

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

FIFTEENTH 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

Tuesday, April 14, 1998

The House of Representatives was called to order at 1:30 P.M., by the Honorable H. B. "Hunt" Downer, Jr., Speaker of the House of Representatives.

Morning Hour

ROLL CALL

The roll was called with the following result:

PRESENT

Mr. Speaker	Hammett	Pratt
Alario	Heaton	Quezairé
Alexander, R.—13th	Hebert	Riddle
Ansardi	Hill	Romero
Barton	Holden	Rousselle
Baudoin	Hopkins	Salter
Baylor	Hudson	Scalise
Bowler	Hunter	Schneider
Bruce	Iles	Schwegmann
Bruneau	Jenkins	Shaw
Carter	Jetson	Smith, J.D.—50th
Chaisson	Johns	Smith, J.R.—30th
Clarkson	Kennard	Stelly
Copelin	Kenney	Strain
Crane	Lancaster	Theriot
Curtis	Landrieu	Thomas
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Deville	Marionneaux	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Dimos	McCallum	Vitter
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	Odinot	Windhorst
Gautreaux	Perkins	Winston
Glover	Pierre	Wright
Green	Pinac	
Guillory	Powell	
Total—103		

ABSENT

Alexander, A.—93rd Doerge
Total—2

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

Prayer

Prayer was offered by Rep. Schwegmann.

Pledge of Allegiance

Rep. Hunter 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. Hebert, the reading of the Journal was dispensed with.

On motion of Rep. Hebert, the Journal of April 13, 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.

Privileged Report of the Committee on Enrollment

April 14, 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. 2—
BY REPRESENTATIVE RIDDLE

A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 13—
BY REPRESENTATIVES MCMAINS, DANIEL, HOLDEN, AND DIMOS
AND SENATOR DARDENNE

A CONCURRENT RESOLUTION

To memorialize the United States Senate to support the inclusion of Poland, Hungary, and the Czech Republic in the North Atlantic Treaty Organization.

HOUSE CONCURRENT RESOLUTION NO. 35—
BY REPRESENTATIVES DUPRE, GAUTREAUX, ROUSSELLE, FLAVIN, FRITH, HAMMETT, ODINET, PIERRE, JACK SMITH, JOHN SMITH, TRICHE, AND THERIOT AND SENATORS ROBICHAUX, CAIN, LANDRY, MALONE, ROMERO, SIRACUSA, AND ULLO

A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 42—
BY REPRESENTATIVES DIEZ AND THERIOT AND SENATOR LANDRY
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 43—
BY REPRESENTATIVE THOMPSON AND SENATOR JONES
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.

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.

HOUSE CONCURRENT RESOLUTION NO. 64—
BY REPRESENTATIVES DIMOS, ALARIO, A. ALEXANDER, R. ALEXANDER, ANSARDI, BARTON, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUNEAU, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DEWITT, DIEZ, DOERGE, DONELON, DOWNER, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREAUX, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, ROUSSELLE, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JOHN SMITH, STELLY, STRAIN, THERIOT, THOMAS, THOMPSON, THORNHILL, TOOMY, TRAVIS, TRICHE, VITTER, WADDELL, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD, WINDHORST, WINSTON, AND WRIGHT AND SENATORS BAGNERIS, BAJOIE, BARHAM, BEAN, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, EWING, C. FIELDS, W. FIELDS, GREENE, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SHORT, SIRACUSA, SMITH, TARVER, THEUNISSEN, AND ULLO

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Hugh H. Hyman, Jr.

HOUSE CONCURRENT RESOLUTION NO. 65—
BY REPRESENTATIVE HOLDEN AND SENATOR C. FIELDS
A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Mr. Phillip Shields, Sr.

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 14, 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. 14—
BY REPRESENTATIVES DURAND, DOWNER, FONTENOT, AND MARIONNEAUX AND SENATORS HOLLIS AND JORDAN
AN ACT

To amend and reenact R.S. 37:1395(E)(1) and (F) and to enact R.S. 37:1400(H), relative to the licensure and regulation of locksmiths; to provide an exemption from licensing for certain persons; to provide for the legal ownership and possession of locksmithing tools, manuals, or codebooks by certain persons; and to provide for related matters.

HOUSE BILL NO. 35—
BY REPRESENTATIVE JACK SMITH
AN ACT

To amend Act No. 28 of the 1997 Regular Session of the Legislature, relative to the capital outlay budget, by adding thereto a new Section, to change the matching funds requirement for the Chitimacha Loop Roads planning and construction in St. Mary Parish; and to provide for related matters.

HOUSE BILL NO. 38—
BY REPRESENTATIVE THOMPSON AND SENATOR JONES
AN ACT

To amend and reenact R.S. 47:302.4 and 322.18, relative to the state sales tax on hotel occupancy; to create the Madison Parish Visitor Enterprise Fund and the Richland Parish Visitor Enterprise Fund in the state treasury; to provide for deposit of monies into such funds; to provide for the allowable uses of the monies in the funds; and to provide for related matters.

HOUSE BILL NO. 39—
BY REPRESENTATIVE THOMPSON AND SENATOR JONES
AN ACT

To enact R.S. 47:332.44, relative to the state sales tax on hotel occupancy; to create the Madison Parish Visitor Enterprise Fund and the Richland Parish Visitor Enterprise Fund in the state treasury; to provide for deposit of monies into such funds; to provide for the allowable uses of the monies in the funds; and to provide for related matters.

HOUSE BILL NO. 40—
BY REPRESENTATIVE THOMPSON AND SENATOR JONES
AN ACT

To appropriate funds out of the General Fund of the state of Louisiana from certain statutory dedications for the 1997-1998 Fiscal Year to the Department of the Treasury for the purpose of providing supplemental funding.

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

To amend and reenact R.S. 2:805, R.S. 34:3455, and R.S. 38:90.7, relative to the Department of Transportation and Development; to provide for the authorization of and use by the secretary of

certain funds for projects of the Airport Construction and Development Priority Program, Statewide Flood Control Program, and Port Commission and Development Priority Program when such projects are undertaken due to emergencies; to provide for criteria; and to provide for related matters.

HOUSE BILL NO. 58 (Duplicate of Senate Bill No. 37)—
BY REPRESENTATIVE JOHN SMITH AND SENATOR DARDENNE AND
COAUTHORED BY SENATOR ULLO

AN ACT

To amend and reenact R.S. 37:2153(D), relative to the State Licensing Board for Contractors; to authorize the board to sell and lease certain property and retain revenues; to provide certain procedures; and to provide for related matters.

HOUSE BILL NO. 71—
BY REPRESENTATIVES THOMPSON, BAUDOIN, CURTIS, DOERGE,
LONG, MCDONALD, AND WINSTON

AN ACT

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

HOUSE BILL NO. 74—
BY REPRESENTATIVE HAMMETT AND SENATORS ELLINGTON AND
JONES

AN ACT

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

HOUSE BILL NO. 76—
BY REPRESENTATIVES MCDONALD, DIMOS, AND THOMPSON AND
SENATORS BARHAM AND ULLO

AN ACT

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

HOUSE BILL NO. 104 (Duplicate of Senate Bill No. 77)—
BY REPRESENTATIVE DEWITT AND SENATOR ELLINGTON AND
COAUTHORED BY REPRESENTATIVES DOWNER AND MCMAINS AND
SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND ROMERO

AN ACT

To amend and reenact R.S. 23:76(C)(10), relative to the Occupational Forecasting Conference; to provide with respect to comprehensive labor market information system; to change the projection date for occupational forecasting; and to provide for related matters.

HOUSE BILL NO. 145 (Duplicate of Senate Bill No. 82)—
BY REPRESENTATIVE MCDONALD AND SENATOR BARHAM AND
COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, AND
MCMAINS AND SENATORS EWING, DARDENNE, HAINKEL, AND
ROMERO

AN ACT

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

HOUSE BILL NO. 146—
BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, AND MCCAIN
AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND
ROMERO

AN ACT

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

HOUSE BILL NO. 204—
BY REPRESENTATIVES WIGGINS AND WRIGHT AND SENATOR
ELLINGTON

AN ACT

To amend and reenact R.S. 17:62 and 73 and to enact R.S. 17:62.1, relative to the school system for Wards 9, 10, and 11 in Rapides Parish; to provide for the school board and an interim board of control; to provide for board membership, qualifications, method of selection, terms of office, filling of vacancies, powers, duties, and responsibilities; to provide for the apportionment of the school board and for reapportionment of the Rapides Parish School Board; to provide for effectiveness and for implementation; 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.

Privileged Report of the Legislative Bureau

April 14, 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. 22
Reported without amendments.

Senate Bill No. 165
Reported without amendments.

Senate Bill No. 168
Reported without amendments.

Respectfully submitted,

JIMMY N. DIMOS
Chairman

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

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

HOUSE CONCURRENT RESOLUTION NO. 67—
BY REPRESENTATIVE WELCH

A CONCURRENT RESOLUTION

To express the sorrow of the Legislature of Louisiana upon the death of Mr. Jeff Roberson, Jr. and to remember his life.

Read by title.

On motion of Rep. Welch, 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
Transportation, Highways and Public Works**

April 14, 1998

To the Speaker and Members of the House of Representatives:

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

Senate Concurrent Resolution No. 17, by Short
Reported favorably. (9-0)

Senate Bill No. 21, by Lentini
Reported favorably. (9-0) (Regular)

Senate Bill No. 44, by Landry
Reported with amendments. (9-0) (Regular)

JOHN C. DIEZ
Chairman

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

Report of the Committee on Education

April 14, 1998

To the Speaker and Members of the House of Representatives:

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

Senate Concurrent Resolution No. 8, by Theunissen
Reported favorably. (10-0)

Senate Bill No. 39, by Dardenne
Reported favorably. (11-0) (Consent)

Senate Bill No. 42, by Dardenne (Joint Resolution)
Reported with amendments. (11-0)

Senate Bill No. 57, by Dardenne (Joint Resolution)
Reported favorably. (11-0)

CHARLES MCDONALD
Chairman

The above Senate Bills reported favorably or with amendments, except Senate Bill No. 42 and Senate Bill No. 57, were referred to the Legislative Bureau.

Suspension of the Rules

On motion of Rep. McDonald, the rules were suspended in order to take up Senate Bills on Second Reading Reported by Committees at this time.

**Senate Bills on Second Reading
Reported by Committees**

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

SENATE BILL NO. 42—

BY SENATORS DARDENNE, EWING, HAINKEL, BARHAM AND ROMERO AND REPRESENTATIVES DOWNER, DEWITT AND MCMAINS
A JOINT RESOLUTION

Proposing to amend Article VIII, Section 6(A) of the Constitution of Louisiana, relative to state college and university boards; to rename the Board of Trustees for State Colleges and Universities; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

Reported with amendments by the Committee on Education.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Education to Reengrossed Senate Bill No. 42 by Senator Dardenne, et al.

AMENDMENT NO. 1

On page 1, line 12, after "for" delete the remainder of the line and insert in lieu thereof "the University of Louisiana System"

AMENDMENT NO. 2

On page 1, line 14, after "for" and before "is" change "State Colleges and Universities" to "the University of Louisiana System"

AMENDMENT NO. 3

On page 2, line 6, after "on" delete the remainder of the line and delete line 7 and insert in lieu thereof "November 3, 1998."

AMENDMENT NO. 4

On page 2, line 13, after "for" delete the remainder of the line and at the beginning of line 14 delete "Universities" and insert in lieu thereof "the University of Louisiana System."

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

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

SENATE BILL NO. 57—

BY SENATORS DARDENNE, EWING, HAINKEL, BARHAM AND ROMERO AND REPRESENTATIVES DOWNER, DEWITT AND MCMAINS
A JOINT RESOLUTION

Proposing to amend Article VIII, Section 5(B) of the Constitution of Louisiana, relative to the Board of Regents; to provide for the number of members on the board and the required distribution of the gubernatorial appointment of such members to the board;

and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

Reported favorably by the Committee on Education.

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

Report of the Committee on Appropriations

April 14, 1998

To the Speaker and Members of the House of Representatives:

Pursuant to a meeting held on April 13, 1998, I am directed by your Committee on Appropriations to submit the following report:

Senate Bill No. 41, by Dardenne
Reported with amendments. (13-0) (Regular)

Senate Bill No. 71, by Ewing
Reported with amendments. (13-0) (Regular)

Senate Bill No. 154, by Dardenne
Reported with amendments. (13-0) (Regular)

JERRY LUKE LEBLANC
Chairman

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

Report of the Committee on Civil Law and Procedure

April 14, 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. 155, by Dardenne
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.

House and House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 66— BY REPRESENTATIVES WRIGHT, DOERGE, AND THERIOT A CONCURRENT RESOLUTION

To urge and request the Board of Regents to disapprove any courses being offered for credit at postsecondary institutions, excluding technical colleges, which have traditionally been offered by technical colleges.

Read by title.

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

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 28— BY SENATOR SHORT

A CONCURRENT RESOLUTION
To memorialize the Congress of the United States to adopt Senate Joint Resolution 40 relative to the American flag.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 44—

BY SENATOR THEUNISSEN
A CONCURRENT RESOLUTION
To commend Cadet Colonel Richard P. Muffoletto on receiving the Civil Air Patrol's highest cadet honor, the General Carl A. Spaatz Award.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 45—

BY SENATOR THEUNISSEN
A CONCURRENT RESOLUTION
To commend and congratulate Matthew Wroten on receiving Civil Air Patrol Wing Cadet of the Year.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 46—

BY SENATOR HAINKEL
A CONCURRENT RESOLUTION
To acknowledge and recognize the progress of the District and School Accountability Advisory Commission; to support its commitment to improving the quality of education in this state, and to urge educators and local school systems to review the initial recommendations of the commission establishing an accountability system and provide comment to the State Board of Elementary and Secondary Education by May 28, 1998.

Read by title.

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

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. 92— BY SENATORS JONES AND DARDENNE AN ACT

To enact Part V of Chapter 8 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1987, relative to the education of children confined to certain correctional centers for youth; to establish and provide for a school district for such

correctional centers; to provide for the state funding of the district and the uses to which state funds for the district may be put; to provide for the administration of the district; to provide for the provision of educational services; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 146—
BY SENATOR DARDENNE

AN ACT

To enact R.S. 15:587(A)(1)(c) and R.S. 37:3505(F) and 3507.1, relative to the Louisiana State Board of Private Investigator Examiners; to provide for its powers and duties; to provide relative to criminal history checks; to provide for fees; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 166—
BY SENATOR SIRACUSA

AN ACT

To amend and reenact R.S. 13:477(15), 621.15 and 621.32, relative to judgeships; to add two additional judgeships to the Fifteenth Judicial District Court; to add one additional judgeship to the Thirty-Second Judicial District Court; to provide for election sections for the Fifteenth Judicial District; to provide relative to the terms of office of the judges; to provide for the effectiveness of such provisions; and to provide for related matters.

Read by title.

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

**House Bills and Joint Resolutions on
Second Reading Reported by Committees**

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

HOUSE BILL NO. 10—
BY REPRESENTATIVES DIEZ, DOWNER, DEWITT, AND MCMAINS AND SENATORS LANDRY, EWING, DARDENNE, AND HAINKEL

AN ACT

To amend and R.S. 47:820.4, 820.5(A) and (B)(1) and (2), to enact R.S. 47:820.5.2, and to repeal R.S. 47:820.5(B)(4), relative to tolls on certain bridges; to extend the duration of collection of tolls on the Sunshine Bridge and the Greater New Orleans Mississippi River bridges; to provide for the use of toll proceeds; to create the Crescent City Connection Oversight Authority; to provide for membership, duties, and terms; to provide for an effective date; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Original House Bill No. 10 by Representative Diez

AMENDMENT NO. 1

On page 1, line 2, after "reenact" delete the remainder of the line and add the following:

"R.S. 47:820.4, 820.5(A) and (B)(1) and (2), to enact R.S. 47:820.5.2, and to repeal R.S. 47:820.5(B)(4),"

AMENDMENT NO. 2

On page 1, line 5, after "bridges;" add "to provide for the use of toll proceeds; to create the Crescent City Connection Oversight Authority; to provide for membership, duties, and terms;"

AMENDMENT NO. 3

On page 1, line 8 after "Section 1." delete the remainder of the line and add the following:

"R.S. 47:820.4, 820.5(A), and (B)(1) and (2) are hereby amended and reenacted and R.S. 47:820.5.2 is hereby enacted to read as follows:"

AMENDMENT NO. 4

On page 1, delete line 9 in its entirety

AMENDMENT NO. 5

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

"§820.4. Duration of Part

Except for R.S. 47:820.5 and 820.5.1, this Part shall cease to be in effect fifteen years from the date of the imposition of the tax described herein or at such time as all outstanding bonds or other indebtedness issued for the projects enumerated in this Part and payable from the proceeds of the tax levied by this Part have been paid in full as to principal and interest, whichever is sooner."

AMENDMENT NO. 6

On page 2, line 6, after "through" and before "the" delete "June 30, 2012" and insert "December 31, 2006"

AMENDMENT NO. 7

On page 2, line 8, after "users." and before "collected" delete "Tolls" and add the following :

"However, tolls shall not be extended beyond June 30, 1999, unless and until such time as the transit lanes are opened to "HOV2" or "High Occupancy Vehicle 2" traffic. Deposits"

AMENDMENT NO. 8

On page 2, delete lines 10 and 11 in their entirety

AMENDMENT NO. 9

On page 2, at the beginning of line 12, delete "discount fare purchase."

AMENDMENT NO. 10

On page 2, delete line 14 in its entirety and add the following:

"(1) The tolls to be collected, as herein provided, shall continue to be considered as self-generated revenues and are to be deposited in accordance with the 1954 Bond Indenture for the financing by the Mississippi River Bridge Authority of the Greater New Orleans Mississippi River Bridge No. 1 and all supplements thereto and the Supplemental Bond Indenture of April 1, 1992, and in furtherance of the provisions of Act 402 of 1976 as amended, and in accordance with law vesting the secretary of the Department of Transportation and Development of the state of Louisiana with his legally directed executive and administrative control over the Mississippi River Bridge Authority, now called the Crescent City Connection Division of the Louisiana Department of Transportation and Development, pursuant to the Executive Reorganization Act and especially the provisions of Act 315 of 1989, with such funds to be deposited and expended in accordance with the foregoing in the trustee accounts as provided in such bond indentures as amended, and all pursuant to the provisions of the constitution and laws of Louisiana relative to annual appropriations and capital outlays for the funding of the operations and maintenance of the bridges and ferries under the authority of the Crescent City Connection Division within the Department of Transportation and Development. Recommendations made by the secretary of the Department of Transportation and Development relative to annual appropriations and capital outlays for the funding of the operations and maintenance of the bridges and ferries under the authority of the Crescent City Connection Division within the Department of Transportation and Development shall be subject to review and approval by the Crescent City Connection Oversight Authority as provided in R.S. 47:820.5.2. For Fiscal Year 1994-1995 through 1996-1997, the amount appropriated for operation and maintenance of the bridges and ferries under the authority of the Crescent City Connection Division shall not exceed nine million five hundred thousand dollars annually from self-generated toll revenues. Commencing in Fiscal Year 1997-1998, the amount appropriated in each fiscal year from all means of financing can exceed the prior fiscal year's appropriation by no more than three percent. However, any appropriation for any extraordinary expenses of the Crescent City Connection Division shall require the approval of the Joint Legislative Committee on the Budget. For Fiscal Year 1997-1998 through Fiscal Year 2006, the money from the self-generated tolls shall be used to service the bonds, for operation and maintenance of the bridges and ferries under the authority of the Crescent City Connection Division, and to complete the bridge projects as set forth in R.S. 47:820.5(B)(2), and to maximize, for the projects set forth in R.S. 47:820.5(B)(2), the state's ability to obtain federal matching funds for transportation purposes pursuant to the project by appropriation or grant from the United States Department of Transportation or its successor including but not limited to obtaining federal matching funds for such projects with the use of toll-generated monies, authorized by the Intermodal Surface Transportation Efficiency Act of 1991, Public Law 102-240, or its successor, and amendments thereto, upon appropriate authorization by the Louisiana Department of Transportation and Development and the Louisiana Legislature, in accordance with laws relative to such joint projects financed with state and federal funds, and any other appropriate funds that may be available.

(2) For funding the completion of the bridge(s) project as defined in Act 402 of 1976, as amended, and in accordance with the United States permit issued therefor. This shall include funding of the required land use plan of the bridge(s) rights-of-way; completion of the bridge(s) project and its approaches; lighting of the eastbank and westbank approaches to the bridge(s) project including the westbank expressway approach through ground level and the planning and construction of turn lanes, turn-arounds, and intersections, lighting, maintenance, grass cutting, and landscaping of the westbank expressway and connecting arteries; the legally and structurally required control devices regulating traffic on the

exclusive transit lanes constructed in accordance with federal laws and guidelines, the General DeGaulle Drive Parkway, Terry Parkway, and the Shirley Drive Parkway landscaping and beautification project, extension of Peters Road south to an intersection with Louisiana Highway 23, four-laning Lapalco Boulevard from Westwood Drive to Highway 90, improvements on Barataria Boulevard and Terry Parkway, and the upgrading of the General DeGaulle Drive/Burmester Avenue approach to the bridge(s) by extending LA Highway 18 from Huey P. Long Avenue in central Gretna along Fourth and/or Fifth Streets eastward to Burmester Avenue, upgrading of Peters Road, an additional toll tag lane for cars entering from the General DeGaulle entrance ramp, and an exit ramp to Mardi Gras Avenue in Algiers.

* * *

§820.5.2. Crescent City Connection Oversight Authority: creation; membership; duties; and terms

A. The Crescent City Connection Oversight Authority is hereby created, and hereinafter referred to as the CCCOA.

B. The purpose of the CCCOA shall be to establish priorities of projects from remaining funds after all operation and maintenance expenses of the bridges and ferries under the authority of the Crescent City Connection Division of the Department of Transportation and Development have been paid. The CCCOA shall consider the funding of projects approved by the legislature in accordance with Act 36 of 1994. In furtherance of this purpose, the CCCOA shall have access to the accounting of all expenditures, revenues, project priorities, status of ongoing projects, and any other matters which relate to the Crescent City Connection, its operations, and related projects.

C. The CCCOA shall be comprised of ten members who shall be appointed in accordance with the provisions of this Section. The state senator or senators from Senate districts 1, 7, and 8, and the state representative or representatives from House districts 83, 84, 85, 86, 87, 102, and 105, shall submit the name of three persons to the governor. The governor shall appoint one person from each Senate and House district. Nominees submitted to the governor for consideration on the CCCOA shall be a resident of the district, or have a business domiciled in the district.

D. Members shall meet quarterly, at a minimum, and the first term of their appointment shall be from July 1, 1998 to June 30, 2000. Each term thereafter shall be for four years. The Crescent City Connection Oversight Authority shall report to the House Transportation Highways and Public Works' Subcommittee on Oversight annually regarding their activities.

Section 2. R.S. 47:820.5(B)(4) is hereby repealed in its entirety."

AMENDMENT NO. 11

On page 2, line 15 change "2" to "3"

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

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

Under the rules, placed on the regular calendar.

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. 3—
BY SENATORS EWING AND BARHAM
AN ACT

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

Read by title.

Reported with amendments by the Committee on Judiciary.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Judiciary to Engrossed Senate Bill No. 3 by Senators Ewing and Barham

AMENDMENT NO. 1

On page 1, line 2, delete "R.S. 13:621.3," and insert "R.S. 13:477(3) and 621.3,"

AMENDMENT NO. 2

On page 1, line 5, after "successors in office;" and before "and" insert "to provide for election sections for the Third Judicial District;"

AMENDMENT NO. 3

On page 1, line 8, delete "Section 1(A). R.S. 13:621.3 is" and insert "Section 1. R.S. 13:477(3) and 621.3 are"

AMENDMENT NO. 4

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

"§477. Judicial districts

There shall be forty judicial districts in the state, the parish of Orleans excepted, and each district shall be composed as follows:

* * *

(3) The parishes of Lincoln and Union shall compose the Third District. Election section one shall consist of precincts 1-A1, 1-A2, 1-A3, 1-A5, 1-A6, 1-A7, 1-B1, 1-B2, 1-B3, 1-C1, 1-C2, 1-C3, 1-C4, 1-C5, 1-D1, 1-D2, 1-D3, 1-D4, 1-E1, 1-E2, 1-E4, 1-G1, 1-G2, 2-A1, 2-A2, 2-A3, 2-A4, 2-A5, 2-A6, 3-2, 3-6, 4-1, 4-2, 4-3, 4-4, 5-1, 5-2, 5-3, and 5-4 of Lincoln Parish; and precincts 2-2, 2-3, 2-5, 3-3, 4-4, 5-1, 5-2, 5-3, 6-1, 6-3, 7-1, 7-2, 8-1, 8-2, and 8-3 of Union Parish. Election section two shall consist of precincts 1-E3, 1-F1, 1-F2, 1-F4, 2-B1, 2-B2, 2-B3, 3-1, 3-3, 3-4, 3-5, and 4-5 of Lincoln Parish; and precincts 1-1, 1-2, 1-3, 3-1, 3-4, 3-6, 4-1, 4-2, 4-3, 6-2, 6-4, 7-3, 9-1, 9-2, 9-3, 9-4, 9-5, 9-6, and 9-7 of Union Parish.

* * *

AMENDMENT NO. 5

On page 1, delete lines 12 through 16 and on page 2, delete lines 1 through 17 and insert the following:

"Section 2.(A) The precincts enumerated in this Section are the precincts existing as of April 1, 1997, established by the governing authority of each parish in conformity with R.S. 18:532.

(B) With respect to any precinct enumerated herein which has been subdivided by action of a parish governing authority or registrar of voters on a nongeographic basis, or subdivided by action of the parish governing authority on a geographic basis, the enumeration herein of the general precinct designation shall be construed to include all polling subdivisions thereof or geographic subdivisions thereof, regardless of how such subdivision may be designated.

(C) In any case in which a precinct as established by the parish governing authority includes an area of population which has been given an alphabetical designation in addition to the numerical designation for the purpose of convenience and clarity in taking and reporting the census count by the United States Bureau of the Census, the assignment of such precincts includes any alphabetically designated portion unless otherwise specifically enumerated in this Section.

Section 3.(A) There is hereby created an additional district judgeship for the Third Judicial District. The additional judge herein provided for, and his successors, shall preside over Division C, which is hereby created for purposes of nomination and election only. The additional judge and his successors shall have jurisdiction throughout the Third Judicial District.

(B) The additional judge and his successors shall be elected from election section two of the Third Judicial District and shall be domiciled in, residents of, and qualified electors of the Third Judicial District, in addition to having all other qualifications prescribed by law, and shall receive the same compensation, benefits, and expense allowances, payable from the same sources and in the same manner, as are now or may hereafter be provided for other judges of the district.

(C) The individual to be elected to the additional judgeship created by this Act for the Third Judicial District shall be elected as provided by Article V, Section 22 of the Constitution of Louisiana, and shall serve a term which shall begin on January 1, 1999, and which shall expire at the same time as is provided by law for the other judges of the court. Thereafter, his successors shall be elected at the same time and in the same manner and shall serve the same term as is now or may be provided hereafter for other judges of the court.

(D) The judgeships designated as Divisions A and B are assigned to election section one of the Third Judicial District.

(E) The provisions of this Act shall not reduce the term of office of any judge of the Third Judicial District."

AMENDMENT NO. 6

On page 2, line 18, change "Section 2." to "Section 4."

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 3 by Senator Ewing

AMENDMENT NO. 1

In House Committee Amendment No. 5, proposed by the House Committee on Judiciary, on page 2, lines 1 and 20, change "in this Section" to "in Section 1"

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

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

Under the rules, placed on the regular calendar.

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

AN ACT

To enact Chapter 23 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:1011 through 1016, and R.S. 36:4(T), to create the Louisiana Governor's Mansion Commission; to provide for the jurisdiction and purpose of the commission; to provide for membership appointment, powers, duties, and responsibilities; to provide for the audit and inventory of certain property; to provide that certain inventory is covered by adequate insurance; to require certain repairs and maintenance be performed; to define public and private areas of the governor's mansion and its grounds; to authorize certain civil actions; and to provide for related matters.

Read by title.

Reported with amendments by the Legislative Bureau.

The Legislative Bureau amendments were read as follows:

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed Senate Bill No. 108 by Senator Heitmeier

AMENDMENT NO. 1

On page 3, lines 17 and 18, following "any" change "out of pocket" to "out-of-pocket"; and on page 6, line 13, change "exercises" to "exercise"

AMENDMENT NO. 2

On page 5, line 10, following "repair" and before "the" insert a comma ","

AMENDMENT NO. 3

On page 5, line 12, before "shall" change "who" to "which"

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 112—
BY SENATORS SCHEDLER AND SHORT
AN ACT

To amend and reenact R.S. 47:322.37(B)(1); to remove certain restrictions on use of funds available to the St. Tammany Parish Tourist Commission; to authorize the use of research money provided by the commission to event center districts within the parish to be expended for certain purposes; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Reengrossed Senate Bill No. 112 by Senators Schedler and Short

AMENDMENT NO. 1

On page 2, line 6, between "pursuant to" and "R.S." insert "R.S. 33:4575 through 4575.5 and"

AMENDMENT NO. 2

On page 2, line 6, between "funds" and "not" insert a comma ","

AMENDMENT NO. 3

On page 2, line 7, between "district" and "to" insert a comma ","

AMENDMENT NO. 4

On page 2, line 8, between "marketing" and "and" insert at comma ","

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the consent calendar.

SENATE BILL NO. 136—
BY SENATOR SMITH
AN ACT

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

Read by title.

Reported favorably by the Committee on Municipal, Parochial and Cultural Affairs.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 157 (Substitute for Senate Bill No. 113 By Senator Schedler)—
BY SENATORS SCHEDLER, HAINKEL, AND SHORT AND
REPRESENTATIVES THORNHILL, SCHNEIDER, STRAIN, AND
WINSTON

AN ACT

To enact R.S. 13:719 and 720, relative to the office of commissioner for the Twenty-second Judicial District Court; to create and to provide for qualifications, salary and benefits, restrictions on employment, quarters, supplies, equipment, and employees for

such office; to provide for duties and powers of such office; to provide for funding; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Judiciary.

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. 163—
BY SENATOR JOHNSON

AN ACT

To enact R.S. 33:2740.38 and 2740.39, relative to the creation of special taxing districts in the parish of Orleans to promote and encourage the beautification, security, and overall betterment of the parish; to create such special taxing districts in the subdivisions of Lake Willow and Spring Lake; to provide for a board of directors of each special taxing district; to provide for the jurisdiction, powers, duties, functions, and responsibilities of each district; to provide for the levy of an ad valorem tax and fees in each district; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Municipal, Parochial and Cultural Affairs.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Municipal, Parochial and Cultural Affairs to Engrossed Senate Bill No. 163 by Senator Johnson

AMENDMENT NO. 1

On page 2, delete lines 18 and 19 and insert the following:

"a nine-member board of commissioners appointed as follows:

(1) The Lake Willow Homeowners Association's board of directors shall appoint five members.

(2) The mayor of New Orleans shall appoint one member.

(3) The member or members of the New Orleans city council who represent the area which comprises the district shall appoint one member.

(4) The member or members of the Louisiana House of Representatives who represent the area which comprises the district shall appoint one member.

(5) The member or members of the Louisiana Senate who represent the area which comprises the district shall appoint one member."

AMENDMENT NO. 2

On page 2, at the beginning of line 20, change "(1)" to "D.(1)"

AMENDMENT NO. 3

On page 3, at the beginning of line 10, change "D.(1)" to "E.(1)"

AMENDMENT NO. 4

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

AMENDMENT NO. 5

On page 4, at the beginning of line 19, change "F." to "G."

AMENDMENT NO. 6

On page 4, at the beginning of line 27, change "G." to "H."

AMENDMENT NO. 7

On page 5, line 1, after "with" delete the remainder of the line and insert "the New Orleans Police Department or with a private security company which has been certified by the superintendent of the New Orleans Police Department for"

AMENDMENT NO. 8

On page 5, at the beginning of line 7, change "H." to "I."

AMENDMENT NO. 9

On page 5, between lines 11 and 12, insert the following:

"J. Budget. (1) The board of commissioners shall adopt an annual budget in accordance with the Local Government Budget Act, R.S. 39:1301 et seq. The budget and all amendments shall be subject to the approval of the New Orleans city council.

(2) The district shall be subject to audit by the legislative auditor pursuant to R.S. 24:513."

AMENDMENT NO. 10

On page 6, delete lines 5 and 6, and insert the following:

"a nine-member board of commissioners appointed as follows:

(1) The board of directors of the Spring Lake Neighborhood Association, Inc. shall appoint five members.

(2) The mayor of New Orleans shall appoint one member.

(3) The member or members of the New Orleans city council who represent the area which comprises the district shall appoint one member.

(4) The member or members of the Louisiana House of Representatives who represent the area which comprises the district shall appoint one member.

(5) The member or members of the Louisiana Senate who represent the area which comprises the district shall appoint one member."

AMENDMENT NO. 11

On page 8, after line 27, insert the following:

"I. The district may enter into a contract with the New Orleans Police Department or with a private security company which has been certified by the superintendent of the New Orleans Police Department for the provision of security patrols in the district.

J. Budget. (1) The board of commissioners shall adopt an annual budget in accordance with the Local Government Budget Act,

R.S. 39:1301 et seq. The budget and all amendments shall be subject to the approval of the New Orleans city council.

(2) The district shall be subject to audit by the legislative auditor pursuant to R.S. 24:513."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

Suspension of the Rules

On motion of Rep. Weston, the rules were suspended in order to take up House Concurrent Resolutions Returned from the Senate with Amendments at this time.

House Concurrent Resolutions Returned from the Senate with Amendments

The following House Concurrent Resolutions returned from the Senate with amendments were taken up and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 31—
BY REPRESENTATIVES WESTON, BAYLOR, CLARKSON, DUPRE, FONTENOT, GLOVER, PIERRE, PINAC, PRATT, QUEZAIRE, ROUSSELLE, WINSTON, AND WRIGHT

A CONCURRENT RESOLUTION

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

Read by title.

The above resolution was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Reengrossed House Concurrent Resolution No. 31 by Representative Weston

AMENDMENT NO. 1

On page 2, delete lines 27 and 28 and insert the following:

"(7) The state examiner of municipal fire and police civil service."

On motion of Rep. Pierre, the amendments proposed by the Senate were concurred in.

House Bills and Joint Resolutions Returned from the Senate with Amendments

The following House Bills and Joint Resolutions returned from the Senate with amendments were taken up and acted upon as follows:

HOUSE BILL NO. 9—

BY REPRESENTATIVE DEWITT

AN ACT

To amend and reenact R.S. 40:1643(C), relative to required fire protection sprinkler systems; to provide for an extension of time to meet the requirement for high-rise buildings in certain cases; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Commerce and Consumer Protection to Engrossed House Bill No. 9 by Representative DeWitt

AMENDMENT NO. 1

On page 1, line 15, after "However," insert "if"

AMENDMENT NO. 2

On page 1, line 15, after "marshal" insert "determines that an extension can be granted without creating an undue risk to human safety, the fire marshal"

Rep. DeWitt moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

Page 12 HOUSE

15th Day's Proceedings - April 14, 1998

Gautreaux	Pinac	Winston
Green	Powell	Wright
Guillory	Pratt	
Total—98		

NAYS

Total—0

ABSENT

Alexander, A.—93rd	Glover	Mitchell
Barton	Jenkins	
Doerge	Martiny	
Total—7		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 20—
BY REPRESENTATIVE HAMMETT
AN ACT

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

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Greene to Engrossed House Bill No. 20 by Representative Hammett

AMENDMENT NO. 1

On page 1, line 10, after "less than" change "one" to "five"

Rep. Hammett moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

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

Dupre	McMains	Walsworth
Durand	Michot	Warner
Farve	Montgomery	Welch
Faucheux	Morrell	Weston
Flavin	Morrish	Wiggins
Fontenot	Murray	Wilkerson
Frith	Odinot	Willard
Fruge	Perkins	Windhorst
Gautreaux	Pierre	Winston
Glover	Pinac	Wright
Green	Powell	
Guillory	Pratt	
Total—100		

NAYS

Total—0

ABSENT

Alexander, A.—93rd	Doerge	Mitchell
Barton	Jenkins	
Total—5		

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 23—
BY REPRESENTATIVE LEBLANC
AN ACT

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

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Engrossed House Bill No. 23 by Representative LeBlanc

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 17:3223(B)(5)" delete the comma "," and insert "and enact R.S. 17:3351(A)(5)(c)."

AMENDMENT NO. 2

On page 1, line 5, after "Community College" insert "and Northeast Louisiana State University"

AMENDMENT NO. 3

On page 2, between lines 10 and 11 insert the following:

"Section 2. R.S. 17:3351(A)(5)(c) is hereby enacted to read as follows:

§3351. General powers, duties, and functions of college and university boards

A. Subject only to the powers of the Board of Regents specifically enumerated in Article VIII, Section 5 of the Constitution of Louisiana, and as otherwise provided by law, each management board as a body corporate shall have authority to exercise power

necessary to supervise and manage the institutions of higher education under its control, including but not limited to the following:

* * *

(5)

* * *

(c) The Board of Trustees for State Colleges and Universities is authorized to establish the tuition amounts and other fees and charges applicable to students enrolled in the Doctor of Pharmacy Program at Northeast Louisiana State University to be consistent with tuition amounts and other fees charged to students in Doctor of Pharmacy Programs in states comprising the Southern Regional Education Board.

* * *

AMENDMENT NO. 4

On page 2, line 11, change "Section 2." to "Section 3."

Rep. LeBlanc moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Marionneaux
Total—1

ABSENT

Alexander, A.—93rd Doerge Jenkins
Total—3

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 24—
BY REPRESENTATIVE LONG
AN ACT

To amend and reenact R.S. 47:302.10, 322.13, and 332.5, and to enact Part IV of Chapter 16 of Title 25 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 25:791, relative to the development of historic areas within the city of Natchitoches; to create the Natchitoches Historic District Development Commission; to provide for the powers, duties, and membership of the commission; to provide for the dedication of the avails of the state sales tax on hotel occupancy in Natchitoches Parish for support of the commission's historic district development activities; to create the Natchitoches Historic District Development Fund in the state treasury; to provide for deposit of monies into such fund; to provide for allowable uses of monies in the fund; to abolish the Natchitoches Parish Visitor Enterprise Fund within the state treasury and provide for disposition of the fund balance; to abolish the Natchitoches Convention Facilities Fund within the state treasury and provide for disposition of the fund balance; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Engrossed House Bill No. 24 by Representative Long

AMENDMENT NO. 1

On page 4, at the end of line 6, change "ten" to "fourteen"

AMENDMENT NO. 2

On page 4, between lines 23 and 24, insert the following:

"(11) The chairman of the Association for the Preservation of Historic Natchitoches, or his designee.

(12) The chairman of the Natchitoches Historic Foundation, Inc., or his designee.

(13) The chairman of the Cane River Waterway Commission, or his designee.

(14) The chairman of Museum Contents, Inc., or his designee."

AMENDMENT NO. 3

On page 6, at the beginning of line 20, delete "exclusively for use by" and insert "for appropriation to"

Page 14 HOUSE

15th Day's Proceedings - April 14, 1998

AMENDMENT NO. 4

On page 6, line 22, between "Such" and "monies" insert "appropriated"

AMENDMENT NO. 5

On page 6, at the end of line 25, insert "Monies in the fund, not to exceed fifty percent of the avails of the tax levied in R.S. 47:302 as provided in this Section, may also be available for appropriation to the Natchitoches Parish Tourism Commission, to be used for tourism development purposes."

AMENDMENT NO. 6

On page 8, delete lines 9 through 15 in their entirety and insert in lieu thereof the following:

"Section 5. The provisions of this Act are severable as provided for by R.S. 24:175."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Smith to Engrossed House Bill No. 24 by Representative Long

AMENDMENT NO. 1

Delete Committee Amendment Nos. 3, 4, 5, and 6 of the set of amendments proposed by the Senate Committee on Local and Municipal Affairs and adopted by the Senate on April 7, 1998

AMENDMENT NO. 2

On page 1, line 8, between "dedications of" and "the avails" insert "a portion of"

AMENDMENT NO. 3

On page 1, line 13, after "fund; to" delete the remainder of the line, and delete line 14

AMENDMENT NO. 4

On page 6, line 4, after "shall" delete the remainder of the line, and insert:

"deposit the remainder of such funds as provided in Subsections B and C of this Section.

B. Fifty percent of the avails of the tax as provided in Subsection A shall be deposited into a"

AMENDMENT NO. 5

On page 6, line 6, after "Natchitoches" delete the remainder of the line and delete line 7 in its entirety and insert:

"Parish Visitor Enterprise Fund."

AMENDMENT NO. 6

On page 6, delete lines 8 and 9 in their entirety and insert the following:

"The monies in the Natchitoches Parish Visitor Enterprise Fund shall be subject to annual"

AMENDMENT NO. 7

On page 6, at the beginning of line 19, insert:

"Monies in the fund shall be available for use by the Natchitoches Parish Tourism Commission to be used for tourism development purposes.

C. Fifty percent of the avails of the tax as provided for in Subsection A of this Section shall be deposited into a special fund which is hereby created in the state treasury and designated as the "Natchitoches Historic District Development Fund". The monies in the Natchitoches Historic District Development Fund shall be subject to annual appropriation by the legislature. All unexpended and unencumbered monies in the fund shall remain in the fund. The monies in the fund shall be invested by the treasurer in the same manner as the monies in the state general fund, and all interest earned shall be deposited into the state general fund."

AMENDMENT NO. 8

On page 7, at the end of line 11, change "47:302.10" to "47:302.10(C)"

AMENDMENT NO. 9

On page 9, at the end of line 25, change "47:302.10" to "47:302.10(C)"

AMENDMENT NO. 10

On page 8, delete lines 1 through 4 in their entirety

AMENDMENT NO. 11

On page 8, at the beginning of line 5, change "Section 4" to "Section 3"

AMENDMENT NO. 12

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

"Section 4. The provisions of this Act are severable as provided for by R.S. 24:175."

AMENDMENT NO. 13

On page 8, line 9, change "Sections 1 and 5" to "Sections 1, 4, and 5"

AMENDMENT NO. 14

On page 8, line 13, change "Sections 1 and 5" to "Sections 1, 4, and 5"

AMENDMENT NO. 15

On page 8, line 14, after "approval." delete the remainder of the line and insert "Sections 2 and 3"

Rep. Long moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pratt
Alario	Heaton	Quezaire
Alexander, R.—13th	Hebert	Riddle
Ansardi	Hill	Romero
Barton	Holden	Rousselle
Baudoin	Hopkins	Salter
Baylor	Hudson	Scalise
Bowler	Hunter	Schneider
Bruce	Iles	Schwegmann
Bruneau	Jenkins	Shaw
Carter	Jetson	Smith, J.D.—50th
Chaisson	Johns	Smith, J.R.—30th
Clarkson	Kennard	Stelly
Copelin	Kenney	Strain
Crane	Lancaster	Theriot
Curtis	Landrieu	Thomas
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Deville	Marionneaux	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Dimos	McCallum	Vitter
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	Winston
Glover	Pierre	Wright
Green	Pinac	
Guillory	Powell	
Total—103		

NAYS

Total—0

ABSENT

Alexander, A.—93rd Doerge
Total—2

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 25—
BY REPRESENTATIVES MCCAIN AND MICHOT
AN ACT

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

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Bill No. 25 by Representative McCain

AMENDMENT NO. 1

On page 2, line 5, after "crawfish traps." change "no charge for use of not" to "Twenty-five dollars for use of no"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hainkel to Reengrossed House Bill No. 25 by Representative McCain

AMENDMENT NO. 1

On page 1, at the end of line 5, after "requirements" delete "and"

AMENDMENT NO. 2

On page 1, at the beginning of line 6, delete "fees"

AMENDMENT NO. 3

On page 1, line 18, before "The minimum" insert "commercially."

Rep. McCain moved that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pratt
Alario	Heaton	Quezaire
Alexander, R.—13th		H e b e r t
	Riddle	
Ansardi	Hill	Romero
Barton	Holden	Rousselle
Baudoin	Hudson	Salter
Baylor	Hunter	Scalise
Bowler	Iles	Schneider
Bruce	Jetson	Shaw
Bruneau	Johns	Smith, J.D.—50th
Chaisson	Kennard	Smith, J.R.—30th
Clarkson	Kenney	Stelly
Copelin	Lancaster	Strain
Crane	Landrieu	Theriot
Curtis	LeBlanc	Thomas
Damico	Long	Thompson
Daniel	Martiny	Thornhill
DeWitt	McCain	Toomy
Diez	McCallum	Travis
Dimos	McDonald	Triche
Donelon	McMains	Vitter
Dupre	Michot	Waddell
Durand	Mitchell	Walsworth
Faucheux	Montgomery	Warner
Flavin	Morrell	Welch
Fontenot	Morrish	Wiggins
Frith	Murray	Wilkerson
Fruge	Odinet	Willard
Gautreaux	Perkins	Windhorst
Glover	Pierre	Winston
Green	Pinac	Wright
Guillory	Powell	
Total—95		

NAYS

Page 16 HOUSE

15th Day's Proceedings - April 14, 1998

Marionneaux
Total—1

ABSENT

Alexander, A.—93rd D o e r g e
Jenkins
Carter Farve Schwegmann
Deville Hopkins Weston
Total—9

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 36—
BY REPRESENTATIVES STELLY AND THOMPSON
AN ACT

To amend and reenact R.S. 11:2178(D)(III)(1) and (b)(i) and (E)(1) and (2), relative to the Sheriffs' Pension and Relief Fund; to further define the type of act warranting death benefits; to increase the amount payable to dependents in certain cases; to remove the one-year marriage requirement; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Reengrossed House Bill No. 36 by Representative Stelly

AMENDMENT NO. 1

On page 3, line 4, before "at" insert "(a)"

AMENDMENT NO. 2

On page 3, line 5, after "or" insert "(b) at the time of his death and"

AMENDMENT NO. 3

On page 3, line 8, before "at" insert "(a)"

AMENDMENT NO. 4

On page 3, line 9, after "or" insert "(b) at the time of her death and"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cox to Reengrossed House Bill No. 36 by Representative Stelly

AMENDMENT NO. 1

On page 1, lines 2 and 8, after "R.S. 11:2178(D)(III)(1)" insert "(introductory paragraph)" and after "and (2)" insert "and to enact R.S. 11:2178(F)"

AMENDMENT NO. 2

On page 1, line 6, after "requirement;" insert "to provide an effective date;"

AMENDMENT NO. 3

On page 1, line 9, after "reenacted" insert "and R.S. 11:2178(F) is hereby enacted"

AMENDMENT NO. 4

On page 3, after line 11, insert the following:

"F. The provisions of Paragraphs (1) and (2) of Subsection E of this Section shall be applied retroactively to July 1, 1997."

Rep. Stelly moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pratt
Alario	Heaton	Quezaire
Alexander, R.—13th	Hebert	Riddle
Ansardi	Hill	Romero
Barton	Holden	Rousselle
Baudoin	Hopkins	Salter
Baylor	Hudson	Scalise
Bowler	Hunter	Schneider
Bruce	Iles	Schwegmann
Bruneau	Jenkins	Shaw
Carter	Jetson	Smith, J.D.—50th
Chaisson	Johns	Smith, J.R.—30th
Clarkson	Kennard	Stelly
Copelin	Kenney	Strain
Crane	Lancaster	Theriot
Curtis	Landrieu	Thomas
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Deville	Marionneaux	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Dimos	McCallum	Vitter
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	Winston
Glover	Pierre	Wright
Green	Pinac	
Guillory	Powell	
Total—103		

NAYS

Total—0

ABSENT

Alexander, A.—93rd Doerge
Total—2

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 37—

BY REPRESENTATIVE STELLY

AN ACT

To amend and reenact R.S. 11:3682 and 3685(D) and to enact R.S. 11:154(A)(15), 3685.1, 3685.2, 3685.3, 3688(D)(5), 3688.1, 3690.1, 3690.2, and 3695, relative to the Harbor Police Retirement System (Port of New Orleans); to provide with respect to attaining qualified plan status under the Internal Revenue Code; to further provide regarding sheltering of contributions, definitions, benefits and the limitations on payment and computation thereof, cost-of-living adjustments, annual compensation limitations, administration of the system, plan amendments, reversion of funds, retention of certain unclaimed funds and property, and rollovers; to provide an effective date; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris to Reengrossed House Bill No. 37 by Representative Stelly

AMENDMENT NO. 1

On page 3, line 25, following "R.S. 11:" and before "to" change "3686" to "3688"

AMENDMENT NO. 2

On page 5, line 23, following "R.S. 11" and before the period "." change "3686" to "3688"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Reengrossed House Bill No. 37 by Representative Stelly

AMENDMENT NO. 1

On page 7, line 13, change "R.S. 11:3685(B)" to "this Subpart"

Rep. Stelly moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pratt
Alario	Heaton	Quezaire
Alexander, R.—13th		H e b e r t
	Riddle	
Ansardi	Hill	Romero
Barton	Holden	Rousselle
Baudoin	Hopkins	Salter
Baylor	Hudson	Scalise
Bowler	Hunter	Schneider
Bruce	Iles	Schwegmann
Bruneau	Jenkins	Shaw
Carter	Jetson	Smith, J.D.—50th
Chaisson	Johns	Smith, J.R.—30th
Clarkson	Kennard	Stelly

Copelin	Kenney	Strain
Crane	Lancaster	Theriot
Curtis	Landrieu	Thomas
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Deville	Marionneau	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Dimos	McCallum	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	Odinot	Windhorst
Gautreaux	Perkins	Winston
Glover	Pierre	Wright
Green	Pinac	
Guillory	Powell	
Total—103		

NAYS

Total—0

ABSENT

Alexander, A.—93rd
Total—2

Doerge

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 54—

BY REPRESENTATIVES FRUGE, BRUCE, AND FRITH

AN ACT

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

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

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

AMENDMENT NO. 1

On page 1, line 3, after "operate on" insert "the shoulders of certain"

AMENDMENT NO. 2

On page 1, line 8, after "use on" insert "the shoulders of certain"

AMENDMENT NO. 3

On page 1, line 13, at the beginning of the line after "on" insert "the shoulders of" and after "highways" insert "except interstates in the manner provided for in this Section"

AMENDMENT NO. 4

Page 18 HOUSE

15th Day's Proceedings - April 14, 1998

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

"As an alternative to the ownership of the motor vehicle, the owner or operator of such off-road vehicle may file a sworn affidavit that he is engaged in the business of actual farming under the provisions of R.S. 47:462."

AMENDMENT NO. 5

On page 2, between lines 6 and 7 insert:

"(3) The permits provided for in this Section shall authorize the operation of such off-road vehicles only on the shoulders of all public roads or highways with improved asphalt or concrete shoulders except interstate highways during each day starting thirty minutes after sunrise and ending thirty minutes before sunset."

AMENDMENT NO. 6

On page 2, line 8, after "with" change "the" to "all the other applicable"

AMENDMENT NO. 7

On page 2, line 11, change "July 1, 1998" to "October 1, 1998"

AMENDMENT NO. 8

On page 2, line 16, after "on" insert "the shoulders of" and change "October" to "November"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Reengrossed House Bill No. 54 by Representative Fruge

AMENDMENT NO. 1

In Senate Committee Amendment No. 5 proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on April 7, 1998, on page 1, line 19, delete the following: "with improved asphalt or concrete shoulders"

AMENDMENT NO. 2

In Senate Committee Amendment No. 5 proposed by the Senate Committee on Transportation, Highways, and Public Works and adopted by the Senate on April 7, 1998, on page 1, at the end of line 21, insert the following: "Incidental crossing of such roads or highways shall also be authorized."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Irons to Reengrossed House Bill No. 54 by Representatives Fruge, Bruce, and Frith

AMENDMENT NO. 1

On page 2, between lines 20 and 21, insert:

"D. The provisions of this Section shall not apply to roads and highways in Orleans Parish."

Rep. Fruge moved that the amendments proposed by the Senate be concurred in.

As a substitute motion, Rep. Diez moved that the amendments proposed by the Senate be rejected.

Rep. Fruge objected.

The vote recurred on the substitute motion.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of members voting 'YEAS' including Alexander, R.—13th, Anardi, Baudoin, Baylor, Bowler, Chaisson, Copelin, Curtis, Diez, Dupre, Farve, Fontenot, Gautreaux, Holden, Hopkins, Hunter, Iles, Jenkins, Jetson, Johns, Kennard, Landrieu, Martiny, Mitchell, Morrell, Murray, Perkins, Powell, Pratt, Riddle, Stelly, Theriot, Toomy, Travis, Waddell, Welch, Weston, Willard, and a Total of 38.

NAYS

Table listing names of members voting 'NAYS' including Alario, Bruce, Bruneau, Carter, Clarkson, Crane, Damico, Daniel, Deville, DeWitt, Dimos, Donelon, Durand, Faucheux, Flavin, Frith, Fruge, Green, Guillory, Hammett, Heaton, Hebert, Hill, Hudson, Kenney, Lancaster, LeBlanc, Long, Marionneaux, McCain, McCallum, McDonald, McMains, Michot, Montgomery, Morrish, Odinet, Pierre, Pinac, Quezaire, Romero, Rousselle, Salter, Scalise, Schneider, Schwegmann, Shaw, Smith, J.D.—50th, Smith, J.R.—30th, Strain, Thomas, Thompson, Thornhill, Vitter, Walsworth, Warner, Wiggins, Windhorst, Winston, Wright, and a Total of 60.

ABSENT

Table listing names of members who were 'ABSENT' including Mr. Speaker, Alexander, A.—93rd, Barton, Doerge, Glover, Triche, and Wilkerson, with a Total of 7.

The House refused to reject the amendments.

Rep. Fruge insisted on his motion that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Hebert	Rousselle
Barton	Hill	Salter
Bruce	Hopkins	Scalise
Bruneau	Hudson	Schneider
Carter	Hunter	Schwegmann
Clarkson	Iles	Shaw
Crane	Johns	Smith, J.D.—50th
Curtis	Kenney	Smith, J.R.—30th
Damico	Lancaster	Stelly
Daniel	LeBlanc	Strain
Deville	Long	Thomas
DeWitt	Marionneaux	Thompson
Dimos	McCain	Thornhill
Donelon	McCallum	Travis
Dupre	McDonald	Triche
Durand	McMains	Vitter
Farve	Michot	Waddell
Faucheux	Morrish	Walsworth
Flavin	Odinot	Welch
Frith	Pierre	Weston
Fruge	Pinac	Wiggins
Gautreaux	Powell	Wilkerson
Green	Pratt	Willard
Guillory	Quezaire	Winston
Hammett	Riddle	Wright
Heaton	Romero	
Total—77		

NAYS

Alexander, R.—13th	Diez	Mitchell
Ansardi	Fontenot	Morrell
Baudoin	Jenkins	Murray
Baylor	Jetson	Perkins
Bowler	Kennard	Theriot
Chaisson	Landrieu	Toomy
Copelin	Martiny	Windhorst
Total—21		

ABSENT

Mr. Speaker	Glover	Warner
Alexander, A.—93rd	Holden	
Doerge	Montgomery	
Total—7		

The amendments proposed by the Senate, having received a two-thirds vote of the elected members, were concurred in by the House.

HOUSE BILL NO. 61—
BY REPRESENTATIVE DEVILLE
AN ACT

To amend and reenact R.S. 13:963(H) and (I), relative to each court reporter for the Thirteenth Judicial District; to increase certain fees and the salary; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Reengrossed House Bill No. 61 by Representative Deville

AMENDMENT NO. 1

On page 1, delete line 14

Rep. Deville moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pratt
Alario	Heaton	Quezaire
Alexander, R.—13th	Hebert	Riddle
Ansardi	Hill	Romero
Baudoin	Holden	Rousselle
Baylor	Hopkins	Salter
Bowler	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Iles	Schwegmann
Carter	Johns	Shaw
Chaisson	Kennard	Smith, J.D.—50th
Clarkson	Kenney	Smith, J.R.—30th
Copelin	Lancaster	Stelly
Crane	Landrieu	Strain
Curtis	LeBlanc	Theriot
Damico	Long	Thomas
Daniel	Marionneaux	Thompson
Deville	Martiny	Thornhill
DeWitt	McCain	Toomy
Diez	McCallum	Travis
Dimos	McDonald	Triche
Donelon	McMains	Vitter
Dupre	Michot	Waddell
Durand	Mitchell	Walsworth
Farve	Montgomery	Warner
Faucheux	Morrell	Welch
Flavin	Morrish	Weston
Fontenot	Murray	Wiggins
Frith	Odinot	Wilkerson
Fruge	Perkins	Willard
Gautreaux	Pierre	Windhorst
Green	Pinac	Winston
Guillory	Powell	Wright
Total—99		

NAYS

Total—0

ABSENT

Alexander, A.—93rd	Doerge	Jenkins
Barton	Glover	Jetson
Total—6		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 62—
BY REPRESENTATIVE DEWITT
AN ACT

To amend and reenact R.S. 12:1335.1(A), relative to limited liability companies; to provide for dissolution by affidavit of certain limited liability companies; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Page 20 HOUSE

15th Day's Proceedings - April 14, 1998

Amendments proposed by Senator Bajoie to Engrossed House Bill No. 62 by Representative DeWitt

AMENDMENT NO. 1

On page 1, line 2, after "12:1335.1(A)" insert "and to enact Code of Civil Procedure Article 86"

AMENDMENT NO. 2

On page 1, line 4, after "companies;" insert "to provide for proper venue for certain actions;"

AMENDMENT NO. 3

On page 2, after line 3, insert the following:

"Section 2. Code of Civil Procedure Art. 86 is hereby enacted to read as follows:

Art. 86. Action involving voting trusts

Article 86 is all proposed new law.

An action against a voting trust and/or trustee of the voting trust may be brought: (1) in the parish or parishes where the document or documents creating the voting trust were executed, or (2) if stock transferred to the voting trust was held by an inter vivos trust, in the parish or parishes where the inter vivos trust documents were executed, or (3) if stock transferred to the voting trust was held by a mortis causa trust, in the parish having jurisdiction over the settlor's estate.

Section 3. This Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature of the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, this Act shall become effective on the day following such approval."

Rep. DeWitt moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

Table listing names of representatives who voted 'NAYS' or 'ABSENT' for the amendments, including Donelon, Dupre, Durand, Farve, Fauchoux, Flavin, Fontenot, Frith, Fruge, Gautreaux, Glover, Green, Guillory, McDonald, McMains, Michot, Mitchell, Montgomery, Morrell, Morrish, Murray, Odinet, Perkins, Pierre, Pinac, Powell, Vitter, Waddell, Walsworth, Warner, Welch, Weston, Wiggins, Wilkerson, Willard, Windhorst, Winston, and Wright.

NAYS

Total—0

ABSENT

Table listing names of representatives who were absent, including Alexander, A.—93rd, Carter, Doerge, and Jetson.

Total—4

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 79—

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

AN ACT

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

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ellington to Engrossed House Bill No. 79 by Representative Wright

AMENDMENT NO. 1

On page 2, line 1, between "delinquent" and "or in" insert:

"and housed in a correctional facility"

Rep. Wright moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of representatives who voted 'YEAS' for the Senate amendments, including Mr. Speaker, Alario, Alexander, R.—13th, Ansardi, Barton, Baudoin, Hammett, Heaton, Hebert, Hill, Hopkins, Hudson, Quezairé, Riddle, Romero, Rousselle, Salter, and Scalise.

Baylor	Hunter	Schneider
Bowler	Iles	Schwegmann
Bruce	Jenkins	Shaw
Bruneau	Johns	Smith, J.D.—50th
Carter	Kennard	Smith, J.R.—30th
Chaisson	Kenney	Stelly
Clarkson	Lancaster	Strain
Copelin	Landrieu	Theriot
Crane	LeBlanc	Thomas
Curtis	Long	Thompson
Damico	Marionneaux	Thornhill
Daniel	Martiny	Toomy
Deville	McCain	Travis
Diez	McCallum	Triche
Dimos	McDonald	Vitter
Donelon	McMains	Waddell
Dupre	Michot	Walsworth
Durand	Mitchell	Warner
Faucheux	Montgomery	Welch
Flavin	Morrell	Weston
Fontenot	Morrish	Wiggins
Frith	Odinet	Willard
Fruge	Perkins	Windhorst
Gautreaux	Pierre	Winston
Glover	Pinac	Wright
Green	Powell	
Guillory	Pratt	
Total—97		

NAYS

Farve	Murray	Wilkerson
Total—3		

ABSENT

Alexander, A.—93rd	Doerge	Jetson
DeWitt	Holden	
Total—5		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 81—

BY REPRESENTATIVES DIEZ, DOWNER, DEWITT, AND MCMAINS AND SENATORS LANDRY, EWING, DARDENNE, HAINKEL, AND BAGNERIS AN ACT

To enact R.S. 48:250.2, relative to contracts; to provide for a pilot program for certain design-build contracts which are not subject to competitive bidding; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Engrossed House Bill No. 81 by Representative Diez

AMENDMENT NO. 1

On page 2, line 20, after "report to the" insert "Senate and" and change "Committee" to "Committees"

AMENDMENT NO. 2

On page 2, delete lines 23 through 26 and on page 3, delete lines 1 through 8

AMENDMENT NO. 3

On page 3, line 9, change "D." to "C."

AMENDMENT NO. 4

On page 3, line 10, at the beginning of the line, change "five" to "three"

AMENDMENT NO. 5

On page 3, line 12, change "E." to "D."

Rep. Diez moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Pratt
Alario	Hammett	Quezaire
Alexander, R.—13th	Heaton	Riddle
Ansardi	Hebert	Romero
Barton	Hill	Rousselle
Baudoin	Hopkins	Salter
Baylor	Hunter	Scalise
Bowler	Iles	Schwegmann
Bruce	Jenkins	Shaw
Bruneau	Johns	Smith, J.D.—50th
Carter	Kennard	Smith, J.R.—30th
Chaisson	Kenney	Stelly
Clarkson	Lancaster	Strain
Copelin	Landrieu	Theriot
Crane	LeBlanc	Thomas
Curtis	Long	Thompson
Damico	Marionneaux	Thornhill
Daniel	Martiny	Toomy
Deville	McCain	Travis
DeWitt	McCallum	Triche
Diez	McDonald	Vitter
Dimos	McMains	Walsworth
Donelon	Michot	Warner
Dupre	Mitchell	Welch
Durand	Montgomery	Weston
Farve	Morrish	Wiggins
Faucheux	Murray	Wilkerson
Flavin	Odinet	Willard
Frith	Perkins	Windhorst
Fruge	Pierre	Winston
Gautreaux	Pinac	Wright
Green	Powell	
Total—95		

NAYS

Fontenot	Schneider	Waddell
Total—3		

ABSENT

Alexander, A.—93rd	Holden	Morrell
Doerge	Hudson	
Glover	Jetson	
Total—7		

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 102—

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

AN ACT

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

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris to Engrossed House Bill No. 102 by Representative DeWitt

AMENDMENT NO. 1

On page 2, line 13, between "a" and "character" insert "nonsectarian"

Rep. DeWitt moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

Gautreaux	Pierre	Winston
Glover	Pinac	Wright
Green	Powell	

Total—101

NAYS

Total—0

ABSENT

Alexander, A.—93rd	Hudson
Doerge	Morrell
Total—4	

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 103 (Duplicate of Senate Bill No. 76)—

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

AN ACT

To amend and reenact R.S. 23:1472(20)(A) and to enact R.S. 23:1601(7)(f), relative to unemployment compensation benefits; to include payments under the Worker Adjustment Retraining and Notification Act (WARN Act) in the definition of wages for purposes of unemployment compensation; to include WARN Act payments as a form of remuneration, the receipt of which disqualifies an individual for unemployment compensation; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Ellington and Cox to Engrossed House Bill No. 103 by Representative DeWitt and Senator Ellington

AMENDMENT NO. 1

On page 1, lines 2 and 10, after "23:1472(20)(A)" insert "and 1601(1)(c)" and on line 10, change "is" to "are"

AMENDMENT NO. 2

On page 2, between lines 10 and 11 insert:

"(1)(a) If the administrator finds that he has left his employment from a base period or subsequent employer without good cause attributable to a substantial change made to the employment by the employer. Such disqualification shall continue until such time as the claimant can requalify by demonstrating that he:

* * *

(c) No one shall be disqualified for benefits under the provisions of this Paragraph for leaving part-time or interim employment in order to protect his full-time or regular employment; the terms "part-time", "interim", "full-time", and "regular" employment shall be defined by regulation adopted by the administrator in accordance with the Administrative Procedure Act. Benefits paid under this provision shall not be charged against the experience rating of a part-time or interim employer as so defined but shall be recouped as a social charge to all employers in accordance with R.S. 23:1553(D). Furthermore, no one receiving WARN Act payments pursuant to 29 U.S.C. 2104 shall be disqualified for benefits under the provisions of this Paragraph for refusing to leave part-time, interim, or full-time employment to return to work for the employer issuing such payments."

Rep. Bowler moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Farve	Guillory	Jetson
Total—3		

ABSENT

Alexander, A.—93rd	Doerge
Total—2	

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 125—
BY REPRESENTATIVE ROUSSELLE
AN ACT

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

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 125 by Representative McDonald and others

AMENDMENT NO. 1

On page 2, line 1, after "period" delete the remainder of the line and insert "not to exceed four years, which period, however, may extend no"

AMENDMENT NO. 2

On page 2, line 2, change "one hundred eighty days" to "two years"

Rep. Rousselle moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Durand	McCain	Smith, J.R.—30th
Hill	Morrish	
Jenkins	Schneider	
Total—7		

ABSENT

Alexander, A.—93rd	Heaton
--------------------	--------

Doerge Morrell
Total—4

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 127—
BY REPRESENTATIVE LEBLANC
AN ACT

To amend and reenact R.S. 40:2404(5) and (8) and 2405(A) and to enact R.S. 40:2405.2, relative to the Peace Officer Standards and Training Law; to provide for performance reviews of accredited training centers; to provide for consequences for an unsatisfactory performance review; to prohibit persons who are not timely certified from exercising the authority of a peace officer; to provide for monitoring by the Council on Peace Officer Standards and Training; to provide a time period in which basic firearms qualification training must be completed; to prohibit off-duty, reserve, and part-time peace officers from carrying concealed weapons unless otherwise authorized; to create a committee to study and make recommendations regarding training requirements for peace officers; to provide for the membership of the committee and for its termination; to remove exceptions for certain villages; and to amend and reenact R.S. 14:95(A)(5)(b)(i), relative to peace officers; to exempt peace officers who are in the performance of their duties from the provisions of law which prohibit the carrying of concealed weapons; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Reengrossed House Bill No. 127 by Representative LeBlanc

AMENDMENT NO. 1

On page 1, line 3, after "40:2405.2" insert "and 2406(B)"

AMENDMENT NO. 2

On page 1, line 14, after "termination;" delete the remainder of the line

AMENDMENT NO. 3

On page 1, delete lines 15 through 17

AMENDMENT NO. 4

On page 1, at the beginning of line 18, delete "weapons;" and insert "to prohibit the offer or conduct of certain law enforcement training;"

AMENDMENT NO. 5

On page 2, line 2, change "is" to "and 2406(B) are"

AMENDMENT NO. 6

On page 3, line 18, after "employed" insert "or commissioned"

AMENDMENT NO. 7

On page 4, delete lines 10 and 11 and insert in lieu thereof "provisions of R.S. 40:1379.3."

AMENDMENT NO. 8

On page 5 delete line 19 through 26 and on page 6, delete lines 1 through 9 and insert in lieu thereof the following:

"§2406. Short title; unlawful activity by non-accredited training centers

* * *

B. It shall be unlawful for any training center to offer, conduct, award any certificates or documents purporting to evidence completion of, or solicit prospective trainees for a basic law enforcement training course, unless same is approved and accredited by the council.

Section 2. The provisions of this Act which require basic firearms training shall not become effective until such time as the Legislature appropriates the necessary funds to the Council on Peace Officer Standards and Training to provide such training."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Branch to Reengrossed House Bill No. 127 by Representative LeBlanc

AMENDMENT NO. 1

Delete Senate Committee Amendment No. 7 proposed by the Senate Committee on Judiciary B and adopted by the Senate on April 7, 1998.

AMENDMENT NO. 2

On page 4, delete lines 10 and 11 and insert in lieu thereof "provisions of R.S. 40:1379.3, or he has been certified by the Council on Peace Officers Standards and Training under the same standards as full-time officers."

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cravins to Reengrossed House Bill No. 127 by Representative LeBlanc

AMENDMENT NO. 1

On page 5, between lines 14 and 15, insert:

"(8) The attorney general or his designee.

(9) One member of the Louisiana Union of Police Association."

Rep. LeBlanc moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Powell
Alario	Hammett	Pratt
Alexander, R.—13th	Heaton	Quezaire
Ansardi	Hebert	Riddle
Barton	Hill	Romero
Baudoin	Holden	Rousselle
Baylor	Hopkins	Salter
Bowler	Hudson	Scalise

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

Total—102

NAYS

Total—0

ABSENT

Alexander, A.—93rd Doerge Morrell
Total—3

The amendments proposed by the Senate were concurred in by the House.

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

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

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Reengrossed House Bill No. 131 by Representative Diez, et al.

AMENDMENT NO. 1

On page 1, line 3, change "and 510" to "510, and 801.1" and on line 4, change "and 508.2" to "508.2, and 511"

AMENDMENT NO. 2

On page 1, line 9, between "thereof;" and "and" insert "to require that contract and procurement laws applicable to the department shall apply to agencies within the department;"

AMENDMENT NO. 3

On page 1, line 12, change "and 510" to "510, and 801.1" and on line 13, change "and 508.2" to "508.2, and 511"

AMENDMENT NO. 4

On page 5, line 11, at the beginning of the line change "governor" to "secretary"

AMENDMENT NO. 5

On page 6, line 6, change "governor" to "secretary"

AMENDMENT NO. 6

On page 6, line 19, after "procurement" delete "and contract management"

AMENDMENT NO. 7

On page 7, line 14, after "functions;" add "chief engineer"

AMENDMENT NO. 8

On page 9, line 5, change "governor" to "secretary"

AMENDMENT NO. 9

On page 9, line 6, change "governor" to "secretary"

AMENDMENT NO. 10

On page 9, line 16, at the end of the line, delete "in" and on line 17, delete "accordance with civil service rules," and insert in lieu thereof "by the governor, which salary shall not exceed the amount approved for such position by the legislature while in session,"

AMENDMENT NO. 11

On page 10, line 19, change "governor" to "secretary" in both places

AMENDMENT NO. 12

On page 11, line 3, at the end of the line, delete "in" and on line 4, delete "accordance with civil service rules" and insert in lieu thereof "by the governor, which salary shall not exceed the amount approved for such position by the legislature while in session,"

AMENDMENT NO. 13

On page 12, line 17, change "governor" to "secretary"

AMENDMENT NO. 14

On page 12, line 19, change "governor" to "secretary"

AMENDMENT NO. 15

On page 13, line 5, at the end of the line, change "secretary" to "governor"

AMENDMENT NO. 16

Page 26 HOUSE

15th Day's Proceedings - April 14, 1998

On page 14, line 8, after "office of" change "engineering" to "public works and intermodal transportation"

AMENDMENT NO. 17

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

"§511. Contract and purchasing laws applicable to agencies within the department

Notwithstanding any law to the contrary, including any provision of the 1921 Constitution of Louisiana made statutory by the Constitution of Louisiana of 1974, each agency of the department, including any agency provided for in Article XIV, Section 45 of 1921 Louisiana Constitution which provisions are made statutory by Article XIV, Section 16(A)(10) of Constitution of Louisiana of 1974, shall be subject to contract and procurement laws applicable to the department.

* * *

§801.1. Transfer; retention of all functions

* * *

D. ~~Each~~ Except as provided in R.S. 36:511, each such agency shall continue to perform and administer its functions which are in the nature of accounting and budget control, procurement and contract management, management and program analysis, data processing, personnel management, and grants management.

* * *

Section 2. Any provision of Article XIV, Section 45 the 1921 Louisiana Constitution made statutory by Article XIV, Section 16(A)(10) of the Louisiana Constitution of 1974, R.S. 38:2325, and R.S. 38:2337 in conflict with this Act is hereby repealed.

Section 3. The provisions of Section 1 of this Act amending and reenacting R.S. 36:801.1 and enacting R.S. 36:511 and Section 2 of this Act shall become effective on July 1, 1998."

Rep. Diez moved that the amendments proposed by the Senate be rejected.

As a substitute motion, Rep. Rousselle moved that the amendments proposed by the Senate be concurred in.

Rep. Diez objected.

The vote recurred on the substitute motion.

ROLL CALL

The roll was called with the following result:

YEAS

Ansardi	Hunter	Schwegmann
Baudoin	Iles	Shaw
Baylor	Jenkins	Thornhill
Bowler	Landrieu	Toomy
Bruce	Marionneaux	Triche
Carter	Martiny	Vitter
Clarkson	McCain	Warner
Copelin	Mitchell	Welch
Curtis	Montgomery	Weston
Daniel	Morrell	Wilkerson
Donelon	Odinot	Willard
Frith	Pratt	Windhorst

Green	Riddle	Winston
Holden	Romero	Wright
Hudson	Rousselle	
Total—44		

NAYS

Mr. Speaker	Guillory	Pierre
Alario	Hammett	Pinac
Alexander, R.—13th	Heaton	Powell
Barton	Hebert	Quezaire
Bruneau	Hill	Salter
Chaisson	Hopkins	Scalise
Crane	Jetson	Schneider
Damico	Johns	Smith, J.D.—50th
Deville	Kennard	Smith, J.R.—30th
DeWitt	Kenney	Stelly
Diez	Lancaster	Strain
Dimos	LeBlanc	Theriot
Dupre	Long	Thomas
Durand	McCallum	Thompson
Farve	McDonald	Travis
Faucheux	McMains	Waddell
Flavin	Michot	Walsworth
Fontenot	Morrish	Wiggins
Frige	Murray	
Gautreaux	Perkins	
Total—58		

ABSENT

Alexander, A.—93rd	Doerge	Glover
Total—3		

The House refused to concur in the amendments.

Rep. Diez insisted on his motion that the amendments proposed by the Senate be rejected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Heaton	Powell
Alario	Hebert	Pratt
Alexander, R.—13th	Hill	Quezaire
Ansardi	Hopkins	Salter
Barton	Hunter	Scalise
Baylor	Iles	Schneider
Bowler	Jetson	Schwegmann
Bruce	Johns	Smith, J.D.—50th
Bruneau	Kennard	Smith, J.R.—30th
Copelin	Kenney	Stelly
Crane	Lancaster	Strain
Curtis	Landrieu	Theriot
Damico	LeBlanc	Thomas
Daniel	Long	Thompson
Deville	Martiny	Thornhill
DeWitt	McCallum	Travis
Diez	McDonald	Waddell
Dimos	McMains	Walsworth
Dupre	Michot	Warner
Farve	Mitchell	Welch
Faucheux	Montgomery	Weston
Flavin	Morrish	Wiggins
Fontenot	Murray	Wilkerson
Frith	Odinot	Willard
Gautreaux	Perkins	Winston

Guillory
Hammett
Total—79

Pierre
Pinac

NAYS

Baudoin
Chaisson
Clarkson
Donelon
Durand
Fruge
Green
Total—21

Holden	Rousselle
Jenkins	Shaw
Marionneaux	Toomy
McCain	Triche
Morrell	Vitter
Riddle	Windhorst
Romero	Wright

ABSENT

Alexander, A.—93rd
Carter
Total—5

Doerge
Glover
Hudson

The amendments proposed by the Senate were rejected.

Conference committee appointment pending.

HOUSE BILL NO. 151—

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

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

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 151 by Representative McDonald, et al.

AMENDMENT NO. 1

On page 1, line 3, after "1947," insert "1947.1(A)(1),"

AMENDMENT NO. 2

On page 1, line 7, after "enact R.S. 17:" insert "1947.1(A)(3),"

AMENDMENT NO. 3

On page 1, line 8, after "R.S. 17:" delete "1947.1,"

AMENDMENT NO. 4

On page 2, at the end of line 5, after "1947," insert "1947(A)(1),"

AMENDMENT NO. 5

On page 2, line 10, after "R.S. 17:" insert "1947.1(A)(3),"

AMENDMENT NO. 6

On page 3, at the beginning of line 22, after "limit" insert "or expand"

AMENDMENT NO. 7

On page 4, line 24, change "assistance" to "assistive"

AMENDMENT NO. 8

On page 8, line 10, change "nonexceptional" to "nonexceptional"

AMENDMENT NO. 9

On page 14, delete lines 1 through 20 and insert in lieu thereof the following:

"(2)(a) The governor or his designee shall ensure that an interagency agreement or other mechanism for interagency coordination is in effect between each public agency described in Subparagraph (b) of this Paragraph and the state educational agency, in order to ensure that all services described in Item (b) of this Paragraph that are needed to ensure a free appropriate public education are provided, including the provision of such services during the pendency of any dispute under Item (iii) of this Subparagraph. Such agreement or mechanism shall include the following:

(i) An identification of, or a method for defining, the financial responsibility of each agency for providing services described in Subparagraph (b) of this Paragraph to ensure a free appropriate public education to children with disabilities, provided that the financial responsibility of each public agency described in Subparagraph (b) of this Paragraph, including the state Medicaid agency and other public insurers of children with disabilities, shall precede the financial responsibility of the local educational agency or the state agency responsible for developing the child's IEP.

(ii) The conditions, terms, and procedures under which a local educational agency shall be reimbursed by other agencies.

(iii) Procedures for resolving interagency disputes, including procedures under which local educational agencies may initiate proceedings, under the agreement or other mechanism to secure reimbursement from other agencies or otherwise implement the provisions of the agreement or mechanism.

(iv) Policies and procedures for agencies to determine and identify the interagency coordination responsibilities of each agency to promote the coordination and timely and appropriate delivery of services described in Subparagraph (b) of this Paragraph.

(b) If any public agency other than an educational agency is otherwise obligated under federal or state law, or assigned responsibility under state policy or pursuant to Subparagraph (a) of this Paragraph, to provide or pay for any services that are also considered special education or related services, including but not limited to the services described in R.S. 17:1943(2), (3), (8), (10), and (11), that are necessary for ensuring a free appropriate public

education to children with disabilities within the state, such public agency shall fulfill that obligation or responsibility, either directly or through contract or other arrangement.

(c) If a public agency other than an educational agency fails to provide or pay for the special education and related services described in Subparagraph (b) of this Paragraph, the local educational agency or state agency responsible for developing the child's IEP shall provide or pay for such services to the child. Such local educational agency or state agency may then claim reimbursement for the services from the public agency that failed to provide or pay for such services and such public agency shall reimburse the local educational agency or state agency pursuant to the terms of the interagency agreement or other mechanism described in Item (a)(i) of this Paragraph according to the procedures established in such agreement pursuant to Item (a)(ii) of this Paragraph.

(d) The requirements of Subparagraph (a) of this Paragraph may be met through state law or regulation; signed agreements between respective agency officials that clearly identify the responsibilities of each agency relating to the provision of services; or other appropriate written methods as determined by the governor or his designee."

AMENDMENT NO. 10

On page 15, line 20, insert the following:

"B.(1) For the purpose of evaluation of children with exceptionalities, multidisciplinary teams shall be located at the local educational agency, or in other private or public agencies or settings designated by the Department of Education with the approval of its governing authority. Members of said teams shall be certified as qualified examiners by the Department of Education, with the approval of its governing authority. The multidisciplinary approach means that an evaluation team shall consist of two or more disciplines and that other specialists may be added to the team as necessary according to procedures established by the Department of Education with the approval of its governing authority."

AMENDMENT NO. 11

On page 17, line 13, change "B.(1)" to "C.(1)"

AMENDMENT NO. 12

On page 33, between lines 4 and 5, insert the following:

"§1947.1. Exceptional children; strategic plans; regular class placement; teacher training and assistance; individualized education plans; limitations

A. To provide for the orderly implementation of the least restrictive environment for the placement of an exceptional child the following shall occur:

(1) The faculty at each public elementary and secondary school shall develop a strategic plan to manage the integration of exceptional children into the regular education classroom at their respective school and shall submit the plan to the superintendent of their school system by not later than October 1, ~~1995~~ 1999. Each school shall implement its approved plan by not later than December 1, ~~1995~~ 1999. The faculty of each school shall encourage the participation of the parents of each exceptional child in the development of the strategic plan for its school.

* * *

(3) The provisions of this Subsection shall not require an additional plan if the strategic plan that meets the requirements of this

Subsection has been submitted, approved, and implemented prior to the effective date of this Paragraph.

* * *

AMENDMENT NO. 13

On page 38, line 18, at the end of the line after "and" delete "all" and insert "to provide appropriate educational services to eligible"

AMENDMENT NO. 14

On page 67, line 23, after "directly to" insert "the council and"

AMENDMENT NO. 15

On page 69, line 4, after "R.S. 17:" delete "1947.1,"

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Reengrossed House Bill No. 151 by Representative McDonald, et al.

AMENDMENT NO. 1

In Amendment No. 4 proposed by the Senate Committee on Education and adopted by the Senate on April 8, 1998, on line 8, change "1947(A)(1)" to "1947.1(A)(1)"

AMENDMENT NO. 2

On page 5, line 22, before "orthopedic" change "emotionally/behaviorally disordered" to "emotional/behavioral disorders"

AMENDMENT NO. 3

On page 12, line 9, following "authority" and before "that" insert a comma ","

AMENDMENT NO. 4

On page 15, line 3, delete "(1)"

AMENDMENT NO. 5

On page 22, line 24, following "facilities," change "are" to "shall be"; and on line 26, following "environment", insert "shall" and on page 23, line 1, change "occur" to "occurs"

AMENDMENT NO. 6

On page 29, line 13, change "1945(B)(2)" to "1945(C)(2)"; and on line 15, change "(B)(4)" to "(C)(4)"; and on line 18, change "(B)(3)" to "(C)(3)"

AMENDMENT NO. 7

On page 37, line 1, change "(3)" to "G."

AMENDMENT NO. 8

On page 37, line 8, change "G." to "H."

AMENDMENT NO. 9

On page 44, line 20, before "in" change "has" to "shall have"

AMENDMENT NO. 10

On page 48 between lines 2 and 3, insert "* * *"

Rep. McDonald moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

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

The amendments proposed by the Senate were concurred in by the House.

HOUSE BILL NO. 168—

BY REPRESENTATIVES DOWNER, CRANE, DEVILLE, LEBLANC, MCCALLUM, STELLY, THOMPSON, THORNHILL, TRICHE, AND WELCH
AN ACT

To amend and reenact R.S. 39:330.1(A) and to enact R.S. 39:330(G), all relative to property control; to prohibit the disposal by sale, donation, transfer, or other form of alienation of historically significant property; and to provide for related matters.

Read by title.

The above bill was taken up with the amendments proposed by the Senate.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed House Bill No. 168 by Representative Downer

AMENDMENT NO. 1

On page 2, at the end of line 25, after "Subsection" and before the period "." insert ", including establishing a definition for "historically significant""

Rep. Bruneau moved that the amendments proposed by the Senate be concurred in.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pratt
Alario	Heaton	Quezaire
Alexander, R.—13th	Hebert	Riddle
Ansardi	Hill	Romero
Barton	Holden	Rousselle
Baudoin	Hopkins	Salter
Baylor	Hudson	Scalise
Bowler	Hunter	Schneider
Bruce	Iles	Schwegmann
Bruneau	Jenkins	Shaw
Carter	Jetson	Smith, J.D.—50th
Chaisson	Johns	Smith, J.R.—30th
Clarkson	Kennard	Stelly
Copelin	Kenney	Strain
Crane	Lancaster	Theriot
Curtis	Landrieu	Thomas
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Deville	Marionneaux	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Dimos	McCallum	Vitter
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	Winston
Glover	Pierre	Wright
Green	Pinac	
Guillory	Powell	
Total—103		

NAYS

Total—0

ABSENT

Alexander, A.—93rd	Doerge
Total—2	

The amendments proposed by the Senate were concurred in by the House.

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

Regular Calendar

Acting Speaker Jetson in the Chair

SENATE BILL NO. 1—

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

A JOINT RESOLUTION

Proposing to amend Article VII, Section 10.1(C)(2) and (3), the introductory paragraph of (D)(1), (D)(1)(c), the introductory paragraph of (D)(2), and (D)(2)(a) and (c), and Article VIII, Section 3(A), and 5(A), the introductory paragraph of (D), (D)(3), (4), and (5), and (E) and to add Article VIII, Section 7.1, all of the Constitution of Louisiana, relative to providing for the governance and management of education; to create and provide for the Louisiana Technical and Community College System; to create and provide for the Board of Supervisors of Technical and Community Colleges as a fifteen member management board for the system subject to the planning, coordinating, and budgeting responsibility of the Board of Regents; to provide for fifteen members to be appointed by the governor; to provide relative to the consent of the Senate and the terms of members; to provide for lateral membership on the board; to empower the board with supervision and management of all public postsecondary vocational-technical education programs and institutions of higher education awarding certain types of degrees as assigned by law; to require divisions within the Louisiana Technical and Community College System; to revise the powers and duties of the Board of Regents to extend its authority over postsecondary education; to revise certain references; to provide with regard to the requirements to create a new institution of postsecondary education, transfer an institution of higher education from one management board to another, merge any postsecondary institution into any other postsecondary institution, or establish a new management board; to temporarily require certain minimum funding for postsecondary institutions; to provide relative to the authorization to allocate money appropriated out of the Louisiana Quality Education Support Fund for postsecondary educational purposes; to provide for the effectiveness of the proposal if approved by the electorate; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Long to Reengrossed Senate Bill No. 1 by Senators Dardenne, et al.

AMENDMENT NO. 1

Delete House Committee Amendment No. 13 proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998

AMENDMENT NO. 2

On page 8, delete lines 4 through 11 and insert the following:

"(B) Membership; Terms; Initial Membership and Terms. The board shall be composed of fifteen members appointed by the governor, as provided by law. In addition, the board shall have two student members as provided by law. All members selected and appointed by the governor shall be appointed with the consent of the Senate. Of those members selected and appointed by the governor, there shall be two members from each congressional district and the remaining member or members from the state at large. The board should be representative of the state's population by race and gender to ensure diversity. The members selected and appointed by the governor shall serve terms of six years, except that the initial members shall serve terms as provided by law."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Long to Reengrossed Senate Bill No. 1 by Senator Dardenne, et al.

AMENDMENT NO. 1

On page 7, at the end of line 20, delete House Committee Amendment No. 9 proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998, and add:

"The system shall be comprised of two divisions, the vocational-technical division which shall include all public postsecondary vocational-technical schools and the community college division which shall include the community colleges in the system."

AMENDMENT NO. 2

In House Committee Amendment No. 13, proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998, on page 3, line 20 of the amendment, delete "Members" and insert in lieu thereof "Notwithstanding the provisions of Section 8(A) of this Article, members"

AMENDMENT NO. 3

Delete House Committee Amendments Nos. 14, 15, 16, and 17 proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998

AMENDMENT NO. 4

On page 8, line 20, after "1998 by" and before "the" insert "each of the management boards of higher education, that is"

AMENDMENT NO. 5

On page 8, line 23, after "Universities" insert a comma "," and "respectively."

AMENDMENT NO. 6

On page 8, line 24, after "fund" insert "in Fiscal Year 1998-1999"

AMENDMENT NO. 7

On page 8, at the end of line 25, delete "board" and on line 26, delete "in Fiscal Year 1998-1999." and insert in lieu thereof "boards. Appropriations annually from the state general fund for Fiscal Years 1999-2000, 2000-2001, and 2001-2002, for those institutions in the Louisiana Community and Technical College System shall be no less"

than the state general fund appropriations in Fiscal Year 1998-1999 for those same institutions regardless of their management boards."

AMENDMENT NO. 8

On page 8, line 26, after "1998-1999." change "Total appropriations" to "Appropriations"

AMENDMENT NO. 9

Delete House Committee Amendment No. 21 proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998

AMENDMENT NO. 10

On page 9, between lines 6 and 7, insert:

"(E) The transfer of any institution of higher education to the Louisiana Community and Technical College System effected on July 1, 1999 pursuant to this Section shall not change the mission of or adversely affect the accreditation of such institution."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Long to Reengrossed Senate Bill No. 1 by Senator Dardenne, et al.

AMENDMENT NO. 1

On page 1, line 8, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 2

On page 1, at the end of line 9 and the beginning of line 10, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 3

On page 2, line 3, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 4

On page 7, line 7, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 5

On page 7, line 10, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 6

On page 7, line 13, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 7

On page 7, at the end of line 14 and the beginning of line 15, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 8

On page 7, at the end of line 23 and the beginning of line 24, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 9

On page 7, line 25, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 10

On page 8, line 1, delete House Committee Amendment No. 11 proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998

AMENDMENT NO. 11

On page 8, line 3, delete House Committee Amendment No. 11 proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998

AMENDMENT NO. 12

On page 9, between lines 6 and 7, in House Committee Amendment No. 21 proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998, on page 4, line 15 of the amendment change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 13

On page 9, line 20, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 14

On page 9, at the end of line 21 and the beginning of line 22, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 15

On page 11, line 9, change "Technical and Community" to "Community and Technical"

Rep. Long moved the adoption of the amendments.

Rep. Wright objected.

By a vote of 90 yeas and 12 nays, the amendments were adopted.

Speaker Downer in the Chair

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Faucheux to Reengrossed Senate Bill No. 1 by Senator Dardenne, et al.

AMENDMENT NO. 1

Delete House Committee Amendments Nos. 13 and 22 proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998

AMENDMENT NO. 2

Page 32 HOUSE

15th Day's Proceedings - April 14, 1998

Delete the first set of House Floor Amendments proposed by Representative Long and adopted by the House of Representatives on April 14, 1998

AMENDMENT NO. 3

On page 1, at the end of line 12, delete "members" and on line 13 delete "to be appointed by the governor;" and insert in lieu thereof "board membership;"

AMENDMENT NO. 4

On page 8, delete lines 4 through 11 and insert in lieu thereof:

"(B) Membership; Terms; Initial Terms. (1) The board shall be composed of fifteen members as follows:

(a) Eight members appointed by the governor with the consent of the Senate. One such member shall be appointed from each congressional district and the remainder of the eight members shall be appointed from the state at large. One such member shall be appointed from among three persons nominated by the Louisiana Association of Business and Industry. The members so appointed shall be representative of the state's population by race and gender to assure diversity. They shall serve overlapping terms of six years, except that the initial members shall serve terms as provided by law.

(b) One member who shall be appointed by the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College who shall serve at the pleasure of the board.

(c) One member who shall be appointed by the Board of Supervisors of Southern University and Agricultural and Mechanical College who shall serve at the pleasure of the board.

(d) One member who shall be appointed by the Board of Trustees for State Colleges and Universities or its successor who shall serve at the pleasure of the board or its successor.

(e) The secretary of the Department of Economic Development or his successor or the designee of such official.

(f) The secretary of the Department of Labor or his successor or the designee of such official.

(g) The chairman of the Louisiana Workforce Commission or his successor as provided by law or the designee of such official.

(h) The president of the Louisiana AFL-CIO or his designee.

(2) In addition, the board shall have one or two student members as provided by law."

AMENDMENT NO. 5

On page 9, at the end of line 25, delete "appointment of members by" and on line 26, delete "the governor;" and insert in lieu thereof "board membership;"

Rep. Fauchaux moved the adoption of the amendments.

Rep. Long objected.

By a vote of 4 yeas and 94 nays, the amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Triche to Reengrossed Senate Bill No. 1 by Senator Dardenne, et al.

AMENDMENT NO. 1

On page 8, line 17, after "Funding." and before "Appropriations" insert a "(1)"

AMENDMENT NO. 2

On page 9, line 1, before "postsecondary" insert "each"

AMENDMENT NO. 3

On page 9, line 1, delete "education" and insert "educational institution"

AMENDMENT NO. 4

On page 9, between lines 6 and 7, insert:

"(2) In addition to the provisions of Subparagraph (1) of this Paragraph, annual appropriations from the state general fund for each higher education institution supervised and managed by any of the higher education management boards for the five consecutive fiscal years beginning with the fiscal year in which a new community college located in the parish in which the higher education institution is located or in one of the immediately surrounding parishes opens and begins enrolling students shall be no less than the appropriations from the state general fund for the respective higher education institution, regardless of its management board, for the fiscal year in which state general fund appropriations for such higher education institution were highest during the period from the 1998-1999 fiscal year through the fiscal year immediately prior to that year in which the new community college opens and begins enrolling students. In addition to the provisions of Subparagraph (1) of this Paragraph, annual appropriations from the state general fund for each postsecondary vocational-technical educational institution for the five consecutive fiscal years beginning with the fiscal year in which a new community college located in the parish in which the postsecondary vocational-technical educational institution is located or in one of the immediately surrounding parishes opens and begins enrolling students shall be no less than the appropriations from the state general fund for the respective postsecondary vocational-technical educational institution for the fiscal year in which state general fund appropriations for such postsecondary vocational-technical educational institution were highest during the period from the 1998-1999 fiscal year through the fiscal year immediately prior to that year in which the new community college opens and begins enrolling students. The provisions of this Subparagraph shall be null and void on July 1, 2009.

(3) No tenured instructional employee of any higher education institution or any vocational-technical school shall lose his instructional position at such institution or school as a result of any reduction in funds or financial exigency which results from the opening of a new community college which has begun to enroll students during the time period beginning three years from the date such new community college began to enroll students."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Triche to Reengrossed Senate Bill No. 1 by Senator Dardenne, et al.

AMENDMENT NO. 1

On page 8, line 17, after "Funding." and before "Appropriations" insert a "(1)"

AMENDMENT NO. 2

On page 9, line 1, before "postsecondary" insert "each"

AMENDMENT NO. 3

On page 9, line 1, delete "education" and insert "educational institution"

AMENDMENT NO. 4

On page 9, between lines 6 and 7, insert:

"(2) In addition to the provisions of Subparagraph (1) of this Paragraph, annual appropriations from the state general fund for each higher education institution supervised and managed by any of the higher education management boards for a total of three consecutive fiscal years beginning with the fiscal year in which a new community college located in the parish in which the higher education institution is located or in one of the immediately surrounding parishes opens and begins enrolling students shall be no less than the appropriations from the state general fund for the respective higher education institution, regardless of its management board, for the fiscal year in which state general fund appropriations for such higher education institution were highest during the period from the 1998-1999 fiscal year through the fiscal year immediately prior to that year in which the new community college opens and begins enrolling students. In addition to the provisions of Subparagraph (1) of this Paragraph, annual appropriations from the state general fund for each postsecondary vocational-technical educational institution for the five consecutive fiscal years beginning with the fiscal year in which a new community college located in the parish in which the postsecondary vocational-technical educational institution is located or in one of the immediately surrounding parishes opens and begins enrolling students shall be no less than the appropriations from the state general fund for the respective postsecondary vocational-technical educational institution for the fiscal year in which state general fund appropriations for such postsecondary vocational-technical educational institution were highest during the period from the 1998-1999 fiscal year through the fiscal year immediately prior to that year in which the new community college opens and begins enrolling students. The provisions of this Subparagraph shall be null and void on July 1, 2009.

(3) No tenured instructional employee of any higher education institution or any vocational-technical school shall lose his instructional position at such institution or school as a result of any reduction in funds or financial exigency which results from the opening of a new community college which has begun to enroll students during the time period beginning three years from the date such new community college began to enroll students."

Motion

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

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

Rep. Jenkins objected.

The vote recurred on the substitute motion.

By a vote of 43 yeas and 58 nays, the House refused to end consideration of amendments.

Rep. DeWitt insisted on his motion that the previous question be ordered on the entire subject matter.

By a vote of 59 yeas and 42 nays, the motion was agreed to.

Rep. Triche moved the adoption of the amendments.

Rep. Long objected.

By a vote of 36 yeas and 67 nays, the amendments were rejected.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Morrell
Total—1

ABSENT

Alexander, A.—93rd Doerge
Total—3 Wilkerson

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

Rep. Long 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.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 20: Reps. Hammett, Lancaster, and Travis.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 24: Reps. Long, Weston, and Pratt.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 25: Reps. McCain, J. R. Smith, and J.D. Smith.

Conference Committee Appointment

The Speaker appointed the following conferees on the part of the House to confer with a like committee from the Senate on the disagreement to House Bill No. 131: Reps. Diez, Dupre, and Theriot.

SENATE BILL NO. 2—

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

AN ACT

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

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Long to Reengrossed Senate Bill No. 2 by Senator Dardenne, et al.

AMENDMENT NO. 1

On page 64, at the end of line 9, add "Trustees for State Colleges and Universities, the Board of"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Long to Reengrossed Senate Bill No. 2 by Senators Dardenne, et al.

AMENDMENT NO. 1

On page 1, line 8, after "3130," delete the remainder of the line and on line 9, delete "(11)," and insert "3141.2(7), (8), and (9),"

AMENDMENT NO. 2

Delete House Committee Amendment No. 3 proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998

AMENDMENT NO. 3

On page 2, at the beginning of line 7, change "and 3217.2," to "3217.2, 3227, and 3801(F),"

AMENDMENT NO. 4

On page 2, line 8, after "2013," change "3141.2(7)," to "3141.2(11),"

AMENDMENT NO. 5

On page 2, line 13, after "of" and before "to" change "a student member" to "student members"

AMENDMENT NO. 6

On page 3, line 14, after "3130," change "3141.2(8), (9), and (11)," to "3141.2(7), (8), and (9),"

AMENDMENT NO. 7

Delete House Committee Amendment No. 8 proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998

AMENDMENT NO. 8

On page 3, line 27, after "3141.19," and before "are" change "and 3217.2" to "3217.2, 3227, and 3801(F),"

AMENDMENT NO. 9

Delete House Committee Amendment Nos. 17 and 18 proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998

AMENDMENT NO. 10

On page 10, line 17, after "E." and before "initial" change "The" to "Each"

AMENDMENT NO. 11

On page 10, line 19, after "1999" insert a comma ",."

AMENDMENT NO. 12

On page 15, line 1, after "board" and before "shall" delete the comma "," and delete "eligible to vote."

AMENDMENT NO. 13

On page 17, delete line 7, and insert "for administering, coordinating, and planning for"

AMENDMENT NO. 14

On page 17, line 9, after "under" delete the remainder of the line and insert "the jurisdiction of the Board of Supervisors of Community and Technical Colleges. The Board of Regents, upon the"

AMENDMENT NO. 15

On page 17, at the end of line 10, after "as" delete the remainder of the line and at the beginning of line 11, delete "appropriate by the board," and insert "it deems appropriate."

AMENDMENT NO. 16

On page 17, line 12, after "under" and before "to" change "its jurisdiction" to "the jurisdiction of the Board of Supervisors of Community and Technical Colleges"

AMENDMENT NO. 17

Delete House Committee Amendment No. 35, proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998, and insert the following:

"§1998. Advisory councils

The board, upon the recommendation of the ~~regional directors,~~ and directors of postsecondary vocational-technical schools, ~~may~~ shall appoint an advisory council on career education for each school. ~~Notwithstanding any other provision of law, the board, upon the recommendation of the regional director and the directors of the postsecondary vocational-technical schools of that region, shall appoint the advisory councils for the schools in Region 1. The members of all such advisory councils in this state shall serve without pay. Each such council shall be limited to fifteen members and be representative of the state's population by race and gender to ensure diversity and shall be representative~~ equally of employee, employer, and educational and public interests. and ethnic minorities."

AMENDMENT NO. 18

Delete House Committee Amendment No. 49 proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998

AMENDMENT NO. 19

On page 27, line 23, after "awarding" and before "below" change "academic degrees" to "associate degrees and certificates"

AMENDMENT NO. 20

In House Committee Amendment No. 52 proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998, on page 7, at the end of line 25 of the amendment, delete the period "." and add "offered by the Board of Supervisors of Community and Technical Colleges."

AMENDMENT NO. 21

On page 30, line 20, after "postsecondary" and before "education" insert "or higher"

AMENDMENT NO. 22

On page 50, line 9, after "Regents" and before "and" insert a comma "," and insert "subject to Board of Regents approval."

AMENDMENT NO. 23

On page 52, line 4, after "the" and before "under" change "colleges and universities" to "programs and institutions"

AMENDMENT NO. 24

On page 52, line 5, after "the" and before "management" insert "respective"

AMENDMENT NO. 25

Delete House Committee Amendment No. 58 proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998

AMENDMENT NO. 26

On page 53, delete lines 25 through 27, and insert the following:

"B. The transfer of any institution of higher education to the Louisiana Community and Technical College System effected by this Section on July 1, 1999 shall not change the mission of or adversely affect the accreditation of such institution."

AMENDMENT NO. 27

Delete House Committee Amendment No. 63 proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998

AMENDMENT NO. 28

On page 62, between lines 25 and 26, insert the following:

"§3227. Learning centers; duplicate courses or programs

No learning center of an existing institution of higher education or a consortium of existing institutions of higher education authorized to provide offerings of college courses which is located within five miles of an existing community college campus shall offer any course or program which duplicates a course or program offered at that community college campus."

AMENDMENT NO. 29

Delete House Committee Amendment No. 65, proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998, and on page 63, between lines 4 and 5, insert the following:

"(2) Notwithstanding the provisions of Paragraph (1) of this Subsection, the Louisiana Community and Technical College System shall be comprised of two divisions, the vocational-technical division which shall include all public postsecondary vocational-technical schools and the community college division which shall include the community colleges in the system."

AMENDMENT NO. 30

In House Committee Amendment No. 66 proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998, on page 10, line 21 of the amendment, after "achievement" delete the period "." and insert "or vocational-technical skill."

AMENDMENT NO. 31

On page 66, line 25, after "2013," change "3141.2(7)," to "3141.2(11),"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Long to Reengrossed Senate Bill No. 2 by Senators Dardenne, et al.

AMENDMENT NO. 1

Delete House Committee Amendment Nos. 21 and 22 proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998

AMENDMENT NO. 2

On page 13, delete lines 13 through 15 and insert the following:

"of fifteen members appointed by the governor with the consent of the Senate and of such appointments:

(i) One member shall be appointed by the governor from among three persons nominated by the Louisiana AFL-CIO.

(ii) One member shall be appointed by the governor from among three persons nominated by the Louisiana Association of Business and Industry.

(iii) Two members shall be appointed by the governor from among six persons nominated by the State Board of Elementary and Secondary Education.

(b) In addition, the board shall have two student members who shall serve one-year terms and shall be selected as provided in R.S. 17:1806.

(c) Of the members selected and appointed by the governor, there shall be two members from each congressional district and the remaining member or members from the state at large."

AMENDMENT NO. 3

On page 13, at the beginning of line 16, change "(b)" to "(d)"

AMENDMENT NO. 4

On page 13, at the beginning of line 22, change "(c)" to "(e)"

AMENDMENT NO. 5

On page 13, line 23, after "diversity" insert a period "." and delete the remainder of the line and delete lines 24 through 27

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Long to Reengrossed Senate Bill No. 2 by Senator Dardenne, et al.

AMENDMENT NO. 1

Delete House Committee Amendment Nos. 3, 8, and 61 proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998

AMENDMENT NO. 2

On page 2, at the beginning of line 7, change "and 3217.2," to "3217.2, 3223.1, 3223.2, and 3801(F),"

AMENDMENT NO. 3

On page 3, line 6, after "boards;" and before "and" insert the following:

"to transfer the Louisiana Technical College--Teche Area Campus from the State Board of Elementary and Secondary Education to the Board of Trustees for State Colleges and Universities; to provide with regard to the students, faculty, employees, funds, obligations, property, programs, and functions of the Louisiana Technical College--Teche Area Campus; to provide for the merger of the

Louisiana Technical College--Teche Area Campus with the South Louisiana Community College in the University of Louisiana System; to provide conditions for such merger; to subsequently transfer the Louisiana Technical College--Teche Area Campus from the Board of Trustees for State Colleges and Universities to the Board of Supervisors of Community and Technical Colleges; to provide conditions for such transfer; to provide for effectiveness;"

AMENDMENT NO. 4

On page 3, line 27, change "3217.2" to "3217.2, 3223.1, 3223.2, and 3801(F)"

AMENDMENT NO. 5

On page 61, between lines 16 and 17, insert the following:

"§3223.1. Louisiana Technical College-Teche Area Campus, transfer to Board of Trustees for State Colleges and Universities, merger with South Louisiana Community College

A.(1) Effective July 1, 1998, the funds, property, obligations, programs, and functions of the Louisiana Technical College--Teche Area Campus are transferred from the State Board of Elementary and Secondary Education to and hereby are vested in the Board of Trustees for State Colleges and Universities.

(2) Effective July 1, 1998, and thereafter, the Board of Trustees for State Colleges and Universities shall supervise and manage the affairs of the technical college. No action shall be taken as a result of the transfer of Louisiana Technical College--Teche Area Campus to the Board of Trustees for State Colleges and Universities that adversely affects the accreditation of the technical college.

B.(1) Any student enrolled in a program of study at the Louisiana Technical College--Teche Area Campus at the time of the transfer to the Board of Trustees for State Colleges and Universities shall be permitted to complete such program of study at no greater cost or conditions than those applicable to the student prior to the transfer.

(2) Any person employed at the Louisiana Technical College--Teche Area Campus on the date of transfer to the Board of Trustees for State Colleges and Universities shall have the right to be retained in his position pursuant to the same policies and conditions applicable to such person prior to the transfer. The Board of Trustees for State Colleges and Universities shall conduct a careful and deliberate review of the programs and employees at the technical college and provide for an employee transition that is consistent with the mission of the technical college and that provides opportunities for an employee to have a role at the technical college under the supervision and management of the Board of Trustees for State Colleges and Universities at least equivalent to his position prior to the transfer. Such opportunities shall include but not be limited to providing such additional training or professional development, or both, at no cost to the employee as is necessary to prepare the employee to undertake his role at the technical college subsequent to the transfer.

C.(1) Upon certification by the commissioner of higher education that South Louisiana Community College has been appropriately accredited, the Board of Trustees for State Colleges and Universities may merge Louisiana Technical College--Teche Area Campus with South Louisiana Community College in the University of Louisiana System.

(2) A student, faculty member, or other employee of the Louisiana Technical College--Teche Area Campus on the date of the merger with South Louisiana Community College shall be entitled to

and eligible for all benefits provided by law, rule, or regulation for students, faculty, and employees, respectively, of other public community colleges in the University of Louisiana System.

§3223.2. Louisiana Technical College-Teche Area Campus, transfer to Board of Supervisors of Community and Technical Colleges, conditions

If not merged with South Louisiana Community College as provided for by R.S. 17:3223.1(C), effective July 1, 1999, the funds, property, obligations, programs, and functions of the Louisiana Technical College--Teche Area Campus are transferred from the Board of Trustees for State Colleges and Universities, to and hereby are vested in the Board of Supervisors of Community and Technical Colleges. Effective July 1, 1999, and thereafter, the Board of Supervisors of Community and Technical Colleges shall supervise and manage the affairs of the technical college."

AMENDMENT NO. 6

On page 66, line 26, after "Section 4." and before "shall be" delete "This Act" and insert in lieu thereof the following:

"The provisions of R.S. 17:3223.1 as enacted by this Act shall become effective upon signature by the governor or, if not signed by the governor, upon expiration of the time for bills to become law without signature by the governor, as provided in Article III, Section 18 of the Constitution of Louisiana. If vetoed by the governor and subsequently approved by the legislature, the provisions of R.S. 17:3223.1 as enacted by this Act shall become effective on the day following such approval. All other provisions of this Act"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Long to Reengrossed Senate Bill No. 2 by Senators Dardenne, et al.

AMENDMENT NO. 1

Delete House Committee Amendment Nos. 23 and 24 proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998

AMENDMENT NO. 2

On page 14, at the end of line 17, delete the period "." and insert "including assistance to students to adequately prepare them for their pursuit of a postsecondary or higher education."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Long to Reengrossed Senate Bill No. 2 by Senator Dardenne, et al.

AMENDMENT NO. 1

On page 2, line 9, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 2

Page 38 HOUSE

15th Day's Proceedings - April 14, 1998

On page 2, at the end of line 10 and the beginning of line 11, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 3

On page 2, line 17, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 4

On page 2, line 20, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 5

On page 2, at the end of line 22 and the beginning of line 23, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 6

On page 3, at the end of line 4 and the beginning of line 5, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 7

On page 4, at the end of line 27, and on page 5, at the beginning of line 1, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 8

On page 5, at the end of line 1 and the beginning of line 2, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 9

On page 5, line 11, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 10

On page 5, line 16, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 11

On page 5, line 25, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 12

On page 9, at the end of line 2 and the beginning of line 3, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 13

On page 9, line 8, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 14

On page 9, line 13, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 15

On page 9, line 18, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 16

On page 10, line 9, in House Committee Amendment No. 15, proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998, on page 2, line 22 of the amendment, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 17

On page 10, line 18, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 18

On page 11, line 11, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 19

On page 11, line 19, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 20

On page 12, at the end of line 8 and the beginning of line 9, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 21

On page 12, line 16, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 22

On page 12, line 23, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 23

On page 13, lines 4 and 5, change "TECHNICAL AND COMMUNITY" to "COMMUNITY AND TECHNICAL"

AMENDMENT NO. 24

On page 13, line 7, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 25

On page 13, in House Committee Amendment No. 21, proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998, on page 3, at the end of line 9 and the beginning of line 10 of the amendment, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 26

On page 13, in House Committee Amendment No. 21, proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998, on page 3, line 40 of the amendment, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 27

On page 14, line 12, change "technical and community" to "community and technical"

AMENDMENT NO. 28

On page 14, between lines 17 and 18, in House Committee Amendment No. 25, proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998, on page 4, line 22 of the amendment, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 29

On page 16, line 11, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 30

On page 16, line 13, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 31

On page 16, at the end of line 22 and the beginning of line 23, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 32

On page 17, at the end of line 21 and the beginning of line 22, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 33

On page 18, at the end of line 6, and at the beginning of line 7, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 34

On page 18, line 19, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 35

On page 19, line 11, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 36

On page 19, line 24, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 37

On page 20, line 2, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 38

On page 20, line 16, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 39

On page 20, at the end of line 20 and the beginning of line 21, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 40

On page 20, line 23, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 41

On page 21, at the end of line 5 and the beginning of line 6, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 42

On page 21, at the end of line 14 and the beginning of line 15, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 43

On page 22, at the end of line 4 and the beginning of line 5, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 44

On page 22, line 17, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 45

On page 23, line 7, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 46

On page 23, line 13, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 47

On page 23, at the end of line 21 and the beginning of line 22, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 48

On page 23, line 27, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 49

On page 24, line 17, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 50

On page 24, line 27, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 51

On page 25, line 8, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 52

On page 25, at the end of line 24 and the beginning of line 25, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 53

On page 27, line 1, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 54

On page 27, between lines 5 and 6, in House Committee Amendment No. 45, proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998, on page 6, line

Page 40 HOUSE

15th Day's Proceedings - April 14, 1998

23 of the amendment change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 55

On page 27, line 15, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 56

On page 27, line 21, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 57

On page 27, line 25, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 58

On page 28, between lines 2 and 3, in House Committee Amendment No. 52, proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998, on page 7, line 17 of the amendment change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 59

On page 28, between lines 2 and 3, in House Committee Amendment No. 52, proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998, on page 7, at the end of line 20 and the beginning of line 21 of the amendment change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 60

On page 28, line 23, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 61

On page 29, line 1, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 62

On page 29, line 20, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 63

On page 30, line 1, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 64

On page 30, line 11, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 65

On page 30, at the end of line 22 and the beginning of line 23, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 66

On page 30, line 27, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 67

On page 50, line 20, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 68

On page 51, at the end of line 1 and the beginning of line 2, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 69

On page 51, at the end of line 10 and the beginning of line 11, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 70

On page 51, at the end of line 20 and the beginning of line 21, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 71

On page 53, line 4, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 72

On page 53, line 8, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 73

On page 53, line 10, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 74

On page 53, line 23, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 75

On page 53, line 26, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 76

On page 54, line 13, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 77

On page 54, at the end of line 14 and the beginning of line 15, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 78

On page 55, line 8, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 79

On page 55, line 18, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 80

On page 55, line 27, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 81

On page 57, line 1, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 82

On page 57, line 14, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 83

On page 57, line 25, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 84

On page 58, line 17, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 85

On page 59, at the end of line 22 and the beginning of line 23, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 86

On page 59, line 26, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 87

On page 60, at the end of line 18 and the beginning of line 19, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 88

On page 60, line 26, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 89

On page 61, line 4, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 90

On page 61, line 6, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 91

On page 61, line 11, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 92

On page 61, at the end of line 22 and the beginning of line 23, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 93

On page 62, at the end of line 2 and the beginning of line 3, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 94

On page 62, at the end of line 4 and the beginning of line 5, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 95

On page 62, at the end of line 11 and the beginning of line 12, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 96

On page 62, line 19, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 97

On page 63, between lines 4 and 5, in House Committee Amendment No. 65, proposed by the House Committee on Education and adopted by the House of Representatives on April 13, 1998, on page 9, line 20 of the amendment change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 98

On page 64, at the end of line 10 and the beginning of line 11, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 99

On page 65, line 1, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 100

On page 65, at the end of line 18 and the beginning of line 19, change "Technical and Community" to "Community and Technical"

AMENDMENT NO. 101

On page 66, at the end of line 27 and on page 67 at the beginning of line 1, change "Technical and Community" to "Community and Technical"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Long and Jetson to Reengrossed Senate Bill No. 2 by Senator Dardenne, et al.

AMENDMENT NO. 1

On page 51, line 11, after "retain" and before "all" delete "and continue"

AMENDMENT NO. 2

On page 51, at the end of line 12, delete the period "." and add "and shall continue to earn such benefits as provided by law, rule, or regulation prior to the transfer and, if otherwise qualified, shall be eligible for any additional benefits as may be provided for such student, faculty member, or other employee by law, rule, or regulation."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Farve
Total—1

ABSENT

Alexander, A.—93rd Doerge Wilkerson
Total—3

The Chair declared the above bill was finally passed.

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

Speaker Pro Tempore Bruneau in the Chair

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

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

Read by title.

Rep. Riddle moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Alexander, A.—93rd Montgomery Warner
Dimos Morrish
Doerge Smith, J.R.—30th
Total—7

The Chair declared the above bill was finally passed.

Rep. Riddle 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. 18—
BY SENATOR BAGNERIS
AN ACT

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Copelin to Engrossed Senate Bill No. 18 by Senator Bagneris

AMENDMENT NO. 1

On page 1, line 5, after "entities;" and before "and" insert "to provide that certain provider agreements shall not be considered a contract or subcontract;"

AMENDMENT NO. 2

On page 2, at the end of line 16, insert "For the purposes of this Section, a foster parent provider agreement or a child care provider agreement entered into with the Department of Social Services shall not be considered a contract or subcontract."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Bowler	LeBlanc	Windhorst
Bruneau	Scalise	
Donelon	Vitter	
Total—7		

ABSENT

Alexander, A.—93rd Doerge
Total—2

The Chair declared the above bill was finally passed.

Rep. Copelin 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. 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.

Read by title.

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

HOUSE FLOOR AMENDMENTS

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

AMENDMENT NO. 1

Delete the set of conforming amendments proposed by Representative Marionneaux and adopted by the House of Representatives on April 8, 1998.

AMENDMENT NO. 2

On page 2, at the end of line 8, change the period "." to a comma "," and insert "such as a natural disaster or acts of third parties."

AMENDMENT NO. 3

On page 2, delete lines 12 through 14 in their entirety and insert the following:

"(3) Any rail carrier violating the provisions of Paragraph (1) of this Subsection shall be fined 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.

(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. However, the maximum fine shall not exceed five thousand dollars for an obstruction which occurs within a twenty-four hour period."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Vitter to Engrossed Senate Bill No. 20 by Senator Lentini
AMENDMENT NO. 1

On page 2, delete line 1 and insert "is prevented from moving by any of the"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Guillory	Pinac	Wright
Total—102		
	NAYS	

Total—0	ABSENT
---------	--------

Alexander, A.—93rd	Doerge	Durand
Total—3		

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 26—
BY SENATOR LENTINI

AN ACT

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

Read by title.

Rep. Marionneaux moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pratt
Alario	Heaton	Quezaire
Alexander, R.—13th	Hebert	Riddle
Ansardi	Hill	Romero
Barton	Holden	Rousselle
Baudoin	Hopkins	Salter
Baylor	Hudson	Scalise
Bowler	Hunter	Schneider
Bruce	Iles	Schwegmann
Bruneau	Jenkins	Shaw
Carter	Jetson	Smith, J.D.—50th
Chaisson	Johns	Smith, J.R.—30th
Clarkson	Kennard	Stelly
Copelin	Kenney	Strain
Crane	Lancaster	Theriot
Curtis	Landrieu	Thomas
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Deville	Marionneaux	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Dimos	McCallum	Vitter
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	Winston
Glover	Pierre	Wright
Green	Pinac	
Guillory	Powell	
Total—103		

NAYS

Total—0

ABSENT

Alexander, A.—93rd Doerge
Total—2

The Chair declared the above bill was finally passed.

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

SENATE BILL NO. 33—

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

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

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative DeWitt to Re-reengrossed Senate Bill No. 33 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 15, delete "knew or"

AMENDMENT NO. 2

On page 2, line 23, after "agent" and before "or" delete "knew" and insert in lieu thereof "is shown to have known"

AMENDMENT NO. 3

On page 3, line 17, after "occasion," and before "and" insert "at the same licensed location,"

AMENDMENT NO. 4

On page 3, between lines 19 and 20, insert the following:

"(d) For persons having more than one license issued pursuant to the provisions of this Chapter, license revocation as provided in this Subsection, shall only apply to the license of the licensed establishment where the violations occurred."

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Hebert to Reengrossed Senate Bill No. 33 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 3, change "twenty-one" to "fifty-one"

AMENDMENT NO. 2

On page 1, line 13, change "twenty-one" to "fifty-one"

AMENDMENT NO. 3

On page 2, on lines 2, 6, 13, 16, 21, and 24, change "twenty-one" to "fifty-one"

AMENDMENT NO. 4

On page 3, line 20, change "twenty-one" to "fifty-one"

AMENDMENT NO. 5

On page 4, lines 14, 15, 17, 19, and 27 change "twenty-one" to "fifty-one"

AMENDMENT NO. 6

On page 5, line 4, change "twenty-one" to "fifty-one"

Point of Order

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

As a substitute motion, Rep. Heaton moved that the previous question be ordered on the amendments.

Rep. Wiggins objected.

The vote recurred on the substitute motion.

By a vote of 38 yeas and 59 nays, the House refused to order the previous question on the amendments.

Rep. Wiggins insisted on his motion that the previous question be ordered on the entire subject matter.

By a vote of 64 yeas and 36 nays, the motion was agreed to.

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Hill	Riddle
Alexander, R.—13th	Holden	Salter
Barton	Hopkins	Scalise
Baudoin	Hunter	Schneider
Baylor	Iles	Schwegmann
Bruce	Jenkins	Shaw
Carter	Jetson	Smith, J.D.—50th
Chaisson	Johns	Stelly
Clarkson	Kennard	Theriot
Copelin	Kenney	Thomas
Crane	Landrieu	Thompson
Curtis	LeBlanc	Thornhill
Damico	Long	Travis
Daniel	McCain	Triche
DeWitt	McCallum	Vitter
Diez	McDonald	Waddell
Dimos	McMains	Walsworth
Donelon	Michot	Welch
Dupre	Mitchell	Weston
Durand	Montgomery	Wiggins
Faucheux	Morrish	Wilkerson
Flavin	Odinet	Willard
Fontenot	Perkins	Windhorst
Frith	Pierre	Winston
Gautreaux	Pinac	Wright
Glover	Powell	
Guillory	Pratt	
Total—79		

NAYS

Ansardi	Heaton	Quezaire
Bowler	Hebert	Romero
Bruneau	Hudson	Rousselle
Deville	Lancaster	Strain
Farve	Marionneaux	Toomy
Fruge	Martiny	Warner
Green	Morrell	
Hammett	Murray	
Total—22		

ABSENT

Mr. Speaker	Doerge	Smith, J.R.—30th
Alexander, A.—93rd		
Total—4		

The chair declared the above bill, having received a two-thirds vote of the elected members, 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.

Suspension of the Rules

On motion of Rep. Glover, the rules were suspended in order to take up Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

April 14, 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. 67
Returned without amendments.

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

Privileged Report of the Legislative Bureau

April 14, 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. 41
Reported without amendments.

Senate Bill No. 71
Reported without amendments.

Senate Bill No. 154
Reported without amendments.

Respectfully submitted,
JIMMY N. DIMOS
Chairman

Privileged Report of the Legislative Bureau

April 14, 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. 21
Reported without amendments.

Senate Bill No. 39
Reported without amendments.

Senate Bill No. 44
Reported without amendments.

Senate Bill No. 155
Reported without amendments.

Respectfully submitted,
JIMMY N. DIMOS
Chairman

**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. 16—

BY REPRESENTATIVE GLOVER

A RESOLUTION

To urge and request the LSU Medical Center to study the prevalence of diabetes and heart disease in the lower income non-Medicaid eligible population in the state of Louisiana, and the availability and affordability of prescription medications to control these conditions, and the long-term results of nontreatment of these conditions and to report its findings and recommendations to the House Committee on Health and Welfare prior to the beginning of the 1999 Regular Session of the Legislature.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 68—

BY REPRESENTATIVE SCALISE AND SENATOR HAINKEL

A CONCURRENT RESOLUTION

To express the support of the Legislature of Louisiana for the retention of the Star Spangled Banner as our National Anthem and for efforts in that regard by Metairie Post 175 of the American Legion.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 69—

BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

To commend Baton Rouge native Warrick Dunn for his outstanding first season in professional football as a member of the Tampa Bay Buccaneers which earned him the title of Offensive Rookie of the Year bestowed by the Associated Press and for his many charitable and civic endeavors.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 70—

BY REPRESENTATIVE WILKERSON

A CONCURRENT RESOLUTION

To commend Thomas L. Hoyt, Jr., forty-eighth bishop of the Christian Methodist Episcopal Church, for his many accomplishments and to thank him for his faithful service to the church and its members.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 71—

BY REPRESENTATIVE WILKERSON

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to repair the hazardous road conditions on LA Hwy. 150 and LA Hwy. 818 and Tarbutton Road in Lincoln Parish.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 72—

BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To commend Mr. Antawn Jamison, a Shreveport native, for his performance in the NCAA Final Four as a member of the University of North Carolina Tar Heels basketball team and to recognize his heroics on the basketball court which earned him the title of college basketball player of the year bestowed by the Associated Press.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 73—

BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To commend and congratulate Billy Thomas on his outstanding sports achievements throughout his high school basketball career at Shreveport Loyola Prep and his college basketball career at the University of Kansas, as well as recognizes him for his many community service activities and academic achievements.

Read by title.

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

Ordered to the Senate.

Suspension of the Rules

On motion of Rep. McMains, the rules were suspended to permit the Committee on Civil Law and Procedure to meet on adjournment on April 14, 1998, and consider the following legislative instruments without giving the notice required by House Rule 14.21(A):

Senate Bill Nos. 42 and 57

Suspension of the Rules

On motion of Rep. Travis, the rules were suspended to permit the Committee on Commerce to meet on adjournment on April 14, 1998.

Leave of Absence

Rep. Doerge - 1 day

Adjournment

On motion of Rep. Shaw, at 6:00 P.M., the House agreed to adjourn until Wednesday, April 15, 1998, at 1:30 P.M.

The Speaker of the House declared the House adjourned until 1:30 P.M., Wednesday, April 15, 1998.

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays
Journal Clerk, *Emeritus*

