages in such an action; and to provide for related matters.

Read by title.

Rep. Dimos, on behalf of the Legislative Bureau, sent up floor amendments which were read as follows:

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Dimos on behalf of the Legislative Bureau to Engrossed House Bill No. 154 by Representative Windhorst

AMENDMENT NO. 1

On page 2, line 13, following "(4)" and before "to" change "Failure" to "Fails"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Marionneaux to Engrossed House Bill No. 154 by Representative Windhorst

AMENDMENT NO. 1

On page 7, line 9, after " are" and before "in" delete "procedural" and insert "substantive"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Marionneau to Engrossed House Bill No. 154 by Representative Windhorst

AMENDMENT NO. 1

On page 7, delete lines 9 through 11 in their entirety

AMENDMENT NO. 2

On page 7, line 12, after "Section" and before "This" change "3." to "2."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Jetson to Engrossed House Bill No. 154 by Representative Windhorst

AMENDMENT NO. 1

On page 4, delete lines 7 through 10 and insert asterisks in its place

Rep. Jetson moved the adoption of the amendments.

Rep. Windhorst objected.

By a vote of 42 yeas and 53 nays, the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Quezaire
Alario	Green	Riddle
Alexander, R.—13th	Hammett	Rousselle
Ansardi	Heaton	Salter
Barton	Hebert	Scalise
Baudoin	Hill	Schneider
Baylor	Hopkins	Schwegmann
Bowler	Hudson	Shaw
Bruce	Iles	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
Damico	Long	Thornhill

Daniel	Marionneau	Toomy
Deville	Martiny	Travis
DeWitt	McCain	Triche
Diez	McCallum	Vitter
Dimos	McDonald	Waddell
Doerge	McMains	Walsworth
Donelon	Michot	Warner
Dupre	Mitchell	Welch
Durand	Montgomery	Wiggins
Faucheux	Morrish	Willard
Flavin	Odinot	Windhorst
Fontenot	Perkins	Winston
Frith	Pinac	Wright
Fruge	Powell	
Gautreaux	Pratt	
Total—91		

NAYS

Curtis	Jenkins	Pierre
Guillory	Jetson	Weston
Holden	Morrell	Wilkerson
Hunter	Murray	
Total—11		

ABSENT

Alexander, A.—93rd	Farve	Romero
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Windhorst 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. 181 (Duplicate of Senate Bill No. 116)—
 BY REPRESENTATIVE SCALISE AND SENATOR HAINKEL AND
 COAUTHORED BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 39:1536 and to enact R.S. 39:1543(C), relative to the office of risk management; to authorize the office of risk management to perform loss prevention audits of its insured agencies of state government; to provide for credits to premiums; to provide for penalties; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 190—
 BY REPRESENTATIVE HEBERT
AN ACT

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

Read by title.

Motion

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

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.

Rep. LeBlanc 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, R.—13th	Heaton	Pratt
Ansardi	Hebert	Quezairé
Barton	Hill	Riddle
Baudoin	Holden	Rousselle
Baylor	Hopkins	Salter
Bowler	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Iles	Schwegmann
Carter	Jenkins	Shaw
Chaisson	Jetson	Smith, J.D.—50th
Clarkson	Johns	Smith, J.R.—30th
Copelin	Kennard	Stelly
Crane	Kenney	Strain
Curtis	Lancaster	Theriot
Damico	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
Faucheux	Mitchell	Welch
Flavin	Montgomery	Weston
Fontenot	Morrell	Wiggins
Frith	Morrish	Wilkerson
Früge	Murray	Willard
Gautreaux	Odinet	Windhorst
Glover	Perkins	Winston
Green	Pierre	Wright
Total—102		

NAYS

Total—0

ABSENT

Alexander, A.—93rd	Farve	Romero
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. LeBlanc 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. 197 (Substitute for House Bill No. 30 by Representative Pinac)—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 33:4754(A)(1), relative to Acadia Parish; to authorize the parish governing authority to take certain actions to maintain safe and healthful conditions on private property including provision for grass and weed cutting, garbage removal, and securing and demolition of dangerous structures; to provide relative to fines, costs, and charges and the enforcement of collection of same including enforcement by sale of property; and to provide for related matters.

Read by title.

Rep. Pinac 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	Quezairé
Ansardi	Hebert	Riddle
Barton	Hill	Rousselle
Baudoin	Holden	Salter
Baylor	Hopkins	Scalise
Bowler	Hudson	Schneider
Bruce	Hunter	Schwegmann
Bruneau	Iles	Shaw
Carter	Jenkins	Smith, J.D.—50th
Chaisson	Johns	Smith, J.R.—30th
Clarkson	Kennard	Stelly
Copelin	Kenney	Strain
Crane	Lancaster	Theriot
Curtis	Landrieu	Thomas
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Deville	Marionneaux	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Dimos	McCallum	Vitter
Doerge	McDonald	Waddell
Donelon	McMains	Walsworth
Dupre	Michot	Warner
Durand	Mitchell	Welch
Faucheux	Montgomery	Weston
Flavin	Morrell	Wiggins
Fontenot	Morrish	Wilkerson
Frith	Murray	Willard
Früge	Odinet	Windhorst
Gautreaux	Perkins	Winston
Glover	Pierre	Wright
Green	Pinac	
Total—101		

NAYS

Total—0

ABSENT

Alexander, A.—93rd	Jetson
Farve	Romero
Total—4	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Pinac 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.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

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.

Rep. Dupre 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, R.—13th	Hebert	Quezaire
Ansardi	Hill	Riddle
Barton	Holden	Rousselle
Baudoin	Hopkins	Salter
Baylor	Hudson	Scalise
Bowler	Hunter	Schneider
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
Damico	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
Faucheux	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

Alexander, A.—93rd Farve
Curtis Romero
Total—4

The Chair declared the above bill was finally passed.

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.

Speaker Pro Tempore Bruneau in the Chair

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.

Rep. Downer moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Glover	Pierre	Wright
Green	Pinac	
Guillory	Powell	
Total—103		

NAYS

Total—0

ABSENT

Alexander, A.—93rd Farve
Total—2

The Chair declared the above bill was finally passed.

Rep. Downer 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. DeWitt, the rules were suspended in order to take up Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

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

Message from the Senate

SENATE BILLS

April 2, 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. 1, 2, 5, 102, 108, 129, 130, 131, 132, 133, 134, 135, 136, 141, and 152

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. DeWitt, 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. 1—

BY SENATORS DARDENNE, EWING, HAINKEL, BARHAM, ROMERO, BRANCH, CASANOVA, GREENE, SHORT, THEUNISSEN, BAGNERIS, BEAN, DEAN, DYESS, ELLINGTON, HINES, JORDAN, LAMBERT, SCHEDLER, SMITH AND ULLO AND REPRESENTATIVES DOWNER, DEWITT, LEBLANC, MCMAINS, AND MACDONALD

A JOINT RESOLUTION

Proposing to amend Article VII, Section 10.1(C)(2) and (3), the introductory paragraph of (D)(1), (D)(1)(c), the introductory

paragraph of (D)(2), and (D)(2)(a) and (c), and Article VIII, Section 3(A), and 5(A), the introductory paragraph of (D), (D)(3), (4), and (5), and (E) and to add Article VIII, Section 7.1, all of the Constitution of Louisiana, relative to providing for the governance and management of education; to create and provide for the Louisiana Technical and Community College System; to create and provide for the Board of Supervisors of Technical and Community Colleges as a fifteen member management board for the system subject to the planning, coordinating, and budgeting responsibility of the Board of Regents; to provide for fifteen members to be appointed by the governor; to provide relative to the consent of the Senate and the terms of members; to provide for student membership on the board; to empower the board with supervision and management of all public postsecondary vocational-technical education programs and institutions of higher education awarding certain types of degrees as assigned by law; to require divisions within the Louisiana Technical and Community College System; to revise the powers and duties of the Board of Regents to extend its authority over postsecondary education; to revise certain references; to provide with regard to the requirements to create a new institution of postsecondary education, transfer an institution of higher education from one management board to another, merge any postsecondary institution into any other postsecondary institution, or establish a new management board; to temporarily require certain minimum funding for postsecondary institutions; to provide relative to the authorization to allocate money appropriated out of the Louisiana Quality Education Support Fund for postsecondary educational purposes; to provide for the effectiveness of the proposal if approved by the electorate; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

SENATE BILL NO. 2—

BY SENATORS DARDENNE, EWING, HAINKEL, BARHAM, ROMERO, SHORT, GREENE, BRANCH, CASANOVA, THEUNISSEN, BAGNERIS, BEAN, DEAN, DYESS, ELLINGTON, HEITMEIER, HINES, HOLLIS, JONES, JORDAN, LAMBERT, SCHEDLER, SIRACUSA, SMITH, TARVER, AND ULLO AND REPRESENTATIVES DOWNER, DEWITT, LEBLANC, MCMAINS, AND MACDONALD

AN ACT

To amend and reenact R.S. 17:4, 6(A)(4), (5), (6) and (7), 7(7) and (9), 540(1) and (3), 541(B)(2), 1806(A), 1808(B)(1), 1821(B), 1822(B), 1825(A) and (B)(1), 1835, 1991, 1994, 1994.1, 1996(A) and (B), 2004(A) and (B)(2), the introductory paragraph of 2005(A), 2009(B) and (D)(2), 2033, 2034, 2035, 2036, 2046(A) and (B), 2048(A), 2049.1, the introductory paragraph of 2049.2, 2049.4, 2050(C) and (D), 2054(A), 3022(A)(1), 3129.2(A)(1)(e) and (i) and (B), 3130, 3141.2(8), (9) and (11), 3141.3(A), (B), the introductory paragraph of (D)(2), (D)(2)(b), and (F), 3141.4(A) and (D)(2)(a), the introductory paragraph of 3141.5(A), (C), (D), (F)(1) and (2), and (G), 3141.6(A) and (B), 3141.7, the introductory paragraph of 3141.8(A), (A)(11), (B), and (C), 3141.9(A) and (B), 3141.11, 3141.14(D), 3141.15(A)(1), (B)(1)(a), and (C)(1), 3141.16(A), (B)(7) and (8), (C)(1), (D)(3)(e), (4), (5), (6), and (10), (E), and (F), 3141.17, 3141.18(A), (B), (C), (D), and (E), 3201, 3202, 3217, 3217.1, 3218, 3219, 3220, 3222(B), 3223(A), the introductory paragraph of (B), (B)(2), (C), and (D), 3224(C), 3225, 3226, 3301(A), 3302(A)(1) and (B), the introductory paragraph of 3351(A), 3351.1(A)(1), 3381(A), 3387(A) and (C), and R.S. 49:1101(B)(2)(a), and to enact R.S. 17:1806(E), Chapter 5-B of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:1871 through 1873, R.S. 17:2049.3(C), 3126(C), 3129.1, 3141.19, and 3217.2, and to repeal R.S. 17:7(10), (13), and (17), 1992, 2005.2, 2006, 2007, 2010, 2011, 2012, 2013, 3141.2(7), and 3301(D), to establish

the Louisiana Technical and Community College System; to create and provide for the Board of Supervisors of Technical and Community Colleges to manage the system subject to the powers of the Board of Regents; to provide terms for the initial members of the board; to provide for the selection of a student member to serve on the board; to transfer all powers, duties, and responsibilities regarding postsecondary vocational-technical schools from the State Board of Elementary and Secondary Education to the Board of Supervisors of Technical and Community Colleges; to provide for the transfer of the obligations, records, property, liabilities, and employees of postsecondary vocational-technical schools to the Board of Supervisors of Technical and Community Colleges; to reorganize the assignment of certain institutions of higher education among the higher education management boards, including the Board of Supervisors of Technical and Community Colleges; to provide relative to the exercise of the power of program approval by the Board of Regents; to require the Board of Regents to adopt and implement a system of articulation; to transfer all powers, duties, and responsibilities of the state Department of Education, the State Board of Elementary and Secondary Education, and the state superintendent of education for the licensing of proprietary schools to the Board of Regents and the commissioner of higher education; to provide the same powers, duties, and responsibilities for the Board of Supervisors of Technical and Community Colleges as is provided for the other higher education management boards; and to provide for related matters.

Read by title.

SENATE BILL NO. 5—
BY SENATORS HINES AND THEUNISSEN
AN ACT

To amend Section 3 of Act No. 29 of the 1955 Regular Session of the Legislature, relative to the establishment and use of an Educational and Recreational Center for students; to expand the authority for the use of such center; and to provide for related matters.

Read by title.

SENATE BILL NO. 102—
BY SENATOR DARDENNE
AN ACT

To amend Section 2 of Act No. 1501 of the 1997 Regular Session of the Legislature, relative to the proposed constitutional amendment involving the expenditure of state funds; to change the date on which the proposed amendment involving Article VII, Sections 10(B), (D)(2), and 10.3 of the Constitution of Louisiana will be submitted to the electorate; and to provide for related matters.

Read by title.

SENATE BILL NO. 108 (Duplicate of House Bill No. 173)—
BY SENATOR HEITMEIER AND REPRESENTATIVE DEWITT AND
COAUTHORED BY SENATORS DARDENNE, EWING, HAINKEL,
BARHAM, AND ROMERO AND REPRESENTATIVES DOWNER, AND
MCMAINS
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 inventory 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.

SENATE BILL NO. 129—
BY SENATOR DARDENNE
AN ACT

To amend Section 2 of Act No. 1491 of the 1997 Regular Session of the Legislature, relative to creating special assessment levels for homestead exempt property of persons sixty-five years or older; to change the date on which the proposed amendment involving Article VII, Section 18 of the Constitution of Louisiana will be submitted to the electorate; and to provide for related matters.

Read by title.

SENATE BILL NO. 130—
BY SENATOR DARDENNE
AN ACT

To amend Section 2 of Act No. 1493 of the 1997 Regular Session of the Legislature, relative to the proposed constitutional amendment prohibiting a state court from exercising the power to tax; to change the date on which the proposed amendment involving Article VII, Section 1 of the Constitution of Louisiana will be submitted to the electorate; and to provide for related matters.

Read by title.

SENATE BILL NO. 131—
BY SENATOR DARDENNE
AN ACT

To amend Section 2 of Act No. 1490 of the 1997 Regular Session of the Legislature, relative to the proposed constitutional amendment authorizing the use of public funds through state infrastructure banks; to change the date on which the proposed amendment involving Article VII, Section 14(B) of the Constitution of Louisiana will be submitted to the electorate; and to provide for related matters.

Read by title.

SENATE BILL NO. 132—
BY SENATOR DARDENNE
AN ACT

To amend Section 2 of Act No. 1487 of the 1997 Regular Session of the Legislature, relative to the proposed constitutional amendment involving the rights of victims of crime; to change the date on which the proposed amendment involving Article I, Section 25 of the Constitution of Louisiana will be submitted to the electorate; and to provide for related matters.

Read by title.

SENATE BILL NO. 133—
BY SENATOR DARDENNE
AN ACT

To amend Section 2 of Act No. 1488 of the 1997 Regular Session of the Legislature, relative to the proposed constitutional amendment involving the operation and management of public hospitals and their programs by the Board of Regents or other higher education management board; to change the date on which the proposed amendment involving Article VIII, Section 16 of the Constitution of Louisiana will be submitted to the electorate; and to provide for related matters.

Read by title.

SENATE BILL NO. 134—
BY SENATOR DARDENNE

AN ACT

To amend Section 2 of Act No. 1498 of the 1997 Regular Session of the Legislature, relative to the proposed constitutional amendment involving a defendant's right to bail; to change the date on which the proposed amendment involving Article I, Section 18 of the Constitution of Louisiana will be submitted to the electorate; and to provide for related matters.

Read by title.

SENATE BILL NO. 135—
BY SENATOR SMITH

AN ACT

To enact R.S. 33:2218.2(C)(11), relative to state extra compensation for police officers; to require that municipal police officers receive extra compensation from date of employment in certain instances; to provide for an effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 136—
BY SENATOR SMITH

AN ACT

To enact R.S. 36:209(W), relative to museums; to transfer the Natchitoches Parish Old Courthouse Museum to the office of the state museum within the Department of Culture, Recreation and Tourism; to provide for certain museum personnel; to provide for museum operations and funding; and to provide for related matters.

Read by title.

SENATE BILL NO. 141—
BY SENATOR ROMERO

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; to provide for effective date; and to provide for related matters.

Read by title.

SENATE BILL NO. 152—
BY SENATOR ELLINGTON

AN ACT

To amend and reenact Code of Criminal Procedure Article 895.1(B), relative to suspended sentence and probation; to provide with respect to condition of probation; to provide for special costs; and to provide for related matters.

Read by title.

Speaker Downer in the Chair

Privileged Report of the Committee on Enrollment

April 2, 1998

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

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

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 52—
BY REPRESENTATIVE GUILLORY

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Mr. Allen Pierre August, Sr. and to commend his life and public service.

HOUSE CONCURRENT RESOLUTION NO. 54—
BY REPRESENTATIVE CURTIS

A CONCURRENT RESOLUTION

To express the sincere condolences of the Louisiana Legislature upon the death of Mr. Paul Nash, Sr.

HOUSE CONCURRENT RESOLUTION NO. 55—

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

A CONCURRENT RESOLUTION

To commend Mrs. Donna Baker of Eden Gardens Fundamental Magnet School in Shreveport for her dedication to the public school system and its students and to congratulate her upon being named Caddo Elementary Principal of the Year, Region I Elementary Principal of the Year, and Louisiana Elementary Principal of the Year this year.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

Reports of Committees

The following reports of committees were received and read:

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

April 2, 1998

To the Speaker and Members of the House of Representatives:

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

House Bill No. 112, by Wiggins
Reported with amendments. (8-3-0) (Regular)

House Bill No. 134, by DeWitt
Reported with amendments. (6-4-0) (Regular)

House Bill No. 149, by Montgomery
Reported with amendments. (7-3-0) (Regular)

House Bill No. 164, by Heaton
Reported with amendments. (10-0-0) (Regular)

STEPHEN J. WINDHORST
Chairman

Report of the Committee on Education

April 2, 1998

To the Speaker and Members of the House of Representatives:

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

House Bill No. 63, by Doerge
Reported with amendments. (9-0) (Regular)

House Bill No. 117, by McDonald
Reported with amendments. (13-0) (Regular)

House Bill No. 201, by McDonald
Reported with amendments. (9-2) (Regular)

House Bill No. 204, by Wiggins
Reported favorably. (7-2-1) (Regular)

CHARLES MCDONALD
Chairman

Report of the Committee on House and Governmental Affairs

April 2, 1998

To the Speaker and Members of the House of Representatives:

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

House Bill No. 143, by Downer (Duplicate of Senate Bill No. 58)
Reported with amendments. (8-4) (Regular)

House Bill No. 169, by Downer
Reported with amendments. (11-0) (Regular)

CHARLES D. LANCASTER, JR.
Chairman

Report of the Committee on Health and Welfare

April 2, 1998

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Health and Welfare to submit the following report:

House Bill No. 141, by Downer (Duplicate of Senate Bill No. 78)
Reported with amendments. (9-0) (Regular)

RODNEY ALEXANDER
Chairman

Senate Concurrent Resolutions

The following Senate Concurrent Resolutions lying over were taken up and acted upon as follows:

Motion

On motion of Rep. Copelin, the Committee on Ways and Means was discharged from further consideration of Senate Concurrent Resolution No. 16.

SENATE CONCURRENT RESOLUTION NO. 16— BY SENATORS CRAVINS, ROBICHAUX AND REPRESENTATIVE DUPRE A CONCURRENT RESOLUTION

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

Read by title.

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

Privileged Report of the Committee on Enrollment

April 2, 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. 8— BY REPRESENTATIVE DOWNER A RESOLUTION

To commend the many designers, contractors, and artisans who contributed their talents to the restoration of the Chamber of the House of Representatives to its original 1932 appearance, and to thank them for their service to the state of Louisiana which has produced such a beautiful and authentic result.

HOUSE RESOLUTION NO. 9—

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, DIEZ, DIMOS, DOERGE, DONELON, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREUX, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, ROUSSELLE, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JOHN SMITH, STELLY, STRAIN, THERIOT, THOMAS, THOMPSON, THORNHILL, TOOMY, TRAVIS, TRICHE, VITTER, WADDELL, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD, WINDHORST, WINSTON, AND WRIGHT

A RESOLUTION

To commend Brother Alfred Kolb, SC, for his commitment to education which is so clearly evident in his career as a teacher which has lasted over sixty years.

HOUSE RESOLUTION NO. 10—

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, DIEZ, DIMOS, DOERGE, DONELON, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREUX, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET,

PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, ROUSSELLE, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JOHN SMITH, STELLY, STRAIN, THERIOT, THOMAS, THOMPSON, THORNHILL, TOOMY, TRAVIS, TRICHE, VITTER, WADDELL, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD, WINDHORST, WINSTON, AND WRIGHT

A RESOLUTION

To commend and congratulate Mr. William "Bill" Benton McMahon on his illustrious and exemplary thirty-year career as a reporter and Capitol Bureau Chief for the Baton Rouge *Advocate* on the occasion of his retirement.

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.

Privileged Report of the Committee on Enrollment

April 2, 1998

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

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

The following House Concurrent Resolutions have been properly enrolled:

HOUSE CONCURRENT RESOLUTION NO. 51—
BY REPRESENTATIVE MCCALLUM

A CONCURRENT RESOLUTION

To commend Mrs. Cortez Laurence of Bernice for her extraordinary service to the people of Union Parish by being the driving force behind the establishment of the Union Parish Library in 1955 and by serving on the Union Parish Library Board of Control for forty-one years, from 1955 to 1996, during which she served terms as both President and Vice President of the board.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

Leave of Absence

Rep. Farve - 1 day

Rep. A. Alexander - 1 day

Adjournment

On motion of Rep. Damico, at 5:30 P.M., the House agreed to adjourn until Friday, April 3, 1998, at 1:00 P.M.

The Speaker of the House declared the House adjourned until 1:00 P.M., Friday, April 3, 1998.

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays
Journal Clerk, *Emeritus*