

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

THIRTEENTH DAY'S PROCEEDINGS

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

House of Representatives
State Capitol
Baton Rouge, Louisiana

Wednesday, April 8, 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	Green	Powell
Alario	Guillory	Pratt
Alexander, A.—93rd	Hammett	Quezaire
Alexander, R.—13th	Heaton	Riddle
Ansardi	Hebert	Romero
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	Jetson	Smith, J.R.—30th
Clarkson	Johns	Stelly
Copelin	Kennard	Strain
Crane	Kenney	Theriot
Curtis	Lancaster	Thomas
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Deville	Long	Travis
DeWitt	Marionneaux	Triche
Diez	Martiny	Vitter
Dimos	McCain	Waddell
Doerge	McDonald	Walsworth
Donelon	McMains	Warner
Dupre	Michot	Welch
Durand	Mitchell	Weston
Farve	Montgomery	Wiggins
Fauchoux	Morrell	Wilkerson

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

ABSENT

McCallum	Toomy
Total—2	

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

Prayer

Prayer was offered by Rev. Elder Brown.

Pledge of Allegiance

Rep. Curtis 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. Strain, the reading of the Journal was dispensed with.

On motion of Rep. Waddell, the Journal of April 6, 1998, was corrected to reflect him as voting yea on the final passage of House Bill No. 117.

On motion of Rep. Strain, the Journal of April 7, 1998, was adopted.

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.

**Petitions, Memorials and
Communications**

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

Privileged Report of the Legislative Bureau

April 8, 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. 5
Reported without amendments.

Senate Bill No. 18
Reported without amendments.

Senate Bill No. 26
Reported without amendments.

Senate Bill No. 33
Reported with amendments.

Senate Bill No. 34
Reported without amendments.

Senate Bill No. 38
Reported without amendments.

Senate Bill No. 93
Reported with amendments.

Senate Bill No. 102
Reported without amendments.

Senate Bill No. 106
Reported without amendments.

Senate Bill No. 129
Reported without amendments.

Senate Bill No. 130
Reported without amendments.

Senate Bill No. 131
Reported without amendments.

Senate Bill No. 132
Reported without amendments.

Senate Bill No. 133
Reported without amendments.

Senate Bill No. 134
Reported without amendments.

Senate Bill No. 152
Reported without amendments.

Respectfully submitted,

JIMMY N. DIMOS
Chairman

Privileged Report of the Legislative Bureau

April 8, 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. 101
Reported without amendments.

Respectfully submitted,

JIMMY N. DIMOS
Chairman

Suspension of the Rules

On motion of Rep. Martiny, the rules were suspended in order to take up Senate Instruments on Second Reading Returned from the Legislative Bureau at this time.

Senate Instruments on Second Reading Returned from the Legislative Bureau

Rep. Martiny asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions on second reading just returned from the Legislative Bureau, with a view of acting on the same:

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.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Reengrossed Senate Bill No. 101 by Senators Lentini and Bajoie

AMENDMENT NO. 1

On page 7, line 15, after "semi-annual" and before "as" delete "inspections" and insert in lieu of "inspection certificates"

AMENDMENT NO. 2

On page 7, line 18, after "inspection" and before the period "." insert "certificate"

AMENDMENT NO. 3

On page 7, line 21, after "inspection" and before the period "." insert "certificate"

AMENDMENT NO. 4

On page 7, line 24, after "inspection" and before the period "." insert "certificate"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

April 8, 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. 16, 24, 31, 32, 33, and 34

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.

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

April 8, 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 Bills:

Senate Bill Nos. 56 and 145

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 Bills contained herein were signed by the Speaker of the House.

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

April 7, 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. 9
Returned without amendments.

House Concurrent Resolution No. 19
Returned without amendments.

House Concurrent Resolution No. 24
Returned with amendments.

House Concurrent Resolution No. 34
Returned without amendments.

House Concurrent Resolution No. 35
Returned with amendments.

House Concurrent Resolution No. 42
Returned with amendments.

House Concurrent Resolution No. 59
Returned without amendments.

House Concurrent Resolution No. 60
Returned without amendments.

House Concurrent Resolution No. 61
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

HOUSE BILLS

April 7, 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 House Bills:

House Bill No. 15
Returned without amendments.

House Bill No. 18
Returned without amendments.

House Bill No. 32
Returned without amendments.

House Bill No. 46
Returned without amendments.

House Bill No. 50
Returned without amendments.

House Bill No. 53
Returned with amendments.

House Bill No. 57
Returned without amendments.

House Bill No. 60
Returned without amendments.

House Bill No. 74
Returned with amendments.

House Bill No. 76
Returned with amendments.

House Bill No. 92
Returned without amendments.

House Bill No. 97
Returned without amendments.

House Bill No. 104
Returned with amendments.

House Bill No. 133
Returned without amendments.

House Bill No. 145
Returned with amendments.

House Bill No. 176
Returned without amendments.

House Bill No. 194
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

April 8, 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. 17, 39, 40, 41, and 42

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Dimos, the rules were suspended in order to take up the resolutions contained in the message 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. 39—
BY SENATOR BARHAM

A CONCURRENT RESOLUTION

To commend and congratulate the Ouachita Christian High School Football Team upon their nonpareil excellence during the 1997 football season that culminated in winning the Louisiana High School Athletic Association Class 2A State Championship.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 40—
BY SENATOR IRONS

A CONCURRENT RESOLUTION

To designate April as Child Abuse Prevention Month and to urge all citizens of the state to join in the effort to reduce abuse and neglect of our most precious resource . . . our children.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 41—
BY SENATOR IRONS

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to support reauthorization of and funding for the Violence Against Women Act of 1998.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 42—

BY SENATOR CAMPBELL

A CONCURRENT RESOLUTION

To urge and request the Louisiana State University Board of Supervisors, the Louisiana State University Athletic Department, and the Louisiana State University football coaches and staff to schedule and hold a football game in Shreveport, Louisiana.

Read by title.

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

Message from the Senate

SENATE BILLS

April 8, 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 No. 156

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. 156—

BY SENATORS EWING, DARDENNE, HAINKEL, BARHAM, ROMERO, JONES, LANDRY, LENTINI, SMITH, BAGNERIS, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DEAN, DYESS, ELLINGTON, C. FIELDS, W. FIELDS, GREENE, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, LAMBERT, MALONE, ROBICHAUX, SCHEDLER, SHORT, SIRACUSA, TARVER, THEUNISSEN AND ULLO AND REPRESENTATIVES DOWNER, DEWITT, MCMAINS AND MICHOT

AN ACT

To amend and reenact R.S. 3:4274.1, R.S. 13:2586(C)(2) and (D) and 2587.1, R.S. 30:2522(3), 2531, 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 2531.6, and to repeal R.S. 13:2589(B), R.S. 32:289, and R.S. 36:208(H) relative to litter; to define terms; to provide for certain violations; to provide civil fines; to provide criminal penalties; to provide for enforcement; and to provide for related matters.

Read by title.

**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. 22—
BY SENATOR LENTINI

AN ACT

To enact R.S. 32:169(E) and (F), and 171(A)(5), (E), and (F), relative to railroad grade crossings; to require obedience to certain traffic signage at such crossings; to provide for prima facie evidence of failure to yield under certain circumstances; to require installation of warning devices by railroad companies pursuant to certain orders; to authorize installation of warning devices by railroad companies under certain conditions; 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. 87 (Duplicate of House Bill No. 45)—
BY SENATOR LANDRY AND REPRESENTATIVE DIEZ AND
COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS,
BRUCE, QUEZAIRE AND ROUSSELLE

AN ACT

To amend and reenact R.S. 48:757(A), relative to construction or maintenance work performed by the Department of Transportation and Development; to provide for certain exceptions to the prohibition against the department to performing off-system work; to provide for effective date; 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. 20—
BY SENATOR LENTINI

AN ACT

To enact R.S. 48:390, relative to trains; to prohibit the obstruction of a roadway at certain railroad grade crossings for more than twenty minutes; to provide for exceptions; to authorize application for variance to such time limitations; to require promulgation of rules and regulations by Department of Transportation and Development; to provide for penalties; to require trains to clear public crossings under certain emergency circumstances; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Marionneaux moved that Senate Bill No. 20 be amended to conform with House Bill No. 199 and sent up the following floor amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Marionneaux to Engrossed Senate Bill No. 20 by Senator Lentini (Duplicate of H.B. No. 199)

AMENDMENT NO. 1

On page 1, line 3, change "certain" to "a" and change "crossings" to "crossing" and delete "more than twenty" and at the beginning of line 4, delete "minutes;" and insert "an extended period of time;"

AMENDMENT NO. 2

On page 1, at the end of line 4, change "variance" to "variances"

AMENDMENT NO. 3

On page 1, line 5, delete "such time"

AMENDMENT NO. 4

On page 1, line 6, after "regulations by" insert "the"

AMENDMENT NO. 5

On page 1, line 13, delete "any train, railroad car or" and delete line 14 in its entirety and insert "a rail carrier to permit any train, railroad car, or engine to obstruct public travel at a"

AMENDMENT NO. 6

On page 1, at the end of line 15, delete "consecutive"

AMENDMENT NO. 7

On page 1, line 16, delete "or equipment," and insert a comma ","

AMENDMENT NO. 8

On page 2, line 1, after "is" insert "continuously" and after "moving or" delete the remainder of the line, delete lines 2 through 6 in their entirety, and on line 7, delete "(e) Circumstances" and insert "cannot be moved by reason of circumstances"

AMENDMENT NO. 9

On page 2, line 7, delete "railroad company or" and insert "rail"

AMENDMENT NO. 10

On page 2, line 9, delete "(2)" and delete "performing his duties" and insert "acting" and delete "operating"

AMENDMENT NO. 11

On page 2, line 10, delete "railroad company or" and insert "rail"

AMENDMENT NO. 12

On page 2, line 12, change "(3)" to "(2)" and delete "company or"

AMENDMENT NO. 13

On page 2, line 13, delete "not less than five" and delete line 14 in its entirety and insert the following:

"as follows:

(a) If the duration of the obstruction is in excess of twenty minutes but not longer than twenty-five minutes, the fine shall be not less than two hundred dollars nor more than five hundred dollars.

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(b) If the duration of the obstruction is in excess of twenty-five minutes, but not longer than thirty minutes, the fine shall be five hundred dollars.

(c) If the duration of the obstruction is in excess of thirty minutes, but not longer than thirty-five minutes, the fine shall be seven hundred dollars.

(d) If the duration of the obstruction is in excess of thirty-five minutes, but not longer than forty minutes, the fine shall be nine hundred dollars.

(e) If the duration of the obstruction is in excess of forty minutes, but not longer than forty-five minutes, the fine shall be one thousand dollars.

(f) If the duration of the obstruction is in excess of forty-five minutes, the fine shall be one thousand dollars plus an additional five hundred dollars for each five minutes of obstruction in excess of forty-five minutes."

AMENDMENT NO. 14

On page 2, line 16, delete "public highway grade"

AMENDMENT NO. 15

On page 2, at the end of line 17, insert the following: "A train crew of a train blocking a public crossing shall immediately take all reasonable steps, consistent with the safe operation of such train, to clear the crossing upon receiving information from a law enforcement officer, member of any fire department, operator of an emergency vehicle, or member of an emergency services provider that emergency circumstances require the clearing of the crossing."

AMENDMENT NO. 16

On page 2, delete lines 18 through 26 in their entirety

AMENDMENT NO. 17

On page 2, line 27, change "(3)" to "(2)"

AMENDMENT NO. 18

On page 3, line 1, delete "a train, railroad car or equipment, or engine" and insert "railroad equipment"

AMENDMENT NO. 19

On page 3, line 2, and the beginning of line 3, delete "a train, railroad car or equipment, or engine" and insert "railroad equipment"

AMENDMENT NO. 20

On page 3, delete lines 8 through 13 in their entirety and at the beginning of line 14, change "(2)" to "(3)"

AMENDMENT NO. 21

On page 3, line 15, change "any" to "a"

AMENDMENT NO. 22

On page 3, line 17, change "they operate" to "it operates"

AMENDMENT NO. 23

On page 3, line 20, after "than" delete "once"

AMENDMENT NO. 24

On page 3, line 21, change "D.(1)" to "C.(1)"

AMENDMENT NO. 25

On page 3, line 25, after "require" change the period "." to a comma "," and insert the following: "provided that this variance shall be limited to situations where the railroad has knowledge of such conditions in advance."

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

Motion

Rep. Marionneaux moved that Senate Bill No. 20 be designated as a duplicate of House Bill No. 199.

Which motion was agreed to.

Motion

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

House and House Concurrent Resolutions Reported by Committees

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

HOUSE CONCURRENT RESOLUTION NO. 44—

BY REPRESENTATIVE SALTER

A CONCURRENT RESOLUTION

To authorize and encourage the Louisiana State Law Institute to make appropriate statutory name changes solely to reflect the renaming of the Northwest Louisiana Juvenile Detention Center Authority to the Ware Youth Center Authority.

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 Original House Concurrent Resolution No. 44 by Representative Salter

AMENDMENT NO. 1

On page 1, line 2, after "Louisiana" and before "Law" insert "State"

AMENDMENT NO. 2

On page 1, line 15, after "Louisiana" and before "Law" insert "State"

AMENDMENT NO. 3

On page 1, line 16, after "and" and before "pursuant" insert a comma ","

AMENDMENT NO. 4

On page 2, line 5, after "to the" and before "Law" insert "Louisiana State"

AMENDMENT NO. 5

On page 2, at the end of line 7, change "Authority." to "authority."

AMENDMENT NO. 6

On page 2, line 8, after "BE IT" and before "pursuant" delete "RESOLVED," and insert "RESOLVED by the Legislature of Louisiana that,"

AMENDMENT NO. 7

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

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

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

HOUSE CONCURRENT RESOLUTION NO. 62—
BY REPRESENTATIVES McDONALD AND DOWNER
A CONCURRENT RESOLUTION

To urge and request each governing authority of a public elementary or secondary school to provide time-out rooms in the schools under its jurisdiction.

Read by title.

Reported favorably by the Committee on Education.

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

**Senate Concurrent Resolutions
Reported by Committees**

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

SENATE CONCURRENT RESOLUTION NO. 4—
BY SENATOR EWING
A CONCURRENT RESOLUTION

To amend and readopt Joint Rule No. 8 of the Joint Rules of the Senate and House of Representatives to provide for the selection of officers of certain joint legislative bodies; to provide that the positions of the officers of certain joint legislative bodies rotate between the Senate and the House of Representatives; to provide relative to joint committees; 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 resolution was ordered passed to its third reading.

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.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Engrossed Senate Concurrent Resolution No. 18 by Senator Hainkel

AMENDMENT NO. 1

On page 2, between lines 15 and 16 insert the following:

"(9) Two members appointed by the governor to represent consumers."

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

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

**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. 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.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 10—
BY SENATORS SMITH AND EWING
AN ACT

To designate U.S. Highway 167 from its intersection with Interstate Highway 49 at the Alexandria, Louisiana, corporate limits to the Arkansas state line at Junction City, Arkansas, as the "Piney Hills Throughway."

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

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SENATE BILL NO. 16—

BY SENATORS LANDRY, DARDENNE, EWING, HAINKEL, AND BARHAM

AN ACT

To amend and reenact R.S. 48:250.1, relative to the Department of Transportation and Development; to provide that the Department of Transportation and Development may not be prohibited from withholding merit increases in connection with the participation in certain training programs; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

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.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Reengrossed Senate Bill No. 19 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 2, after "48:390" and before ", relative" delete "and 753(A)(7)"

AMENDMENT NO. 2

On page 1, line 9, after "closure;" delete the remainder of the line

AMENDMENT NO. 3

On page 1, delete line 10 in its entirety and insert in lieu thereof "to"

AMENDMENT NO. 4

On page 1, line 15, after "48:390" and before "hereby" delete "and 753(A)(7) are" and insert in lieu thereof "is"

AMENDMENT NO. 5

On page 3, line 16, immediately after "authority" insert a period "." and delete the remainder of the line and delete lines 17 and 18 in their entirety

AMENDMENT NO. 6

On page 4, delete lines 26 and 27

AMENDMENT NO. 7

On page 5, delete lines 1 through 11 in their entirety

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed Senate Bill No. 19 by Senator Lentini

AMENDMENT NO. 1

On page 4, line 11, at the beginning of the line, change "(7)" to "(6)"

AMENDMENT NO. 2

On page 4, line 12, at the beginning of the line, change "(8)" to "(7)"

AMENDMENT NO. 3

On page 4, line 14, at the beginning of the line, change "(9)" to "(8)"

AMENDMENT NO. 4

On page 4, line 16, at the beginning of the line, change "(10)" to "(9)"

AMENDMENT NO. 5

On page 4, line 17, at the beginning of the line, change "(11)" to "(10)"

AMENDMENT NO. 6

On page 4, line 18, at the beginning of the line, change "(12)" to "(11)"

AMENDMENT NO. 7

On page 4, line 20, at the beginning of the line, change "(13)" to "(12)"

AMENDMENT NO. 8

On page 4, line 21, at the beginning of the line, change "(14)" to "(13)"

AMENDMENT NO. 9

On page 4, line 23, at the beginning of the line, change "(15)" to "(14)"

AMENDMENT NO. 10

On page 4, line 24, at the beginning of the line, change "(16)" to "(15)"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 24—
BY SENATORS LENTINI AND LANDRY
AN ACT

To amend and reenact R.S. 48:386, relative to railroads; to authorize the Department of Transportation and Development to determine when railroad crossing warning devices require maintenance or repair; to provide for notification of such requirement to railroad companies; to require compliance of railroad companies within thirty days after notice; to authorize local governmental entities to perform such required maintenance or repairs and seek reimbursement from the railroad company; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Engrossed Senate Bill No. 24 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 7, after "authorize" and before "to perform" change "local governmental entities" to "the department"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 25—
BY SENATORS LENTINI, LANDRY, BEAN, IRONS, DYESS AND SMITH
AN ACT

To amend and reenact R.S. 17:270(A) and 271(A) and the introductory paragraph of R.S. 32:402.1(A)(2), 407(A)(2), and 408(A)(1) and (3) and (H)(1)(h), relative to driver's licenses; to require inclusion of railroad safety crossing information on certain driver education courses; to require questions relative to railroad crossing safety on driver license applicant examinations; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Engrossed Senate Bill No. 25 by Senator Lentini

AMENDMENT NO. 1

On page 5, line 3, after "Group" delete the remainders of the line and insert "D" or "E"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

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

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

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Engrossed Senate Bill No. 29 by Senator Lentini

AMENDMENT NO. 1

On page 2, at the beginning of line 3, delete "improved" and insert in lieu thereof, "improvement"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 30—
BY SENATORS LENTINI AND LANDRY
AN ACT

To amend and reenact R.S. 32:168, relative to railroads; to provide relative to required audible signaling by a train operator when approaching a railroad crossing; to increase the required distance of sounding of such signal; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 58—

BY SENATORS DARDENNE, EWING, BARHAM AND ROMERO AND REPRESENTATIVES DOWNER, DEWITT AND McMAINS
AN ACT

To enact R.S. 42:1123(27), relative to governmental ethics; to provide for an exception to the Code of Governmental Ethics for members of higher education boards to be an officer, director or employee of any state or national bank; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 70—

BY SENATORS EWING, BEAN AND LANDRY
AN ACT

To enact R.S. 47:463.56, relative to motor vehicles; to provide relative to license plates; to create the Girl Scouts of U.S.A. prestige license plate; to provide for the color and design of such plates; to provide relative to fees for such plates, including a royalty fee for use of the organizational logo on such plates; to designate the use of such royalty fees; to require a contract relative to royalty fees; to require the promulgation of rules and regulations; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 78—

BY SENATORS HINES, EWING, DARDENNE, BARHAM, ROMERO, BAJOE, IRONS, BAGNERIS, HOLLIS AND LANDRY AND REPRESENTATIVES DOWNER, DEWITT, McMAINS AND R. ALEXANDER
AN ACT

To amend and reenact R.S. 36:254(A)(6) and (D)(1)(a)(i) and to enact R.S. 46:976, relative to the functions, powers, and duties of the secretary of the Department of Health and Hospitals regarding child health services; to provide that the secretary, or his departmental designee, shall act as the sole agent of the state in administering federal funds granted to the state for the State Children's Health Insurance Program; to provide relative to the promulgation of rules for a private health insurance model; to establish criteria for the program; to provide an effective date; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 100—

BY SENATOR LENTINI
AN ACT

To enact R.S. 32:176, relative to railroads; to require notification to investigating officers of presence of certain recorders on trains after a railroad crossing accident; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

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.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 117—

BY SENATOR HAINKEL
AN ACT

To enact R.S. 33:2740.38, relative to crime prevention in the old Metairie area of Jefferson Parish; to authorize the governing authority of the parish to create a special district for the purposes of enhancing the security of residents of the Old Metairie Neighborhood; to provide for the creation and governance of the district; to authorize the governing authority of the district, subject to the approval of district voters, to levy and collect an ad valorem tax within the district and to provide further relative to such tax; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 121—

BY SENATORS BARHAM, EWING, HAINKEL AND BEAN
AN ACT

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

Read by title.

Reported with amendments by the Committee on Ways and Means.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Ways and Means to Reengrossed Senate Bill No. 121 by Senator Barham

AMENDMENT NO. 1

On page 1, at the end of line 15, delete "as", and at the beginning of line 16, delete "defined in R.S. 39:1952"

AMENDMENT NO. 2

On page 2, at the end of line 7, after "taxpayer" delete the period "." and insert:

", except for those taxpayers who qualify for amnesty pursuant to Paragraph E(2)(b) of this Section. For those taxpayers who qualify for amnesty pursuant to Paragraph E(2)(b) of this Section, "taxable period" means any period for which a tax return is required by law to be filed with the department and may include a period for which such return has been filed."

AMENDMENT NO. 3

On page 2, between lines 7 and 8, insert the following:

"(5) "Small business" means a business that had income of less than one million dollars for any taxable year in the three taxable years immediately preceding the taxable year involved."

AMENDMENT NO. 4

On page 2, line 18, after "taxpayer" and before "and" insert ", except as provided for in Paragraph E(2)(c) of this Section."

AMENDMENT NO. 5

On page 2, line 26, after "return," and before "complied" insert "except as provided for in Paragraph E(2)(c) of this Section."

AMENDMENT NO. 6

On page 3, at the beginning of line 14, after "D." and before "Amnesty" delete "(1)"

AMENDMENT NO. 7

On page 3, delete lines 19 through 26 in their entirety, and insert the following:

"E.(1) Amnesty shall not be granted for the taxable period of any tax involved in an ongoing or unresolved review or examination of the taxpayer's return or books and records where the department has notified the taxpayer in writing of the review or examination prior to the application for amnesty. Amnesty shall also not be granted if the taxpayer has paid under protest and filed suit pursuant to R.S. 47:1576.

(2)(a) Amnesty shall not be granted for those taxpayers whose tax, excluding applicable interest and penalties, for any taxable period ending prior to July 1, 1997, is greater than five hundred dollars and who have been previously notified by the department in writing of a failure to file a timely return or of an existing tax liability for the related tax and taxable period.

(b) Amnesty shall be granted for those taxpayers whose tax, excluding applicable interest and penalties, for any taxable period ending prior to July 1, 1997, is five hundred dollars or less and who have been previously notified by the department in writing of a failure to file a timely return or of an existing tax liability for the related tax and taxable period. Amnesty may be granted even if there exists a lien against the taxpayer's property, both movable and immovable, pursuant to R.S. 47:1577, if the department has initiated proceedings under the assessment and distraint procedure pursuant to R.S. 47:1569 through 1573, or if the department has entered into an installment agreement with the taxpayer. The department shall not collect one-half of the interest nor any penalties due to the state of Louisiana for those taxable periods that meet the requirements of this Subsection. No refunds shall be given for those amounts previously collected by the department from the taxpayer for a taxable period that meets the requirements of this Subsection; however, the taxpayer is obligated to pay any fees.

(c) The secretary is authorized, at his discretion, to initiate contact with those taxpayers that meet the requirements of Paragraph E(2)(b) of this Section."

AMENDMENT NO. 8

On page 3, at the beginning of line 27, change "E." to "F."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 122—

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

AN ACT

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

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 123—

BY SENATORS BARHAM, DARDENNE, EWING, HAINKEL AND BEAN

AN ACT

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

Read by title.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

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.

Reported favorably by the Committee on Ways and Means.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

Reconsideration

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.

On motion of Rep. Wiggins, the vote by which the above House Bill failed to pass on the previous legislative day was reconsidered.

Returned to the calendar under the rules.

House and House Concurrent Resolutions on Third Reading for Final Consideration

The following House and House Concurrent Resolutions on third reading for final consideration were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 43—
BY REPRESENTATIVE THOMPSON
A CONCURRENT RESOLUTION

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

Read by title.

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

Ordered to the Senate.

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

HOUSE BILL NO. 199—
BY REPRESENTATIVES MARIONNEAUX, QUEZAIRE, BRUCE, AND VITTER

AN ACT

To enact R.S. 48:390, relative to trains; to prohibit the obstruction of a roadway at a railroad grade crossing for an extended period of time; to provide for exceptions; to authorize application for variances to limitations; to require promulgation of rules and regulations by the Department of Transportation and Development; to provide for penalties; to require trains to clear public crossings under certain emergency circumstances; and to provide for related matters.

Read by title.

Motion

Rep. Marionneaux moved that House Bill No. 199 be designated as a duplicate of Senate Bill No. 20.

Which motion was agreed to.

Motion

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

HOUSE BILL NO. 205 (Duplicate of Senate Bill No. 156)—
BY REPRESENTATIVE ANSARDI AND SENATOR EWING AND COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, MICHOT, BAUDOIN, FONTENOT, SCHWEGMANN, AND WADDELL AND SENATORS DARDENNE, HAINKEL, BARHAM, AND ROMERO
AN ACT

To amend and reenact R.S. 3:4274.1, R.S. 13:2587.1, 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 2531.6, and to repeal R.S. 13:2586(C)(2) 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.

Motion

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

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.

Rep. DeWitt moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Pinac
Alario	Green	Powell
Alexander, A.—93rd	Guillory	Pratt
Alexander, R.—13th	Hammett	Quezaire
Ansardi	Heaton	Riddle
Barton	Hebert	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	Marionneaux	Travis
Diez	Martiny	Triche
Dimos	McCain	Vitter
Doerge	McDonald	Waddell
Donelon	McMains	Walsworth
Dupre	Michot	Warner
Durand	Mitchell	Welch
Farve	Montgomery	Weston
Faucheux	Morrell	Wiggins
Flavin	Morrish	Wilkerson
Fontenot	Murray	Willard
Frith	Odinet	Windhorst
Fruge	Perkins	Winston
Gautreaux	Pierre	Wright
Total—102		

NAYS

Total—0

ABSENT

Hill	McCallum	Toomy
Total—3		

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. 209 (Substitute for House Bill No. 200 by Representative Hopkins)—
BY REPRESENTATIVES HOPKINS AND THOMPSON
AN ACT

To amend and reenact R.S. 42:851.5(A)(2), relative to the State Employees' Group Benefits Program fee schedules; to require informing program participants regarding the cost of certain laboratory, radiology, diagnostic, and therapeutic services provided by certain providers; and to provide for related matters.

Read by title.

Rep. Hopkins moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Powell
Alario	Guillory	Pratt
Alexander, A.—93rd	Hammett	Quezaire
Alexander, R.—13th	Heaton	Riddle
Ansardi	Hebert	Romero
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	Jetson	Smith, J.R.—30th
Clarkson	Johns	Stelly
Copelin	Kennard	Strain
Crane	Kenney	Theriot
Curtis	Lancaster	Thomas
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Deville	Long	Travis
DeWitt	Marionneaux	Triche
Diez	Martiny	Vitter
Dimos	McCain	Waddell
Doerge	McDonald	Walsworth
Donelon	McMains	Warner
Dupre	Michot	Welch
Durand	Mitchell	Weston
Farve	Montgomery	Wiggins
Faucheux	Morrell	Wilkerson
Flavin	Morrish	Willard
Fontenot	Murray	Windhorst
Frith	Odinet	Winston
Fruge	Perkins	Wright
Gautreaux	Pierre	
Glover	Pinac	
Total—103		

NAYS

Total—0

ABSENT

McCallum	Toomy
Total—2	

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Hopkins 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:

Consent Calendar

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

To enact R.S. 26:911(B)(3), relative to the sale of tobacco products; to define those retail dealers who qualify as a tobacconist at a particular retail outlet; to authorize the purchase of tobacco

products by a tobacconist at a particular retail outlet directly from manufacturers, wholesalers, or other suppliers; and to provide for related matters.

Read by title.

Rep. Bruneau moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Pierre
Alario	Green	Pinac
Alexander, A.—93rd	Guillory	Powell
Alexander, R.—13th	Hammett	Pratt
Ansardi	Heaton	Quezaire
Barton	Hebert	Riddle
Baudoin	Hill	Romero
Baylor	Holden	Rousselle
Bowler	Hopkins	Salter
Bruce	Hudson	Scalise
Bruneau	Hunter	Schneider
Carter	Iles	Schwegmann
Chaisson	Jenkins	Shaw
Clarkson	Jetson	Smith, J.D.—50th
Copelin	Johns	Smith, J.R.—30th
Crane	Kennard	Stelly
Curtis	Kenney	Strain
Damico	Lancaster	Theriot
Daniel	Landrieu	Thomas
Deville	LeBlanc	Thompson
DeWitt	Long	Thornhill
Diez	Marionneaux	Travis
Dimos	Martiny	Triche
Doerge	McCain	Vitter
Donelon	McDonald	Waddell
Dupre	McMains	Walsworth
Durand	Michot	Warner
Farve	Mitchell	Welch
Faucheux	Montgomery	Weston
Flavin	Morrell	Wiggins
Fontenot	Morrish	Wilkerson
Frith	Murray	Willard
Fruge	Odinet	Windhorst
Gautreaux	Perkins	Wright
Total—102		

NAYS

Total—0

ABSENT

McCallum	Toomy	Winston
Total—3		

The Chair declared the above bill was finally passed.

Rep. Bruneau 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 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.

Rep. Pratt moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Pinac
Alario	Green	Powell
Alexander, A.—93rd	Guillory	Pratt
Alexander, R.—13th	Hammett	Quezaire
Ansardi	Heaton	Riddle
Barton	Hebert	Romero
Baudoin	Hill	Rousselle
Baylor	Holden	Salter
Bowler	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Carter	Iles	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	Travis
Diez	Martiny	Triche
Dimos	McCain	Vitter
Doerge	McDonald	Waddell
Donelon	McMains	Walsworth
Dupre	Michot	Warner
Durand	Mitchell	Welch
Farve	Montgomery	Weston
Faucheux	Morrell	Wiggins
Flavin	Morrish	Wilkerson
Fontenot	Murray	Willard
Frith	Odinet	Windhorst
Fruge	Perkins	Winston
Gautreaux	Pierre	Wright
Total—102		

NAYS

Jenkins
Total—1

ABSENT

McCallum	Toomy
Total—2	

The Chair declared the above bill was finally passed.

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

Regular Calendar

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

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative John Smith to Engrossed Senate Bill No. 8 by Senator Cain

AMENDMENT NO. 1

On page 2, at the end of line 5, add "nolo contendere or"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Powell
Alario	Guillory	Pratt
Alexander, A.—93rd	Hammett	Quezairé
Alexander, R.—13th	Heaton	Riddle
Ansardi	Hebert	Romero
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	Jetson	Smith, J.R.—30th
Clarkson	Johns	Stelly
Copelin	Kennard	Strain
Crane	Kenney	Theriot
Curtis	Lancaster	Thomas
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Deville	Long	Travis
DeWitt	Marionneaux	Triche
Diez	Martiny	Vitter
Dimos	McCain	Waddell
Doerge	McDonald	Walsworth
Donelon	McMains	Warner
Dupre	Michot	Welch
Durand	Mitchell	Weston
Farve	Montgomery	Wiggins
Faucheux	Morrell	Wilkerson
Flavin	Morrish	Willard
Fontenot	Murray	Windhorst
Frith	Odiné	Winston

Fruge	Perkins	Wright
Gautreaux	Pierre	
Glover	Pinac	
Total—103		
	NAYS	
Total—0		
	ABSENT	
McCallum	Toomy	
Total—2		

The Chair declared the above bill was finally passed.

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.

SENATE BILL NO. 81—
BY SENATOR BARHAM
AN ACT

To enact R.S. 33:381(C)(12), relative to municipal officers; to provide that the chief of police of the village of Oak Ridge be appointed; to provide for the qualifications for the chief of police of Oak Ridge; and to provide for related matters.

Read by title.

Rep. McDonald moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Powell
Alario	Guillory	Pratt
Alexander, A.—93rd	Hammett	Quezairé
Alexander, R.—13th	Heaton	Riddle
Ansardi	Hebert	Romero
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	Jetson	Smith, J.R.—30th
Clarkson	Johns	Stelly
Copelin	Kennard	Strain
Crane	Kenney	Theriot
Curtis	Lancaster	Thomas
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Deville	Long	Travis
DeWitt	Marionneaux	Triche
Diez	Martiny	Vitter
Dimos	McCain	Waddell
Doerge	McDonald	Walsworth
Donelon	McMains	Warner
Dupre	Michot	Welch
Durand	Mitchell	Weston
Farve	Montgomery	Wiggins
Faucheux	Morrell	Wilkerson
Flavin	Morrish	Willard
Fontenot	Murray	Windhorst
Frith	Odiné	Winston
Fruge	Perkins	Wright

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Gautreaux
Glover
Total—103

Pierre
Pinac

NAYS

Total—0

ABSENT

McCallum
Total—2

Toomy

The Chair declared the above bill was finally passed.

Rep. McDonald 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 BILL NO. 103—

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

To amend and reenact R.S. 11:921, 924(2) and (5), 925, 927(B) and (C), 928, 929(D) and (E), and 931, relative to the Teachers' Retirement System of Louisiana; to authorize employees of the Board of Regents, Board of Trustees for State Colleges and Universities, Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, and Board of Supervisors of Southern University and Agricultural and Mechanical College, and any other constitutionally established board which manages institutions of higher education to participate in an optional retirement plan; to rename the Subpart; to provide for an effective date; and to provide for related matters.

Read by title.

Rep. Stelly moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

Dupre
Durand
Farve
Faucheux
Flavin
Fontenot
Frith
Fruge
Gautreaux
Total—102

McMains
Michot
Montgomery
Morrell
Morrish
Murray
Odinet
Perkins
Pierre

Warner
Welch
Weston
Wiggins
Wilkerson
Willard
Windhorst
Winston
Wright

NAYS

Total—0

ABSENT

McCallum
Total—3

Mitchell

Toomy

The Chair declared the above bill was finally passed.

Rep. Stelly 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 BILL NO. 105—

BY SENATOR ELLINGTON AN ACT

To amend and reenact R.S. 11:708(A)(1) relative to the Teachers' Retirement System of Louisiana; to provide for reemployment of retired members who participated in the Deferred Retirement Option Program; to provide for reemployment of such retired members through the qualified teacher shortage provisions; to provide for an effective date; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Stelly to Engrossed Senate Bill No. 105 by Senator Ellington

AMENDMENT NO. 1

On page 2, line 10, change "Program" to "Plan"

AMENDMENT NO. 2

On page 2, between lines 12 and 13, insert the following:

"(d) On and after August 15, 2003, the statutory authority set forth in Subparagraph (c) of this Paragraph shall cease and the provisions of R.S. 11:791(A) shall apply to a retired teacher who participated in the Deferred Retirement Option Plan and who becomes a classroom teacher pursuant to the provisions of this Section during such employment."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Powell
Alario	Guillory	Pratt
Alexander, A.—93rd	Hammett	Quezairre
Alexander, R.—13th	Heaton	Riddle
Ansardi	Hebert	Romero
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	Jetson	Smith, J.R.—30th
Clarkson	Johns	Stelly
Copelin	Kennard	Strain
Crane	Kenney	Theriot
Curtis	Lancaster	Thomas
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Deville	Long	Travis
DeWitt	Marionneaux	Triche
Diez	Martiny	Vitter
Dimos	McCain	Waddell
Doerge	McDonald	Walsworth
Donelon	McMains	Warner
Dupre	Michot	Welch
Durand	Mitchell	Weston
Farve	Montgomery	Wiggins
Faucheux	Morrell	Wilkerson
Flavin	Morrish	Willard
Fontenot	Murray	Windhorst
Frith	Odinet	Winston
Fruge	Perkins	Wright
Gautreaux	Pierre	
Glover	Pinac	
Total—103		

NAYS

Total—0

ABSENT

McCallum	Toomy
Total—2	

The Chair declared the above bill was finally passed.

Rep. Stelly 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 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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Reengrossed Senate Bill No. 138 by Senator Romero

AMENDMENT NO. 1

On page 1, line 2, after "enact" change "R.S. 39:1595.6," to "R.S. 38:2225.2,"

AMENDMENT NO. 2

On page 1, line 6, after "Section 1." change "R.S. 39:1595.6" to "R.S. 38:2225.2"

AMENDMENT NO. 3

On page 1, at the beginning of line 7, change "\$1595.6." to "\$2225.2."

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

Motion

Rep. Winston moved that the bill, as amended, be returned to the calendar subject to call.

Rep. Hebert objected.

By a vote of 66 yeas and 32 nays, the House returned the bill, as amended, to the calendar.

SENATE BILL NO. 162—

BY SENATOR CRAVINS AND REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 27:361(B)(introductory paragraph) and (4) and to enact R.S. 27:353(13) and Part IV of Chapter 7 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:391 and 392, relative to the conduct of slot machine gaming at certain live horse race tracks as provided in Act 721 of the 1997 Regular Session of the Legislature; to provide for the definition of "taxable net slot machine proceeds"; to provide for the dedication of a fixed percentage of net slot machine proceeds to supplement purses for races run at the live meetings at an eligible facility, and to the Louisiana Thoroughbred Breeders' Association and the Louisiana Quarter Horse Breeders' Association for use as awards for breeders of accredited Louisiana-bred horses, and for promotion of the Louisiana horse breeding industry; to authorize certain local governing authorities to impose certain taxes; to provide for the collection and disposition of fees and taxes; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Montgomery to Reengrossed Senate Bill No. 162 by Senator Cravins

AMENDMENT NO. 1

Delete Amendment No. 4 in the set of four House Floor Amendments proposed by Representative Montgomery and adopted by the House on April 6, 1998

AMENDMENT NO. 2

On page 4, line 11, change "authority of" to "authorities in"

AMENDMENT NO. 3

On page 4, line 12, after "percent" and before "of" insert "in the aggregate"

AMENDMENT NO. 4

On page 5, line 21, after "Parish" and before the period "." insert the following:

"from the proceeds derived from the licensed eligible facility in Bossier Parish"

AMENDMENT NO. 5

On page 5, delete line 23 and insert the following:

"which is hereby created in the state treasury. Monies in the St. Landry Parish Excellence Fund, for purposes of this Subparagraph referred to as the "fund", shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely and exclusively by the St. Landry Parish School Board as provided in this Subparagraph. Monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund. Interest earnings on investment of monies in the fund shall be credited to the fund. Unexpended and unencumbered monies in the fund at the end of each fiscal year shall remain in the fund. The principal in the fund may not be appropriated. Interest earnings may be appropriated, but only for enhancements to the education program in St. Landry Parish."

AMENDMENT NO. 6

On page 5, line 27, after "Act" and before "shall" insert ", except for R.S. 27:391 as enacted by this Act,"

AMENDMENT NO. 7

On page 6, line 4, after "Act" and before "shall" insert ", except for R.S. 27:391 as enacted by this Act,"

AMENDMENT NO. 8

On page 6, at the end of line 5, insert "R.S. 27:391 as enacted by this Act shall become effective on July 1, 1998."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Salter, R. Alexander, Barton, Bruce, Curtis, Diez, Doerge, Durand, Fauchoux, Frith, Fruge, Gautreaux, Hammett, Heaton, Hebert, Hill, Hopkins, Hudson, Kennard, Kenney, LeBlanc, Marionneaux, McCain, McCallum, McDonald, Morrish, Odinet, Pinac, Powell, Riddle, Romero, Jack Smith, Strain, Thomas, and Thompson to Reengrossed Senate Bill No. 162 by Senator Cravins and Representative Montgomery

AMENDMENT NO. 1

On page 5, line 9, change "(4)" to "(6)"

AMENDMENT NO. 2

On page 5, between lines 23 and 24, insert the following:

"(4) After complying with the provisions of Paragraph (1) of this Subsection, the state treasurer shall, each fiscal year, credit a total of twelve million dollars from the combined taxable net slot machine proceeds collected by the state from each licensed eligible facility, as defined herein, to the fund previously established by R.S. 3:277. These proceeds shall be expended, utilizing any or all powers granted to the Louisiana Agricultural Finance Authority, including the funding or securing of revenue bonds, exclusively for meeting the needs of the Boll Weevil Eradication Program and other agricultural, agronomic, horticultural, silvicultural or aquacultural industrial or economic development programs.

(5) After complying with the provisions of Paragraph (1) of this Subsection, the state treasurer shall, each fiscal year, credit a total of one million dollars from the combined taxable net slot machine proceeds collected by the state from each licensed eligible facility, as defined herein, to the "Rehabilitation for the Blind and Visually Impaired Fund", for the purposes of this Subparagraph, the "fund", hereby created in the state treasury. Monies in the fund shall be withdrawn only pursuant to appropriation by the legislature and shall be used solely to fund, through a cooperative endeavor agreement between the Department of Social Services and the Affiliated Blind of Louisiana and the Louisiana Center for the Blind at Ruston, rehabilitation services for the blind, deaf-blind, and visually impaired and for training the older visually impaired. Appropriations for this purpose shall be allocated fifty percent each to the Affiliated Blind of Louisiana and the Louisiana Center for the Blind at Ruston. Monies in the fund shall be invested by the state treasurer in the same manner as monies in the state general fund. Interest earned on investment of such monies shall be credited to the state general fund. Unexpended and unencumbered monies in the fund at the end of each fiscal year shall remain in the fund."

AMENDMENT NO. 3

On page 5, line 24, change "(4)" to "(6)"

AMENDMENT NO. 4

On page 5, line 25, change "(3)" to "(5)"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Baudoin to Reengrossed Senate Bill No. 162 by Senator Cravins

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 27:361(B)(introductory paragraph)" to "R.S. 27:353(4) and 361(B)(introductory paragraph)"

AMENDMENT NO. 2

On page 1, line 8, after "proceeds";" and before "to provide" insert "to provide with respect to the definition of "eligible facility";"

AMENDMENT NO. 3

On page 2, line 2, change "R.S. 27:361(B)(introductory paragraph)" to "R.S. 27:353(4) and 361(B)(introductory paragraph)"

AMENDMENT NO. 4

On page 2, between lines 9 and 10, insert the following:

"(4) "Eligible facility" means no more than one facility in St. Landry Parish, Bossier Parish, and Calcasieu Parish at which the Louisiana State Racing commission has licensed the conduct or at which the commission has approved the future licensing of the conduct of not less than eighty days within a consecutive twenty-week period each year of live horse race meetings. However, within the parish of St. Landry, no licensed eligible facility shall conduct slot machine gaming activities until such facility is open to the public for the conducting of live horse race meetings.

* * *

Point of Order

Rep. Rousselle asked for a ruling from the Chair as to whether the above amendments were germane to the subject matter contained in the bill as introduced.

Ruling of the Chair

The Chair ruled that the above amendments were germane to the subject matter contained in the bill as introduced.

Motion

Rep. Deville moved the previous question be ordered on the entire subject matter.

As a substitute motion, Rep. DeWitt moved to end consideration of amendments.

Rep. Jenkins objected.

The vote recurred on the substitute motion.

By a vote of 52 yeas and 48 nays, the House agreed to end consideration of amendments.

Motion

Rep. DeWitt moved the previous question be ordered on the entire subject matter.

Rep. Jenkins objected.

By a vote of 72 yeas and 25 nays, the House agreed to order the previous question on the entire subject matter.

Rep. Baudoin moved the adoption of the amendments.

Rep. Montgomery objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Iles	Smith, J.R.—30th
Alexander, A.—93rd	Jenkins	Stelly
Alexander, R.—13th	Kennard	Theriot
Baudoin	Landrieu	Thompson
Bruneau	Marionneaux	Thornhill
Chaisson	McDonald	Triche
Clarkson	McMains	Vitter
Crane	Michot	Walsworth

Diez	Mitchell	Weston
Donelon	Morrish	Wiggins
Dupre	Perkins	Wilkerson
Farve	Powell	Willard
Gautreaux	Riddle	Windhorst
Green	Scalise	Wright
Hebert	Schneider	
Total—44		

NAYS

Alario	Fruge	Odinot
Ansardi	Glover	Pierre
Barton	Guillory	Pinac
Baylor	Hammett	Pratt
Bowler	Heaton	Quezaire
Bruce	Holden	Romero
Carter	Hopkins	Rousselle
Curtis	Hudson	Salter
Damico	Hunter	Schwegmann
Deville	Johns	Smith, J.D.—50th
DeWitt	Kenney	Strain
Dimos	Lancaster	Thomas
Doerge	LeBlanc	Travis
Durand	Martiny	Waddell
Faucheux	McCain	Warner
Flavin	Montgomery	Welch
Fontenot	Morrell	Winston
Frith	Murray	
Total—53		

ABSENT

Copelin	Jetson	Shaw
Daniel	Long	Toomy
Hill	McCallum	
Total—8		

The amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Green	Pierre
Alexander, R.—13th	Guillory	Pinac
Ansardi	Hammett	Powell
Barton	Hebert	Pratt
Baylor	Holden	Quezaire
Bowler	Hopkins	Riddle
Bruce	Hudson	Romero
Bruneau	Hunter	Rousselle
Carter	Johns	Salter
Chaisson	Kennard	Schwegmann
Clarkson	Kenney	Shaw
Copelin	Lancaster	Smith, J.D.—50th
Curtis	Landrieu	Strain
Damico	Long	Theriot
Deville	Marionneaux	Thomas
DeWitt	Martiny	Thompson
Dupre	McCain	Thornhill
Farve	McDonald	Travis
Faucheux	Mitchell	Triche
Flavin	Montgomery	Waddell
Frith	Morrell	Walsworth
Fruge	Murray	Winston

Glover Total—69	Odinot	Wright
	NAYS	
Alexander, A.—93rd Baudoin Crane Donelon Fontenot Gautreaux Iles Total—20	Jenkins McMains Michot Morrish Perkins Scalise Schneider	Stelly Vitter Weston Wiggins Wilkerson Windhorst
	ABSENT	
Mr. Speaker Daniel Diez Dimos Durand Total—15	Heaton Hill Jetson LeBlanc McCallum	Smith, J.R.—30th Toomy Warner Welch Willard

The Chair declared the above bill was finally passed.

Rep. Montgomery 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. Weston, 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:

Privileged Report of the Committee on Enrollment

April 8, 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. 9—
BY REPRESENTATIVES WILKERSON AND BRUCE
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 19—
BY REPRESENTATIVE ODINET
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 34—
BY REPRESENTATIVE ROUSSELLE
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 59—
BY REPRESENTATIVE HOLDEN AND SENATOR C. FIELDS
A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Mrs. Geneva Dunn Douglas of Baton Rouge.

HOUSE CONCURRENT RESOLUTION NO. 60—
BY REPRESENTATIVE MCCALLUM
A CONCURRENT RESOLUTION

To commend and to congratulate the Marion High School Lady Panthers basketball team for reaching the Sweet 16 semifinals.

HOUSE CONCURRENT RESOLUTION NO. 61—
BY REPRESENTATIVES FLAVIN, JOHNS, STELLY, GUILLORY, HILL, ILES, AND MORRISH AND SENATORS HINES, COX, CASANOVA, CAIN, AND THEUNISSEN
A CONCURRENT RESOLUTION

To commend and honor Monsignor Irving A. DeBlanc for his commitment to his faith and community which is so clearly evident in his sixty-year career as a priest.

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.

Privileged Report of the Committee on Enrollment

April 8, 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 Bills have been properly enrolled:

HOUSE BILL NO. 15—
BY REPRESENTATIVES FAUCHEUX, DUPRE, AND GAUTREAUX
AN ACT

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

HOUSE BILL NO. 18—
BY REPRESENTATIVE GAUTREAUX
AN ACT

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

HOUSE BILL NO. 32—

BY REPRESENTATIVE ROUSSELLE
AN ACT

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

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

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

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

HOUSE BILL NO. 48 (Duplicate of Senate Bill No. 32)—

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

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

HOUSE BILL NO. 50 (Duplicate of Senate Bill No. 46)—

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

To amend and reenact R.S. 48:256.1(A), relative to contracts for the construction, improvement, maintenance, or repair of highways, roads, or bridges; to provide relative to the final payment of retained amounts; and to provide for related matters.

HOUSE BILL NO. 57—

BY REPRESENTATIVE MCMAINS AND SENATOR DARDENNE
AN ACT

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

HOUSE BILL NO. 60 (Duplicate of Senate Bill No. 141)—

BY REPRESENTATIVE DANIEL AND SENATOR REMERO
AN ACT

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

HOUSE BILL NO. 77 (Duplicate of Senate Bill No. 98)—

BY REPRESENTATIVE THORNHILL AND SENATOR SHORT AND
COAUTHORED BY REPRESENTATIVE BRUCE
AN ACT

To authorize and direct that all assets held by others or remaining in the account of the former St. Tammany Levee District be transferred to the St. Tammany Parish Police Jury for the specific purpose of providing levee and levee drainage and flood control protection within certain designated areas located within St. Tammany Parish; and to require public hearings prior to the expenditure of any funds.

HOUSE BILL NO. 83 (Duplicate of Senate Bill No. 45)—

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

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

HOUSE BILL NO. 86 (Duplicate of Senate Bill No. 99)—

BY REPRESENTATIVE DIEZ AND SENATOR BEAN AND COAUTHORED
BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, BRUCE, AND
QUEZAIRE AND SENATORS LANDRY, EWING, DARDENNE, HAINKEL,
BARHAM, AND ROMERO
AN ACT

To enact R.S. 32:7, relative to the enforcement of size and weight laws; to authorize the Department of Transportation and Development or the Department of Public Safety and Corrections to enter into agreements with contiguous states establishing joint weight enforcement facilities; to authorize the location, construction, staffing, and operation of such facilities; to authorize the enforcement of state laws, rules, and regulations and the laws of contiguous states, agencies, and departments; to provide for appointment of employees as enforcement officers; to provide for the status of such employees; to require oversight by the Joint Committee on Transportation, Highways and Public Works; and to provide for related matters.

HOUSE BILL NO. 87 (Duplicate of Senate Bill No. 15)—

BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND
COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS,
HUDSON, QUEZAIRE, ROUSSELLE, AND BRUCE AND SENATORS
EWING, DARDENNE, HAINKEL, BARHAM, AND SHORT
AN ACT

To amend and reenact R.S. 51:781(4) and 784.1 and to enact R.S. 51:792.1, relative to the regulation and inspection of petroleum and petroleum products; to transfer the duties and responsibilities for such regulation and inspection from the secretary of the Department of Transportation and Development to the commissioner of the Department of Agriculture and Forestry; to provide for the disposition of certain fees; to provide for an effective date; and to provide for related matters.

HOUSE BILL NO. 92—

BY REPRESENTATIVE MARIONNEAUX
AN ACT

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

HOUSE BILL NO. 97—

BY REPRESENTATIVE ALARIO AND SENATOR ULLO
AN ACT

To amend Act No. 28 of the 1997 Regular Session of the Legislature, relative to the comprehensive capital budget, by adding thereto a new Section, relative to the Bayou Segnette Golf Course in the Department of Economic Development; and to provide for related matters.

HOUSE BILL NO. 133 (Duplicate of Senate Bill No. 147)—

BY REPRESENTATIVE MCCAIN AND SENATOR DARDENNE AND
COAUTHORED BY REPRESENTATIVE WELCH
AN ACT

To enact R.S. 40:1322 and 1322.1, relative to the authorization of credit, charge, and debit card transactions with the Department of Public Safety and Corrections; to provide for the procedures for such transactions; to provide for suspension of any license, permit, or registration or revocation of any certificate of title by the department if payment by a credit, charge, or debit card is refused, denied, dishonored, or reversed by the issuing company or bank; to provide for the department to conduct administrative

hearings following a suspension or revocation; to provide for rules; to provide criminal penalties for transferring or assigning a certificate of title for a motor vehicle that has been recalled or revoked; and to provide for related matters.

HOUSE BILL NO. 176—
BY REPRESENTATIVE DANIEL

AN ACT

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

HOUSE BILL NO. 194—

BY REPRESENTATIVES ALARIO, DOWNER, DEWITT, MCMAINS, CHAISSON, COPELIN, DANIEL, DOERGE, DURAND, GLOVER, AND PIERRE AND SENATORS EWING, DARDENNE, HAINKEL, BARHAM, AND ROMERO

AN ACT

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

Respectfully submitted,

DONALD RAY KENNARD
Chairman

The above House Bills contained in the report were signed by the Speaker of the House and taken to the Senate by the Clerk and were signed by the President of the Senate and taken by the Clerk of the House to the Governor for executive approval.

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

April 8, 1998

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

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

Senate Concurrent Resolution No. 43

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Long, the rules were suspended in order to take up the resolutions contained in the message 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. 43—

BY SENATORS C. FIELDS AND SMITH

A CONCURRENT RESOLUTION

To commend Ben D. Johnson on donating the money needed to open the Ben D. Johnson Education Center in Natchitoches, Louisiana.

Read by title.

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

Message from the Senate

SENATE BILLS

April 8, 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 No. 44

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. 44—

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

AN ACT

To amend and reenact R.S. 48:252(D) and (E), 252.1, and 256.5(C)(1), relative to public contracts within the Department of Transportation and Development; to remove the requirement of providing a bidder with a receipt of bid delivery; to increase the fee for each set of bid proposal documents and exceptions thereto; to provide relative to authority of the secretary of the Department of Transportation and Development; and to provide for related matters.

Read by title.

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

April 8, 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 Bills:

Senate Bill Nos. 52, 53, 74, and 75

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 Bills 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. 14— BY REPRESENTATIVE GUILLORY

A RESOLUTION

To recognize, commend, and congratulate Lawrence Morrow for his successes as a journalist and as the founder, publisher, and editor of GUMBEAUX magazine.

Read by title.

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

HOUSE RESOLUTION NO. 15— BY REPRESENTATIVES JETSON AND WELCH

A RESOLUTION

To express the condolences of the House of Representatives upon the death of Reverend Norwood T. Calvin.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 63— BY REPRESENTATIVES CLARKSON AND WINDHORST AND SENATOR HEITMEIER

A CONCURRENT RESOLUTION

To commend and congratulate Monsignor John A. Tomasovich on the fiftieth anniversary of his ordainment into the priesthood and to thank him for his service and dedication to the Catholic Church, to his community, to this state, and to his country.

Read by title.

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

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Civil Law and Procedure

April 8, 1998

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 1, by Dardenne (Joint Resolution)
Reported with amendments. (9-0) (Regular)

F. CHARLES MCMAINS, JR.
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Report of the Committee on Education

April 8, 1998

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on April 7, 1998, I am directed by your Committee on Education to submit the following report:

Senate Bill No. 2, by Dardenne
Reported with amendments. (12-0) (Regular)

CHARLES MCDONALD
Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Report of the Committee on Judiciary

April 8, 1998

To the Speaker and Members of the House of Representatives:

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

Senate Concurrent Resolution No. 13, by Hainkel
Reported with amendments. (7-0)

Senate Bill No. 3, by Ewing
Reported with amendments. (7-0) (Regular)

Senate Bill No. 157, by Schedler
Reported favorably. (7-0) (Regular)

C. E. "PEPPI" BRUNEAU, JR.
Acting Chairman

The above Senate Bills reported favorably or with amendments were referred to the Legislative Bureau.

Report of the Committee on Municipal, Parochial and Cultural Affairs

April 8, 1998

To the Speaker and Members of the House of Representatives:

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

Senate Bill No. 112, by Schedler
Reported with amendments. (8-0-1) (Consent)

Senate Bill No. 136, by Smith
Reported favorably. (9-0-1) (Regular)

Senate Bill No. 163, by Johnson
Reported with amendments. (8-0-1) (Regular)

SHARON WESTON
Chairman

The above Senate Bills reported favorably or with amendments
were referred to the Legislative Bureau.

House and House Concurrent Resolutions

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

Motion

On motion of Rep. Weston, the Committee on Municipal,
Parochial and Cultural Affairs was discharged from further
consideration of House Concurrent Resolution No. 57.

Suspension of the Rules

On motion of Rep. Weston, the rules were suspended in order
to consider the resolution at this time.

**HOUSE CONCURRENT RESOLUTION NO. 57—
BY REPRESENTATIVES DIEZ AND QUEZAIRE
A CONCURRENT RESOLUTION**

To designate Ascension Parish, Louisiana, as the "Plantation Capital
of the World".

Read by title.

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

Ordered to the Senate.

**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. 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.

Called from the calendar.

Read by title.

Motion

On motion of Rep. DeWitt, the above bill was referred to the
Legislative Bureau.

Leave of Absence

Rep. Toomy - 1 day

Rep. McCallum - 1 day

Adjournment

On motion of Rep. LeBlanc, at 4:30 P.M., the House agreed to
adjourn until Monday, April 13, 1998, at 4:00 P.M.

The Speaker of the House declared the House adjourned until
4:00 P.M., Monday, April 13, 1998.

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays
Journal Clerk, *Emeritus*