

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

THIRTY-SIXTH DAY'S PROCEEDINGS

Twenty-fifth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974

House of Representatives
State Capitol
Baton Rouge, Louisiana

Tuesday, May 18, 1999

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

Morning Hour

ROLL CALL

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

PRESENT

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

Frith	Morrish	Willard
Fruge	Murray	Windhorst
Gautreaux	Nevers	Winston
Glover	Odinot	Wooton
Green	Perkins	Wright
Total—102		

ABSENT

Strain
Total—1

The Speaker announced that there were 102 members present and a quorum.

Prayer

Prayer was offered by Rev. Raymond Mims.

Pledge of Allegiance

Rep. Bowler 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. Faucheux, the reading of the Journal was dispensed with.

On motion of Rep. Faucheux, the Journal of May 17, 1999, was adopted.

Suspension of the Rules

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

Petitions, Memorials and Communications

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

Privileged Report of the Legislative Bureau

May 18, 1999

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. 126
Reported with amendments.

Senate Bill No. 155
Reported without amendments.

Senate Bill No. 188
Reported without amendments.

Senate Bill No. 413
Reported without amendments.

Senate Bill No. 646
Reported without amendments.

Senate Bill No. 850
Reported without amendments.

Senate Bill No. 851
Reported without amendments.

Senate Bill No. 898
Reported without amendments.

Senate Bill No. 931
Reported without amendments.

Respectfully submitted,
JOE SALTER
Chairman

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 18, 1999

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

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

Senate Concurrent Resolution Nos. 95 and 110

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

Message from the Senate

SENATE BILLS

May 18, 1999

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

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

Senate Bill Nos. 245, 473, 564, 735, 869, 886, 1063, 1099, and 1113

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

Suspension of the Rules

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

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

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

SENATE BILL NO. 245—
BY SENATOR HINES

A JOINT RESOLUTION

Proposing to amend Article III, Section 2 (A) of the Constitution of Louisiana, to authorize the consideration of certain matters during regular sessions in even-numbered years which are not within the subject matter limitations for such sessions; to provide for the submission of the proposed amendment to the electors; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Read by title.

SENATE BILL NO. 473—
BY SENATORS HAINKEL AND SCHEDLER
AN ACT

To amend and reenact Code of Civil Procedure Arts. 1424 and 1429, relative to the discovery of certain medical information; to provide for pre-suit independent discovery of certain medical reports when the mental or physical condition of a person is at issue; to authorize independent medical evaluation on certain terms and conditions as determined by the court; and to provide for related matters.

Read by title.

SENATE BILL NO. 564—
BY SENATOR JORDAN
AN ACT

To amend and reenact Code of Criminal Procedure Art. 345(D)(3), relative to surrender of defendants; to require that the defendant's sureties pay the reasonable cost of returning the defendant prior to the defendant's return; and to provide for related matters.

Read by title.

SENATE BILL NO. 735—
BY SENATOR ELLINGTON
AN ACT

To amend and reenact R.S. 13:782(A), relative to the compensation of certain clerks of district courts of the various parishes; to provide for an increase in such compensation; to provide for effective dates; and to provide for related matters.

Read by title.

SENATE BILL NO. 869—
BY SENATOR HAINKEL
AN ACT

To enact Code of Civil Procedure Art. 1563, relative to exemplary damages; to require the court to order separate trials on the issue of liability and damages in certain cases; to require a specific finding of wanton and reckless handling of hazardous or toxic materials in determining the issue of liability; to limit exemplary damages to two and one-half times the economic amount of the compensatory damages awarded; to provide for an exemplary damages cap; to provide relative to interest and suspensive appeals; to provide relative to pending class actions; and to provide for related matters.

Read by title.

SENATE BILL NO. 886—
BY SENATOR SMITH
AN ACT

To amend and reenact R.S. 33:1563(G), relative to coroners; to require submission of information required for a death certificate within ten days after the receipt of all test results associated with the investigation into the cause and manner of death; and to provide for related matters.

Read by title.

SENATE BILL NO. 1063—
BY SENATOR ULLO
AN ACT

To enact Part III-G of Title 19 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 19:136 through 136.8, relative to expropriation by a declaration of taking; to provide for the expropriation of property in this manner by certain parishes; to provide for definitions; to provide for the authority to expropriate; to provide for the contents and place of filing of the petition; to provide for the prayer of the petition and for an ex

parte order of deposit of estimated compensation; to provide for the vesting of title; to provide for notice to the owner of the property or servitude; to provide for contesting the validity of the expropriation and for waiver of defenses; to provide for the answer by the owner; to provide for penalty for nonuse of the expropriated property; and to provide for related matters.

Read by title.

SENATE BILL NO. 1099—

BY SENATOR DARDENNE

AN ACT

To enact Subpart J of Part VIII of Chapter 1 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:463, relative to sports trading cards; to provide that the payment of consideration or the venturing of money in order to participate in certain activities regarding sports trading cards shall be an unfair method of competition and an unfair or deceptive act or practice; and to provide for related matters.

Read by title.

SENATE BILL NO. 1113 (Substitute for Senate Bill No. 28 by Senator Cox) —

BY SENATOR COX

AN ACT

To amend and reenact R.S. 15:545(A) and 596(B) and to enact R.S. 15:587.1(G) and 587.3, relative to children; to provide relative to the sharing of information between local law enforcement officials and the Louisiana Bureau of Criminal Identification and Information; to authorize the use of the National Crime Information Center to conduct such background checks as are required by the Louisiana Child Protection Act; to provide for release of certain background information; to provide for fingerprints samples; to provide for certain training programs; to provide for penalties; and to provide for related matters.

Read by title.

House and House Concurrent Resolutions

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

HOUSE CONCURRENT RESOLUTION NO. 215—

BY REPRESENTATIVE SCHNEIDER

A CONCURRENT RESOLUTION

To condemn and reject an article in the July 1998 Psychological Bulletin published by the American Psychological Association (Vol. 124, No. 1, pp. 22-53) which suggests that sexual relations between adults and children may not always be harmful to children.

Read by title.

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

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 99—

BY SENATOR HINES

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study the effect of disease management/education combined with pharmaceutical compliance on health complications of asthma.

Read by title.

Under the rules, the above resolution was referred to the Committee on Health and Welfare.

SENATE CONCURRENT RESOLUTION NO. 126—

BY SENATORS BOISSIERE AND HAINKEL

A CONCURRENT RESOLUTION

To recognize the Louisiana Diabetes Council, Southeast Region, as an organization dedicated toward improving the recognition, education, and treatment of the disease, diabetes mellitus, and reducing the long-term costs to the state for treating patients with diabetes mellitus and its many complications.

Read by title.

Under the rules, the above resolution was referred to the Committee on Health and Welfare.

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. 79—

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 6:314(A) and 703(15), relative to banks and banking; to provide relative to trust deposits; to provide for disposition of such funds upon the death of the depositor; 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. 562—

BY SENATOR JORDAN

AN ACT

To amend and reenact Code of Criminal Procedure Art. 327(A)(4) and (B), relative to requisites for bail undertakings; to provide for a single amount of bail for each charge; and to provide for related matters.

Read by title.

Motion

On motion of Rep. Bruneau, the bill was returned to the calendar.

SENATE BILL NO. 563—

BY SENATOR JORDAN

AN ACT

To enact R.S. 15:85(12), relative to satisfaction of judgment of bond forfeiture; to provide a period of one year for the surety to satisfy a judgment of bond forfeiture for certain bail obligations; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 624—

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

AN ACT

To amend and reenact Children's Code Art. 603(14), relative to children in need of care; to provide for the definition of "neglect"; to provide for effective date; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1005—

BY SENATOR DEAN

AN ACT

To amend and reenact R.S. 9:2798(B), relative to the limitation of liability of a volunteer athletic coach, manager, team volunteer health care provider, or official; to provide for cardiopulmonary resuscitation training; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1023—

BY SENATORS JORDAN, BARHAM, CAIN, CRAVINS, DARDENNE, DEAN, ELLINGTON, EWING, GREENE, HOLLIS, SCHEDLER, SMITH, HAINKEL, LENTINI AND DYESS

AN ACT

To amend and reenact R.S. 27:65(A), relative to riverboat gaming, to provide relative to the number of riverboat licenses which can be issued; to provide relative to the number of licenses which can be issued within a parish; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1042—

BY SENATOR JORDAN

AN ACT

To amend and reenact Code of Civil Procedure Art. 1672(B), relative to involuntary dismissal; to provide that the court, on its own motion, may render judgment at the close of the plaintiff's case; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1112—

BY SENATORS DARDENNE AND HAINKEL

AN ACT

To amend and reenact R.S. 9:2343(B) and to repeal R.S. 9:2343(C), relative to membership on the board of trustees of certain public trusts; to increase the number of trustees of certain public trusts; to provide for their appointment; to provide for the term of the trustees; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 1098—

BY SENATORS CRAVINS AND CAIN
AN ACT

To enact R.S. 17:416.12, relative to certain conduct by certain students in public schools; to require certain appropriate conduct by all students in public schools in certain circumstances; to provide relative to compliance; to provide for effectiveness; and to provide for related matters.

Called from the calendar.

Read by title.

Motion

Rep. Hudson moved that Senate Bill No. 1098 be designated as a duplicate of House Bill No. 2217.

Which motion was agreed to.

Rep. Hudson moved that Senate Bill No. 1098 be amended to conform with House Bill No. 2217 and sent up the following floor amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Hudson to Reengrossed Senate Bill No. 1098 by Senator Cravins (Duplicate of House Bill No. 2217)

AMENDMENT NO. 1

On page 1, line 13, after "school" delete "in kindergarden through fifth grade"

AMENDMENT NO. 2

On page 1, between lines 14 and 15, insert the following:

"(1) When any teacher or administrator enters a room in any public school, each student present in such room shall stand and shall remain standing until the appropriate school official instructs the student or students to be seated."

AMENDMENT NO. 3

On page 1, at the beginning of line 15, change "(1)" to "(2)"

AMENDMENT NO. 4

On page 2, at the end of line 5, change the period "." to a "," and insert "each such title to be followed by the appropriate surname."

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

Motion

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

**House and House Concurrent Resolutions
Reported by Committees**

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

HOUSE CONCURRENT RESOLUTION NO. 165—
BY REPRESENTATIVE TRAVIS

A CONCURRENT RESOLUTION

To approve the State of Louisiana Master Plan for Economic Development, as adopted by the Louisiana Economic Development Council.

Read by title.

Reported favorably by the Committee on Commerce.

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

**Senate Concurrent Resolutions
Reported by Committees**

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

SENATE CONCURRENT RESOLUTION NO. 3—
BY SENATORS LANDRY, BAJOE AND SCHEDLER

A CONCURRENT RESOLUTION

To urge and request television stations in Louisiana to provide closed captions for the benefit of hearing-impaired persons during all live emergency and disaster broadcasts.

Read by title.

Reported favorably by the Committee on Commerce.

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

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

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

HOUSE BILL NO. 2—
BY REPRESENTATIVES ALARIO, LEBLANC, AND DOWNER AND SENATORS BARHAM AND HAINKEL

AN ACT

To provide with respect to the capital outlay budget and the capital outlay program for state government, state institutions, and other public entities; to provide for the designation of projects and improvements; to provide for the financing thereof making appropriations from certain sources; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Engrossed House Bill No. 2 by Representative Alario

AMENDMENT NO. 1

On page 2, between lines 19 and 20, insert the following:

"For the purposes of this Act, "State General Fund from Tobacco Settlement Revenues" or "Tobacco Settlement Revenues" shall mean monies received by the state which are received as a result of or attributed to the Master Settlement Agreement executed on November 23, 1998, and approved by Consent Decree and Final Judgment entered in the case entitled "Richard P. Ieyoub, Attorney General, ex rel. State of Louisiana v. Philip Morris Incorporated, et al.", bearing Number 98-6473 on the docket of the Fourteenth Judicial District for the parish of Calcasieu, state of Louisiana and which have been recognized as nonrecurring by the Revenue Estimating Conference. The commissioner of administration is hereby authorized and directed to correct the means of finance for any appropriation of tobacco settlement revenues contained herein to reflect the enactment of any law dedicating tobacco settlement revenues."

AMENDMENT NO. 2

On page 13, line 28, change "\$5,000,000" to "\$3,000,000"

AMENDMENT NO. 3

On page 13, between lines 28 and 29, insert the following:

"Provided, however, that the appropriation herein shall be deposited into the Louisiana Technology Innovation Fund, and is hereby appropriated out of the fund for the Louisiana Technology Innovation Fund Program."

AMENDMENT NO. 4

On page 16, between lines 34 and 35, insert the following:

"04/144 COMMISSIONER OF ELECTIONS

()	Electronic Voting Machines Acquisition (Ascension, Tangipahoa) Payable from FY 97-98 State General Fund Surplus	<u>\$ 1,952,900"</u>
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AMENDMENT NO. 5

On page 17, delete lines 8 and 9, and insert the following:

"Payable from State General Fund from Tobacco Settlement Revenues	<u>\$ 6,500,000"</u>
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AMENDMENT NO. 6

On page 18, between lines 9 and 10, insert the following:

"Provided, however, that of the funds appropriated to the Economic Development Award Fund for the Economic Development Award Program, \$550,000 shall be allocated as a grant for reimbursement of expenses incurred for a turn lane associated with BASF Wyandotte (Ascension).

Provided, however, that of the funds appropriated to the Economic Development Award Fund for the Economic Development Award Program, \$250,000 shall be allocated to Coordinating and Development Corporation for expenses associated with a business incubator (Caddo).

Provided, however, that of the funds appropriated to the Economic Development Award Fund for the Economic Development Award Program, \$10,000 shall be allocated as a grant for reimbursement of expenses incurred for a turn lane associated with West TeleServices (East Baton Rouge)."

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AMENDMENT NO. 7

On page 18, delete lines 14 and 15, and insert the following:

"(1293) National Center for Advanced Manufacturing,
Planning, Construction and"

AMENDMENT NO. 8

On page 20, between lines 32 and 33, insert the following:

"Payable from FY 97-98 State General
Fund Surplus \$ 300,000"

AMENDMENT NO. 9

On page 20, line 36, change "\$6,510,000" to "\$6,810,000"

AMENDMENT NO. 10

On page 22, between lines 36 and 37, insert the following:

"() Fort Derussy, Planning and Acquisition
of Historic Sites
(Avozelles)
Payable from FY 97-98 State General
Fund Surplus \$ 150,000

The capital outlay budget request for this project was submitted after the November 1st deadline, but it has been approved by the Joint Legislative Committee on Capital Outlay pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 11

On page 26, delete line 26, and insert the following:

"Engineering, Right of Way, Utilities and
Construction"

AMENDMENT NO. 12

On page 26, between lines 31 and 32, insert the following:

"() Widening of LA Hwy. 20 in Thibodaux
North from Rienzi Drive, Construction
(Lafourche)
Payable from FY 97-98 State General
Fund Surplus \$ 200,000"

AMENDMENT NO. 13

On page 27, delete line 7

AMENDMENT NO. 14

On page 27, delete lines 9 and 10, and insert the following:

"Payable from Federal Funds \$ 2,000,000
Payable from General Obligation Bonds
Priority 1 \$ 6,300,000
Total \$ 8,300,000"

AMENDMENT NO. 15

On page 49, delete lines 26 and 27, and insert the following:

"Payable from Revenue Bonds \$ 2,150,000"

AMENDMENT NO. 16

On page 52, line 19, change "\$2,000,000" to "\$1,000,000"

AMENDMENT NO. 17

On page 63, between lines 1 and 2, insert the following:

"(1280) Petroleum Processing Technology
Equipment Acquisitions for use by
member institutions of the Statewide
Process Technology Cooperative
Program (Statewide)
Payable from FY 97-98 State General
Fund Surplus \$ 1,500,000

(1281) Technical College Campuses Equipment
Acquisitions
(Statewide)
Payable from FY 97-98 State General
Fund Surplus \$ 2,000,000"

AMENDMENT NO. 18

On page 63, line 2, after "Library" and before "and" insert ",
Instructional"

AMENDMENT NO. 19

On page 63, line 10, change "\$15,000,000" to "\$12,500,000"

AMENDMENT NO. 20

On page 63, between lines 10 and 11, insert the following:

"Payable from State General Fund from
Tobacco Settlement Revenues \$ 2,500,000
Total \$ 15,000,000"

AMENDMENT NO. 21

On page 63, delete line 38

AMENDMENT NO. 22

On page 63, delete lines 40 and 41, and insert the following:

"Payable from Federal Funds \$ 165,000
Payable from General Obligation Bonds
Priority 2 \$ 165,000
Total \$ 330,000"

AMENDMENT NO. 23

On page 63, after line 41, insert the following:

"(506) Purchase of Lafayette Tower and Building
(Lafayette)
Payable from FY 97-98 State General
Fund Surplus \$ 175,000"

AMENDMENT NO. 24

On page 64, line 23, change "\$15,000,000" to "\$14,037,250"

AMENDMENT NO. 25

On page 64, delete lines 31 through 41 in their entirety

AMENDMENT NO. 26

On page 66, between lines 22 and 23, insert the following:

"Provided, however, that the appropriation herein shall be deposited into the Parish Transportation Fund, and is hereby appropriated out of the fund for the Parish Transportation Fund Program."

AMENDMENT NO. 27

On page 71, between lines 14 and 15, insert the following:

"50/J04 ASSUMPTION PARISH

(981) Brule Labadieville Drainage Project,
Property Acquisition
(Assumption)
Payable from FY 97-98 State General
Fund Surplus \$ 52,800"

AMENDMENT NO. 28

On page 72, between lines 25 and 26, insert the following:

"(1302) Red River Raceway, Construction
(Caddo)
Payable from FY 97-98 State General
Fund Surplus \$ 189,000"

The capital outlay budget request for this project was submitted after the November 1st deadline, but it has been recommended by the Dept. of Economic Development pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 29

On page 72, between lines 36 and 37, insert the following:

"50/J12 CAMERON PARISH

(562) Phase I - Jetty Fishing Pier Project, Land
Acquisition, Construction of Fishing Pier Over
Existing Jetties
(\$18,525 Local Match)
(Cameron)
Payable from FY 97-98 State General
Fund Surplus \$ 47,500"

AMENDMENT NO. 30

On page 73, between lines 34 and 35, insert the following:

"(984) Chauncey Pitre Multi-Purpose Facility,
Planning, Equipment and Construction
(Evangeline)
Payable from FY 97-98 State General
Fund Surplus \$ 400,000"

AMENDMENT NO. 31

On page 74, delete lines 36 and 37, and insert the following:

"Payable from State General Fund from
Tobacco Settlement Revenues \$ 650,000"

AMENDMENT NO. 32

On page 75, between lines 35 and 36, insert the following:

"(628) Bridge City, Avondale and Waggaman
Senior Center, Land Acquisition, Planning
and Construction
(Jefferson)
Payable from FY 97-98 State General
Fund Surplus \$ 550,000"

AMENDMENT NO. 33

On page 77, between lines 14 and 15, insert the following:

"50/J33 MADISON PARISH

() Joe's Bayou Road Repair,
Planning and Construction
(Madison)
Payable from FY 97-98 State General
Fund Surplus \$ 75,000"

AMENDMENT NO. 34

On page 77, between lines 19 and 20, insert the following:

"Payable from FY 97-98 State General
Fund Surplus \$ 80,000"

AMENDMENT NO. 35

On page 77, delete line 21, and insert the following:

"Priority 2 \$ 40,000
Total \$ 120,000"

AMENDMENT NO. 36

On page 77, line 23, after "Planning" delete the remainder of the line, and insert ", Construction and Equipment"

AMENDMENT NO. 37

On page 77, between lines 25 and 26, insert the following:

"Payable from FY 97-98 State General
Fund Surplus \$ 100,000"

AMENDMENT NO. 38

On page 77, line 29, change "\$150,000" to "\$250,000"

AMENDMENT NO. 39

On page 77, delete lines 45 and 46, and insert the following:

"Payable from State General Fund from
Tobacco Settlement Revenues \$ 2,000,000"

AMENDMENT NO. 40

On page 78, between lines 17 and 18, insert the following:

"Payable from State General Fund from
Tobacco Settlement Revenues \$ 843,000"

AMENDMENT NO. 41

On page 78, line 21, change "\$843,000" to "\$1,686,000"

AMENDMENT NO. 42

On page 80, delete lines 35 and 36, and insert the following:

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"Payable from State General Fund from Tobacco Settlement Revenues \$ 545,000"

AMENDMENT NO. 43

On page 81, between lines 19 and 20, insert the following:

"(1064) Renovation of Office Space in Historical Building on Third Street, Planning and Construction (Vernon) Payable from FY 97-98 State General Fund Surplus \$ 60,000"

The capital outlay budget request for this project was submitted after the November 1st deadline, but it has been approved by the Joint Legislative Committee on Capital Outlay pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 44

On page 81, between lines 19 and 20, insert the following:

"(1065) Improvements to 4-H and FHA Facilities at Fairgrounds, Planning and Construction (Vernon) Payable from FY 97-98 State General Fund Surplus \$ 45,000"

The capital outlay budget request for this project was submitted after the November 1st deadline, but it has been approved by the Joint Legislative Committee on Capital Outlay pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 45

On page 83, line 28, change "\$750,000 Local Match)" to "\$750,000 Federal Match)"

AMENDMENT NO. 46

On page 83, between lines 34 and 35, insert the following:

"(701) Water Well Replacement, Land Acquisition (Iberia) Payable from FY 97-98 State General Fund Surplus \$ 45,000"

AMENDMENT NO. 47

On page 84, between lines 4 and 5, insert the following:

"Payable from FY 97-98 State General Fund Surplus \$ 200,000"

AMENDMENT NO. 48

On page 84, line 8, change "\$1,500,000" to "\$1,700,000"

AMENDMENT NO. 49

On page 84, between lines 25 and 26, insert the following:

50/MA2 GLENMORA

(1323) Johnson Bottom Creek Erosion Control, Planning and Construction (Rapides)

Payable from FY 97-98 State General Fund Surplus \$ 150,000"

AMENDMENT NO. 50

On page 84, between lines 36 and 37, insert the following:

"() LA Hwy. 1 Drainage Improvements Near Williams Lane, Planning and Construction (\$35,000 Local Match) (Lafourche) Payable from FY 97-98 State General Fund Surplus \$ 175,840"

AMENDMENT NO. 51

On page 86, line 4, change "\$10,026,905" to "\$9,426,905"

AMENDMENT NO. 52

On page 86, between lines 8 and 9, insert the following:

"(1066) Pavilion for Neighborhood Center Walking Paths and Lights, Planning and Construction (Vernon) Payable from FY 97-98 State General Fund Surplus \$ 75,000"

The capital outlay budget request for this project was submitted after the November 1st deadline, but it has been approved by the Joint Legislative Committee on Capital Outlay pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 53

On page 86, between lines 36 and 37, insert the following:

50/MI3 MANY

(1306) Hart Airport Terminal Building, Planning and Construction (\$75,000 Local Match) (Sabine) Payable from FY 97-98 State General Fund Surplus \$ 75,000"

The capital outlay budget request for this project was submitted after the November 1st deadline, but it has been approved by the Joint Legislative Committee on Capital Outlay pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 54

On page 87, delete line 28, and insert the following:

"Park, Paving, Drainage, Site and Infrastructure Improvements and Equipment, Planning"

AMENDMENT NO. 55

On page 90, delete line 25, and insert the following:

"Payable from the balance of State General Fund (Direct) previously allocated under the authority of Act 28 of 1997 for Norwood Water Well Planning and Construction \$ 30,000"

AMENDMENT NO. 56

On page 90, between lines 29 and 30, insert the following:

"Payable from FY 97-98 State General
Fund Surplus \$ 250,000"

AMENDMENT NO. 57

On page 90, delete line 34, and insert the following:

"Total \$ 995,000"

AMENDMENT NO. 58

On page 90, between lines 34 and 35, insert the following:

"50/MN3 PINEVILLE

(766) Susek Drive Reconstruction,
Land Acquisition, Planning and
Construction
(\$30,000 Local Match; \$3,840,000
Federal Match)
(Rapides)
Payable from FY 97-98 State General
Fund Surplus \$ 200,000"

AMENDMENT NO. 59

On page 93, between lines 18 and 19, insert the following:

"50/MV3 WESTLAKE

() Westlake Team City Park,
Planning and Construction
(Calcasieu)
Payable from FY 97-98 State General
Fund Surplus \$ 10,000"

AMENDMENT NO. 60

On page 93, between lines 26 and 27, insert the following:

"(781) Historical Renovations, Planning
and Construction
(Jefferson)
Payable from FY 97-98 State General
Fund Surplus \$ 300,000"

AMENDMENT NO. 61

On page 94, between lines 16 and 17, insert the following:

"Payable from FY 97-98 State General
Fund Surplus \$ 250,000"

AMENDMENT NO. 62

On page 94, line 20, change "\$250,000" to "\$500,000"

AMENDMENT NO. 63

On page 97, delete lines 17 and 18, and insert the following:

"Payable from State General Fund from
Tobacco Settlement Revenues \$ 1,900,000"

AMENDMENT NO. 64

On page 98, between lines 36 and 37, insert the following:

"(\$2,520,000 Federal Match)"

AMENDMENT NO. 65

On page 98, delete line 41 in its entirety

AMENDMENT NO. 66

On page 98, line 45, change "\$2,800,000" to "\$280,000"

AMENDMENT NO. 67

On page 100, between lines 6 and 7, insert the following:

**"50/N94 NEW ORLEANS TALENT SEARCH PROGRAM,
INC.**

(847) New Construction and Renovation of
Existing Facility, Planning and
Construction
(Orleans)
Payable from FY 97-98 State General
Fund Surplus \$ 160,000"

AMENDMENT NO. 68

On page 105, between lines 25 and 26, insert the following:

"50/N18 HIGHWAY 84 COMMISSION

(1312) Four-Laning of U.S. Highway 84 and LA
Highway 6 from Vidalia to Texas Border
West of Many, LA, Planning
(Concordia, Catahoula, LaSalle,
Natchitoches, Sabine, Winn)
Payable from General Obligation Bonds
Priority 2 \$ 50,000
Priority 5 \$ 1,150,000
Total \$ 1,200,000

The capital outlay budget request for this project was submitted after the November 1st deadline, but it has been approved by the Joint Legislative Committee on Capital Outlay pursuant to the provisions of R.S. 39:112."

AMENDMENT NO. 69

On page 106, delete lines 1 through 13 in their entirety

AMENDMENT NO. 70

On page 110, line 27, after "Legislature," and before "or" insert the following:

"the Division of Administration for the Louisiana Technology Innovation Fund, Department of Education Subgrantee Assistance Program for K-12 Classroom-Based Technology Acquisitions, Department of Economic Development for the Ports Development Program, and the Public Infrastructure Improvements Economic Development Award Program, and the Parish Transportation Program,"

AMENDMENT NO. 71

On page 112, line 7, after "Legislature," and before "or" insert the following:

"the Division of Administration for the Louisiana Technology Innovation Fund, Department of Education Subgrantee Assistance Program for K-12 Classroom-Based Technology Acquisitions, Department of Economic Development for the Ports Development Program, and the Public Infrastructure Improvements Economic Development Award Program, and the Parish Transportation Program,"

AMENDMENT NO. 72

On page 113, after line 28, insert the following:

"Section 11A. The appropriation contained in Section 1 of this Act to the Office of the Secretary in the Department of Economic Development to the Economic Development Award Fund for the Economic Development Award Program is for a public purpose pursuant to the provisions of Article VII, Section 14 of the Constitution of Louisiana primarily for economic development, including the generation of tax revenues and creation of jobs. Notwithstanding anything contained in this Act to the contrary, including specifically Section 9 of this Act, or any other provision of law, this appropriation, including the allocations for BASF Wyandotte, West TeleServices, and the Coordinating and Development Corporation, is made to the Department of Economic Development and shall be administered by the Department of Economic Development under cooperative endeavor agreements. Such expenditures shall be exempt from all statutes relative to public bidding and selection of design professionals and shall otherwise conform with the provisions of Sections 3, 6, and 9 of this Act but only insofar as those provisions do not conflict with the stated purpose of this appropriation."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 92—
BY REPRESENTATIVE SCHNEIDER
AN ACT

To enact R.S. 45:1166.1 and to repeal R.S. 45:1166(F), relative to telephone services; to provide for suits for damages against long distance companies which have illegally transferred long distance services; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 170—
BY REPRESENTATIVE ALARIO
A JOINT RESOLUTION

Proposing an amendment to the Constitution of Louisiana, to amend Article VII, Section 20(A)(3) and to add Article VII, Section 20(A)(4), to authorize a procedure for increasing the homestead exemption applicable to ad valorem taxes levied solely within the parish by a special ad valorem taxing district located solely within a parish; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported without amendments by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 640—
BY REPRESENTATIVES DOWNER, LEBLANC, AND LONG AND
SENATORS EWING, HAINKEL, ALARIO, COPELIN, GUILLORY,
HOPKINS, RIDDLE, AND STELLY
A JOINT RESOLUTION

Proposing to add Article VII, Section 10.8 of the Constitution of Louisiana, relative to state funds; to create the TOPS Trust Fund and the Louisiana Fund in the state treasury; to provide for deposit of monies into the funds; to provide for investment and uses of monies in the funds; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 640 by Representative Downer

AMENDMENT NO. 1

On page 1, line 3, after "create the" and before "Trust" change "Tobacco Settlement" to "TOPS"

AMENDMENT NO. 2

On page 1, line 13, change "Tobacco Settlement" to "TOPS"

AMENDMENT NO. 3

On page 1, delete line 14, and insert the following:

"Section 10.8. TOPS Trust Fund and Louisiana Fund

(A) Creation

(1) There shall be established in the state"

AMENDMENT NO. 4

On page 1, line 16, change "Trust Fund" to "TOPS Trust"

AMENDMENT NO. 5

On page 2, line 2, after "the" delete the remainder of the line and insert "TOPS Trust thirty-three percent of all monies received"

AMENDMENT NO. 6

On page 2, line 3, at the beginning of the line, delete "is received"

AMENDMENT NO. 7

On page 2, line 9, after "Louisiana:" delete the remainder of the line and insert "and all dividend and interest income on investment of" and at the beginning of line 10, delete "monies in the Trust Fund:"

AMENDMENT NO. 8

On page 2, delete lines 11 through 14 and insert "of monies in the TOPS Trust."

AMENDMENT NO. 9

On page 2, line 16, after "Fund" and before the period "." insert "; hereinafter referred to as the "Fund"

AMENDMENT NO. 10

On page 2, at the beginning of line 19, delete "Louisiana" and change "seventy-five" to "sixty-seven" and after "all" and before "received" change "money which is" to "monies"

AMENDMENT NO. 11

On page 2, delete lines 21 through 24 in their entirety and insert:

"investment of monies in the Fund.

(3) The amount of Settlement Agreement revenues deposited into the TOPS Trust may be increased and the amount of such revenues deposited into the Louisiana Fund may be decreased by a specific legislative instrument which receives a favorable vote of two-thirds of the elected members of each house of the legislature."

AMENDMENT NO. 12

On page 2, delete lines 25 and 26 and on page 3, delete lines 1 through 5

AMENDMENT NO. 13

On page 3, line 6, change "The money" to "Monies" and change "Trust Fund" to "TOPS Trust"

AMENDMENT NO. 14

On page 3, line 7, after "shall" delete the remainder of the line

AMENDMENT NO. 15

On page 3, line 9 after "or" and before "law" delete "other" and after "a portion of" and before "in the" change "money" to "monies"

AMENDMENT NO. 16

On page 3, line 10, at the beginning of the line change "Trust Fund" to "TOPS Trust" and change "thirty-five" to "fifty" and at the end of the line insert:

"Monies in the Louisiana Fund shall be invested by the treasurer in the same manner as the state general fund."

AMENDMENT NO. 17

On page 3, line 11, change "shall" to "may" and after "law" and before "for the" delete "for procedures"

AMENDMENT NO. 18

On page 3, line 12, after "of" and before "monies" delete "such" and delete "as well as monies in" and insert "in the TOPS Trust and"

AMENDMENT NO. 19

On page 3, delete lines 13 through 17 and insert:

"(C) Appropriations.

(1) Appropriations from the TOPS Trust shall be limited to an annual amount not to exceed the estimated aggregate annual earnings

from interest, dividends, and realized capital gains on investment of the Trust as recognized by the Revenue Estimating Conference. The amount of realized capital gains on investment which may be included in the aggregate earnings available for appropriation in any year shall not exceed the aggregate of earnings from interest and dividends for that year. Appropriations from the TOPS Trust shall be restricted to support of the state's program for tuition assistance grants for students attending Louisiana institutions of postsecondary education.

(2) Appropriations from the Louisiana Fund shall be restricted to the purposes provided herein, with no annual appropriation for any one of such purposes as enumerated in Subsubparagraphs (a) through (d) of this Subparagraph to exceed fifty percent of the total amount of monies appropriated from the Fund in any fiscal year.

(a) Initiatives to ensure the optimal development of Louisiana's children through enhancement of educational opportunities and the provision of appropriate health care.

(b) Initiatives to benefit the citizens of Louisiana with respect to health care, to include pursuit of innovation in advanced health care sciences, provision of health care for tobacco-related illnesses and comprehensive chronic disease management services, and expenditures for capital improvements for state health care facilities.

(c) Initiatives to diminish tobacco-related injury and death to Louisiana's citizens, to include educational efforts, cessation assistance services, promotion of a tobacco-free lifestyle, and enforcement of the requirements of the Settlement Agreement by the attorney general.

(d) Expenses related to investment of the TOPS Trust.

(3) Each appropriation from the TOPS Trust and the Louisiana Fund shall include performance expectations to ensure accountability in the expenditure of such monies.

Section 2. Be it further resolved that this proposed amendment shall be effective July 1, 2000."

AMENDMENT NO. 20

On page 3, line 18, change "Section 2." to "Section 3."

AMENDMENT NO. 21

On page 3, line 21, change "Section 3." to "Section 4."

AMENDMENT NO. 22

On page 3, line 25, change "Tobacco Settlement" to "TOPS"

AMENDMENT NO. 23

On page 3, line 26 change "Trust Fund" to "TOPS Trust"

AMENDMENT NO. 24

On page 4, line 5, change "twenty-five" to "thirty-three"

AMENDMENT NO. 25

On page 4, line 6, change "Trust Fund" to "TOPS Trust"

AMENDMENT NO. 26

On page 4, line 7, change "seventy-five" to "sixty-seven"

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AMENDMENT NO. 27

On page 4, at the beginning of line 9, delete "law" and insert "specific legislative instrument"

AMENDMENT NO. 28

On page 4, line 11, change "thirty-five" to "fifty" and change "Trust Fund" to "TOPS Trust"

AMENDMENT NO. 29

On page 4, line 13, change "Trust fund" to "TOPS Trust"

AMENDMENT NO. 30

On page 4, line 14, change "Trust Fund" to "TOPS Trust;" and delete the remainder of the line and delete lines 15 through 18 in their entirety and insert:

"to authorize appropriation of monies not to exceed the annual earnings on the investment of the TOPS Trust for the purpose of tuition assistance grants for students of Louisiana institutions of postsecondary education; to authorize appropriation of monies from the Louisiana Fund for initiatives for children, health care, and reduction of tobacco-related injury and death; to require reporting of performance expectations associated with expenditure of monies appropriated from the TOPS Trust and the Louisiana Fund. (Effective July 1, 2000) (Adds Article VII, Section 10.8)"

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

Under the rules, the above bill, as amended, was ordered engrossed and recommitted to the Committee on Civil Law and Procedure.

HOUSE BILL NO. 712—

BY REPRESENTATIVES WESTON, JOHNS, AND WIGGINS
AN ACT

To amend and reenact R.S. 9:2799.5(B) and (D)(1), relative to liability of health care providers; to provide for the limitation of liability of health care providers providing gratuitous health care services pursuant to an agreement with a community health care clinic; to provide for the distribution or posting of notice of the limitation of liability; to provide a definition of a community health care clinic; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 712 by Representative Weston

AMENDMENT NO. 1

On page 3, line 5, after "(1)" and before "Community" insert "(a)"

AMENDMENT NO. 2

On page 3, between lines 13 and 14, insert the following:

"(b) For a community health care clinic that does not operate a medical clinic, "provide or arrange for services" shall be defined as the determination of financial eligibility for gratuitous services and

the scheduling of patients for subsequent examination by a primary care physician or a general dentist."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1139—

BY REPRESENTATIVE SALTER
AN ACT

To enact R.S. 32:866(G), relative to compulsory liability security; to provide for recovery of civil damages; to provide for defenses; to provide for court costs; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1139 by Representative Salter

AMENDMENT NO. 1

On page 1, line 12, after "accident" and before "shall" insert the following:

" ,without proof of coverage having been bound prior to such motor vehicle accident."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1547—

BY REPRESENTATIVES DOWNER, LEBLANC, LONG, ALARIO, COPELIN, GULLORY, HOPKINS, RIDDLE, AND STELLY AND SENATORS EWING AND HAINKEL
AN ACT

To enact Subpart E of Part II-A of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:98.1 and 98.2, and to repeal R.S. 46:977, relative to state funds; to provide for disposition of tobacco settlement proceeds; to create the TOPS Trust Fund and the Louisiana Fund as special treasury funds; to provide for deposit of monies into the funds; to provide for investment and uses of monies in the funds; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 1547 by Representative Downer, et al.

AMENDMENT NO. 1

On page 1, line 4, after "98.2," insert "and to repeal R.S. 46:977,"

AMENDMENT NO. 2

On page 1, line 5, after "create the" and before "Trust Fund" delete "Tobacco Settlement" and insert "TOPS"

AMENDMENT NO. 3

On page 1, line 14, after "98.1." and before "Trust Fund" delete "Tobacco Settlement" and insert "TOPS"

AMENDMENT NO. 4

On page 1, line 16, after "fund the" and before "Trust Fund" delete "Tobacco Settlement" and insert "TOPS"

AMENDMENT NO. 5

On page 1, line 17, after "as the" and before the period ".", delete "Trust Fund" and insert "TOPS Trust"

AMENDMENT NO. 6

On page 2, line 2, after "Louisiana," delete the remainder of the line and delete line 3 in its entirety and insert "the"

AMENDMENT NO. 7

On page 2, line 4, after "to the" delete the remainder of the line and insert "TOPS Trust thirty-three"

AMENDMENT NO. 8

On page 2, line 5, after "of all money" and before "received" delete "which is" and insert "monies"

AMENDMENT NO. 9

On page 2, line 11, after "Louisiana;" and before "all" insert "and"

AMENDMENT NO. 10

On page 2, line 12, after "income" delete the remainder of the line and delete lines 13 through 26 in their entirety, and insert

"and all realized capital gains on investment of monies in the TOPS Trust.

B.(1) The treasurer is authorized and directed to invest monies in the TOPS Trust which are available for investment in the following investments:

(a) Time certificates of deposit of state banks organized under the laws of Louisiana, national banks having their principal offices in the state of Louisiana, savings accounts or shares of savings and loan associations and savings banks, as defined by R.S. 6:703, or share accounts and share certificate accounts of federally or state chartered credit unions. The funds so invested shall not exceed at any time the amount insured by the Federal Savings and Loan Insurance Corporation in any one savings and loan association and shall not exceed at any time the amount insured by the National Credit Union Administration, or other deposit insurance corporation, in any one credit union, unless the uninsured portion is collateralized by the pledge of securities in the manner provided by R.S. 49:321.

(b) Direct general obligations of, or obligations the timely payment of the principal of and interest on which is unconditionally guaranteed by, the United States of America.

(c) Bonds, debentures, notes, or other evidences of indebtedness issued by any of the following agencies of the United States

government: Government National Mortgage Association, Farmers Home Administration, Export-Import Bank of the United States, Federal National Mortgage Association, Federal Home Loan Mortgage Corporation, Federal Home Loan Bank, and Student Loan Marketing Association.

(d) Bonds, debentures, notes, or other evidences of indebtedness issued by any of the following agencies of the United States government or any other like governmental or government-sponsored agencies which are hereafter created: Bank of Cooperatives, Federal Financing Bank, Small Business Administration, and Bank for Reconstruction and Development.

(e) Stocks of any corporation listed on the New York Stock Exchange, the American Stock Exchange, or authorized for quotations display on the National Association of Securities Dealers Automated Quotations System, provided that the total investment in such stocks at any one time shall not exceed fifty percent of the market value of all funds held by the treasurer in the TOPS Trust. Any investment managers hired on a contract basis to advise the treasurer regarding investment in such stocks shall be selected by the treasurer, subject to the approval of the State Bond Commission, in accordance with a request for proposal process using strict selection criteria based on sound industry principles. The contract, as approved by the State Bond Commission, shall be on a fee, together with minimum exchange fee, basis or on a commission basis only. The state treasurer shall promulgate rules and regulations for the investment in such stocks and for the selection of outside investment managers.

(f) Investment grade commercial paper, investment grade corporate bonds, and money market funds consisting solely of securities otherwise eligible for investment by the treasurer pursuant to this Subsection.

(2) Investments made under authority of this Subsection shall mature on such date determined by the treasurer as will generate a favorable return to the state and will allow the monies to be available for use at the time needed.

(3) Banks issuing time certificates of deposit under authority of this Subsection shall pay interest at a rate not less than the rate determined by the United States Treasury to have been the average interest rate plus one percent per annum on the last previous sale of treasury bills with the same length of maturity; provided that if at any time the interest rate so determined is in excess of the maximum rate banks are permitted to pay on time certificates of deposit for the same period of time by regulations of the Federal Reserve System or the Federal Deposit Insurance Corporation, the interest rate shall be the maximum established by those regulations.

(4) The treasurer may enter into reverse repurchase agreements and securities lending contracts in order to generate passive income. For the purposes of this Paragraph:

(a) "Reverse repurchase agreements" means a transaction in which securities are sold to a registered securities broker or dealer for a fee and a guarantee to sell them back at an agreed upon price.

(b) "Securities lending contracts" means a transaction in which securities are supplied to a registered securities broker or dealer for a fee and secured by a pledge of collateral with a value equal to or greater than the securities supplied

(5) On or before December first of each year, the treasurer shall prepare and submit a report on the performance of the TOPS Trust to the Joint Legislative Committee on the Budget and the commissioner of administration for their review.

C. Appropriations from the TOPS Trust shall be limited to an annual amount not to exceed the estimated aggregate annual earnings from interest, dividends, and realized capital gains on investment of the trust as recognized by the Revenue Estimating Conference. The amount of realized capital gains on investment which may be included in the aggregate earnings available for appropriation in any year shall not exceed the aggregate of earnings from interest and dividends for that year. Appropriations from the TOPS Trust shall be restricted to support of the state's program for tuition assistance grants for students attending Louisiana institutions of post-secondary education as established in Chapter 20-G of Title 17 of the Louisiana Revised Statutes of 1950. Appropriations from the TOPS Trust shall include performance expectations to ensure accountability in the expenditure of such monies."

AMENDMENT NO. 11

On page 3, line 3, after "Fund" and before the period "." insert "hereinafter the "Fund""

AMENDMENT NO. 12

On page 3, line 5, after "Louisiana," delete the remainder of the line and delete line 6 in its entirety, and insert "the"

AMENDMENT NO. 13

On page 3, line 7, after "to the" delete the remainder of the line and insert "Fund sixty-seven"

AMENDMENT NO. 14

On page 3, line 15, after "monies in the" delete the remainder of the line, delete lines 16 through 19 in their entirety, and at the beginning of line 20, delete "Section 2. This", and insert the following:

"Fund. Monies in the Fund shall be invested by the treasurer in the same manner as monies in the state general fund. All unencumbered and unexpended monies in the Fund shall remain in the Fund.

B. Appropriations from the Fund shall be restricted to the purposes provided herein, and no annual appropriation for any one of the purposes enumerated in Paragraphs (1) through (4) of this Subsection may exceed fifty percent of the total amount of monies appropriated from the Fund in any fiscal year.

(1) Initiatives to ensure the optimal development of Louisiana's children through enhancement of educational opportunities and provision of appropriate health care, which shall include but not be limited to:

(a) Prekindergarten educational programs by city and parish school boards to provide quality early care and education facilitating the healthy development and school readiness of at-risk four-year-old children.

(b) The Children's Health Insurance Program established by R.S. 46:976.

(2) Initiatives to benefit the citizens of Louisiana with respect to health care, which shall include but not be limited to:

(a) A program for grants and state projects which encourages the pursuit of innovation in advanced health care sciences as administered by the Board of Regents; such program shall support research efforts based in Louisiana universities, with particular emphasis on research related to cancer, genetics, and other emerging areas of inquiry relative to health care sciences.

(b) Provision of direct health care services for tobacco-related illnesses.

(c) Provision of comprehensive chronic disease management services, including outpatient pharmacy for indigent and needy citizens of Louisiana, by the facilities of the Louisiana State University Medical Center Health Care Services Division.

(d) Expenditures for capital outlay and other capital improvements for state health care facilities, which shall include the facilities of the Louisiana State University Medical Center Health Care Services Division, war veterans homes, and parish health units.

(3) Initiatives to diminish tobacco-related injury and death to Louisiana's citizens, to include but not be limited to programs developed by the office of public health, Department of Health and Hospitals based upon the Model Tobacco Control Plan issued by the national Centers for Disease Control, which include:

(a) Educational efforts delivered through elementary and secondary schools to be administered by the Department of Education.

(b) Cessation assistance services to be administered by the office of public health, Department of Health and Hospitals.

(c) Promotion of a tobacco-free lifestyle through counter-marketing activities which shall include advertising related to tobacco usage, to be administered by the office of public health, Department of Health and Hospitals.

(4) Enforcement of the requirements of the Master Settlement by the attorney general.

(5) Expenses related to investment of the TOPS Trust.

C.(1) The annual budget request of any state agency or other state entity which includes funding from the Louisiana Fund for a purpose as provided herein shall include performance expectations pursuant to the Louisiana Government Performance and Accountability Act.

(2) Not later than January sixth of each year, the governor shall present to the Joint Legislative Committee on the Budget his plan of expenditures for the next fiscal year from monies available for appropriation from the Fund. The plan shall provide for the distribution of available monies among the authorized purposes for expenditures of monies from the Fund. In developing this plan, the governor shall consider the recommendations of the Children's Cabinet, and the budget requests of the Board of Regents, the State Board of Elementary and Secondary Education, the Department of Health and Hospitals, the attorney general, and any other state agency anticipating support from the Louisiana Fund.

D. Appropriations from the Louisiana Fund shall be consistent with the provisions of the Louisiana Government Performance and Accountability Act, and shall contain goals and objectives and projected measures of performance in order to ensure accountability in expenditure of such funds. Any nonstate entity receiving support from the Louisiana Fund shall present a report of its accomplishments associated with the funds received to the Joint Legislative Committee on the Budget no later than March first of the fiscal year in which the monies were appropriated.

Section 2. Subpart E of Part II-A of Chapter 1 of Subtitle 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:98.1, is hereby enacted to read as follows:

§98.1. Louisiana Fund

A. There shall be established in the state treasury as a special fund the Louisiana Fund, hereinafter the "Fund". After allocation of

money to the Bond Security and Redemption Fund as provided in Article VII, Section 9(B) of the Constitution of Louisiana, the treasurer shall deposit in and credit to the Fund all money which is received as a result of the Master Settlement Agreement, hereinafter the "Settlement Agreement", executed November 23, 1998, and approved by Consent Decree and Final Judgment entered in the case "Richard P. Ieyoub, Attorney General, ex rel. State of Louisiana v. Philip Morris, Incorporated, et al.", bearing Number 98-6473 on the docket of the Fourteenth Judicial District for the parish of Calcasieu, state of Louisiana; and all interest income on investment of monies in the Fund. Monies in the Fund shall be invested by the treasurer in the same manner as monies in the state general fund. All unencumbered and unexpended monies in the Fund shall remain in the Fund.

B. Appropriations from the Fund shall be restricted to the purposes provided herein, and no annual appropriation for any one of the purposes enumerated in Paragraphs (1) through (4) of this Subsection may exceed fifty percent of the total amount of monies appropriated from the Fund in any fiscal year.

(1) Initiatives to ensure the optimal development of Louisiana's children through enhancement of educational opportunities and provision of appropriate health care, which shall include but not be limited to:

(a) Prekindergarten educational programs by city and parish school boards to provide quality early care and education facilitating the healthy development and school readiness of at-risk four-year-old children.

(b) The Children's Health Insurance Program established by R.S. 46:976.

(2) Initiatives to benefit the citizens of Louisiana with respect to health care, which shall include but not be limited to:

(a) A program for grants and state projects which encourages the pursuit of innovation in advanced health care sciences as administered by the Board of Regents; such program shall support research efforts based in Louisiana universities, with particular emphasis on research related to cancer, genetics, and other emerging areas of inquiry relative to health care sciences.

(b) Provision of direct health care services for tobacco-related illnesses.

(c) Provision of comprehensive chronic disease management services, including outpatient pharmacy for indigent and needy Louisianians, by the facilities of the Louisiana State University Medical Center Health Care Services Division.

(d) Expenditures for capital outlay and other capital improvements for state health care facilities, which shall include the facilities of the Louisiana State University Medical Center Health Care Services Division, war veterans homes, and parish health units.

(3) Initiatives to diminish tobacco-related injury and death to Louisiana's citizens, to include but not be limited to programs developed by the office of public health, Department of Health and Hospitals, based upon the Model Tobacco Control Plan issued by the national Centers for Disease Control, which include:

(a) Educational efforts delivered through elementary and secondary schools to be administered by the Department of Education.

(b) Cessation assistance services to be administered by the office of public health, Department of Health and Hospitals.

(c) Promotion of a tobacco-free lifestyle through counter-marketing activities which shall include advertising related to tobacco usage, to be administered by the office of public health, Department of Health and Hospitals.

(4) Enforcement of the requirements of the Master Settlement by the attorney general.

(5) Expenses related to investment of the TOPS Trust.

C.(1) The annual budget request of any state agency or other state entity which includes funding from the Louisiana Fund for a purpose as provided herein shall include performance expectations pursuant to the Louisiana Government Performance and Accountability Act.

(2) Not later than January sixth of each year, the governor shall present to the Joint Legislative Committee on the Budget his plan of expenditures for the next fiscal year from monies available for appropriation from the Fund. The plan shall provide for the distribution of available monies among the authorized purposes for expenditures of monies from the Fund. In developing this plan, the governor shall consider the recommendations of the Children's Cabinet, and the budget requests of the Board of Regents, the State Board of Elementary and Secondary Education, the Department of Health and Hospitals, the attorney general, and any other state agency anticipating support from the Louisiana Fund.

D. Appropriations from the Louisiana Fund shall be consistent with the provisions of the Louisiana Government Performance and Accountability Act, and shall contain goals and objectives and projected measures of performance in order to ensure accountability in expenditure of such funds. Any nonstate entity receiving support from the Louisiana Fund shall present a report of its accomplishments associated with the funds received to the Joint Legislative Committee on the Budget no later than March first of the fiscal year in which the monies were appropriated.

Section 3. R.S. 46:977 is hereby repealed in its entirety.

Section 4. R.S. 39:98.1 as enacted by Section 2 of this Act is repealed in its entirety.

Section 5. Notwithstanding any provision of law to the contrary, for Fiscal Year 1999-2000, the treasurer shall deposit one hundred percent of the Tobacco Settlement Revenues received by the state in that fiscal year into the Louisiana Fund. All monies in that Fund, except the first fifty million dollars, shall be available for appropriation.

Section 6. Sections 1 and 4 of this Act shall become effective on July 1, 2000, only if the proposed constitutional amendment that originated as House Bill No. 640 of the 1999 Regular Session of the Legislature is approved by the electorate. Sections 2, 3, 5, and 6 of this"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1673—
BY REPRESENTATIVE MCDONALD
AN ACT

To enact R.S. 17:81.9, to provide relative to the civil liability of school boards and their members for student conduct specified circumstances; to provide limitations; to provide definitions; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Civil Law and Procedure.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1784—

BY REPRESENTATIVE MCMAINS
AN ACT

To amend and reenact Civil Code Article 2315, relative to damages; to provide for compensable damages; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 1784 by Representative McMains

AMENDMENT NO. 1

On page 1, delete line 14 in its entirety and insert the following:

"services, surveillance, or procedures of any kind unless such treatment, services, surveillance, or procedures"

AMENDMENT NO. 2

On page 1, lines 15, after "are" and before "related" change "reasonably" to "directly"

AMENDMENT NO. 3

On page 1, delete lines 17 and 18 in their entirety and insert the following:

"Section 2. The provisions of this Act are interpretative of Civil Code Article 2315 and are intended to explain its original intent, notwithstanding the contrary interpretation given in"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1874—

BY REPRESENTATIVE SCHNEIDER
AN ACT

To amend and reenact R.S. 37:2165(A), 2166(3), and 2170(A)(2) and to enact R.S. 37:2156.1(A)(10), relative to the State Licensing Board for Contractors; to provide for new classifications of licenses; to provide relative to membership of certain committees; to provide relative to continuing education; to provide for certain exceptions; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 1874 by Representative Schneider

AMENDMENT NO. 1

On page 1, line 2, after "R.S." and before "and" delete "37:2162(A) and 2165(A)" and insert in lieu thereof "37:2165(A), 2166(3), and 2170(A)(2)"

AMENDMENT NO. 2

On page 1, line 4, after "licenses;" delete the remainder of the line in its entirety and at the beginning of line 5 delete "penalties;"

AMENDMENT NO. 3

On page 1, line 5, after "committees;" and before "to" insert "to provide relative to continuing education;"

AMENDMENT NO. 4

On page 1, line 8, after "R.S." and before "are" delete "37:2162(A) and 2165(A)" and insert in lieu thereof "37:2165(A), 2166(3), and 2170(A)(2)"

AMENDMENT NO. 5

On page 2, delete lines 1 through 10

AMENDMENT NO. 6

On page 2, line 18, after "the" and before "shall" delete "five-member committee" and insert in lieu thereof "subcommittee"

AMENDMENT NO. 7

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

"§2166. Powers and duties

Subject to the approval of the State Licensing Board for Contractors, the subcommittee shall have the following powers and duties:

* * *

(3) To prescribe and adopt regulations and policies for continuing education. However, notwithstanding any other law to the contrary, the subcommittee shall not approve for use by licensees any continuing education courses or written training programs provided by a member of the subcommittee or legal entity in which he has a controlling interest.

* * *

§2170. Exceptions

A. There are excepted from the provisions of this Chapter:

* * *

(2) Persons performing the work of a residential building contractor in areas or municipalities that do not have a permitting procedure ~~or building code enforcement process.~~

* * *"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2027—
BY REPRESENTATIVE LEBLANC
AN ACT

To appropriate funds from certain sources to be allocated to designated agencies and designated purposes in specific amounts for the purpose of making supplemental appropriations for the funding of said agencies and purposes during the 1998-1999 Fiscal Year; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Appropriations.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Appropriations to Original House Bill No. 2027 by Representative LeBlanc

AMENDMENT NO. 1

On page 1, delete lines 8 and 9 in their entirety and insert in lieu thereof the following:

"Section 1. The sum of Eight Million Thirty-seven Thousand Five Hundred Forty-four and No/100 (\$8,037,544.00) Dollars is hereby"

AMENDMENT NO. 2

On page 1, line 13, after "Fund," and before "the sum" insert "and"

AMENDMENT NO. 3

On page 1, line 15, change "Fund, and" to "Fund"

AMENDMENT NO. 4

On page 1, delete lines 16 and 17 in their entirety

AMENDMENT NO. 5

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

"Payable out of the State General Fund (Direct) for state match required for a federally declared disaster due to April 1999 tornadoes and flooding in northwest Louisiana in the office of emergency preparedness \$ 656,200"

AMENDMENT NO. 6

On page 2, between lines 13 and 14, insert the following:

"08-400 CORRECTIONS - ADMINISTRATION

Payable out of the State General Fund (Direct) to pay the legal fees incurred in "State of Louisiana vs. Albert Woodfox" #68,933 on the docket of the Twenty-first Judicial District Court for the Parish of Tangipahoa, as provided in the order rendered by that Court on March 10, 1999 \$ 82,359"

AMENDMENT NO. 7

On page 2, between lines 17 and 18, insert the following:

"08-423 LOUISIANA GAMING CONTROL BOARD

Payable out of the State General Fund (Direct) to refund certain civil penalties assessed against and paid by Cascio's Park-N-Shop, Inc., License No. 0904210071, pursuant to Operation Child's Play during the period November 1 through December 12, 1998 \$ 1,000"

AMENDMENT NO. 8

On page 2, delete lines 24 through 33 in their entirety and insert in lieu thereof the following:

"19-662 LOUISIANA EDUCATIONAL TELEVISION AUTHORITY

Payable out of the State General Fund (Direct) for costs associated with digital conversion, storage, and retrieval \$ 617,000"

AMENDMENT NO. 9

On page 3, between lines 17 and 18, insert the following:

"Payable out of the State General Fund (Direct) to the city of Monroe for economic development efforts \$ 450,000

Payable out of the State General Fund (Direct) to the St. Mary Parish Police Jury for the Corps of Engineers Complex at Lake Palourde \$ 80,000

Payable out of the State General Fund (Direct) to the town of Oil City for expenses associated with the Caddo Pine Island Oil Museum \$ 65,000"

AMENDMENT NO. 10

On page 3, between lines 23 and 24, insert the following:

"Section 2.A. The appropriation out of the State General Fund (Direct) contained in Schedule 05-251 DEPARTMENT OF ECONOMIC DEVELOPMENT, Office of the Secretary of Section 15 of Act 19 of the 1998 Regular Session of the Legislature is hereby amended and reenacted to read as follows:

Payable out of the State General Fund (Direct) to the Natchitoches Parish Police Jury for infrastructure improvement supporting activities associated with the Con Agra Poultry Processing Plant and other industries \$ 40,000

B. The appropriation out of the State General Fund (Direct) contained in Schedule 06-261 DEPARTMENT OF CULTURE, RECREATION AND TOURISM, Office of the Secretary of Section 15 of Act 19 of the 1998 Regular Session of the Legislature is hereby amended and reenacted to read as follows:

Payable out of the State General Fund (Direct) to the Atchafalaya Trace Commission \$ 300,000

Provided, however, that the Department of Culture, Recreation and Tourism is hereby authorized and deemed to act for and on behalf of the commission until such time as the commission is appointed and takes office and may obligate and expend this appropriation for any purpose consistent with Chapter 26 of Title 25 of the Louisiana Revised Statutes of 1950.

C. The appropriation out of the State General Fund (Direct) contained in Schedule 20-945 MISCELLANEOUS STATE AID of Section 15 of Act 19 of the 1998 Regular Session of the Legislature for indigent defender services in East Baton Rouge Parish is hereby amended and reenacted to read as follows:

Payable out of the State General Fund (Direct) to Capital Area Legal Services Corporation for legal services in the twelve-parish service area \$ 50,000

Section 3. Notwithstanding any provision of law or of Act 19 of the 1998 Regular Session of the Legislature to the contrary and after the effective date of this Act, the treasurer shall not honor any warrant nor distribute any monies appropriated in Act 19 of the 1998 Regular Session of the Legislature which are to be distributed as provided in R.S. 47:322.38.

Section 4.A. Notwithstanding any contrary provision of Act 29 of the 1998 Regular Session of the Legislature, the appropriation from State General Fund (Direct) contained in said Act under Schedule 04/139 Secretary of State for project (19) Caddo Pine Island Oil Museum, Installation of Central A/C System for Exhibit Building, Exhibit Design and Construction, and Land Acquisition is hereby reduced by \$65,000. The appropriation from the State General Fund (Direct) for that project is and shall be deemed to be \$35,000.

B. The appropriation contained in Act 29 of the 1998 Regular Session of the Legislature which is identified as "Corps of Engineers Complex at Lake Palourde, Planning and Construction payable from State General Fund (Direct) \$80,000" is hereby declared to be null, void, and of no effect and the state treasurer shall not honor any warrant drawn upon such appropriation."

AMENDMENT NO. 12

On page 3, line 24, delete "Section 2." and insert in lieu thereof "Section 5."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2033— BY REPRESENTATIVE MCDONALD AN ACT

To amend and reenact R.S. 9:5701, relative to prescription; to provide for a thirty-year prescriptive period to apply to certain educational obligations owed to the state or its agencies; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Original House Bill No. 2033 by Representative McDonald

AMENDMENT NO. 1

On page 1, line 3, after "apply to" insert "certain"

AMENDMENT NO. 2

On page 1, line 11, after "agencies," insert "other than obligations created under the Federal Family Education Loan Program."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2246— BY REPRESENTATIVE WARNER AN ACT

To enact Chapter 8-F of Title 45 of the Louisiana Revised Statutes of 1950, to be composed of R.S. 45:844.1 through 844.4, relative to telecommunication services access; to provide for legislative intent; to provide for definitions; to provide for nondiscrimination by property owner; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Commerce.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Commerce to Original House Bill No. 2246 by Representative Warner

AMENDMENT NO. 1

On page 1, line 3, change "844.3" to "844.4"

AMENDMENT NO. 2

On page 1, line 9, change "844.3" to "844.4" and between lines 10 and 11, insert "CHAPTER 8-F. TELECOMMUNICATIONS SERVICES ACCESS"

AMENDMENT NO. 3

On page 2, line 10, after "telecommunications" and before "seeking" change "providers" to "carriers"

AMENDMENT NO. 4

On page 2, delete lines 19 through 21 in their entirety and insert in lieu thereof "carrier to originate, route, or terminate telecommunications."

AMENDMENT NO. 5

On page 2, line 23, after "telecommunications" and before "in" change "provider" to "carrier"

AMENDMENT NO. 6

On page 2, line 24, after "telecommunications" and before "is" change "provider" to "carrier"

AMENDMENT NO. 7

On page 3, line 4, after "Telecommunications" and before "means" change "provider" to "carrier" and on line 5, change "and/or" to "or"

AMENDMENT NO. 8

On page 3, delete lines 7 through 15 and insert in lieu thereof the following:

"(6) "Telecommunications" means the transmission between and among points specified by the user of information of the user's choosing without change in the form or content of the information as sent and received and includes but is not limited to voice, data, image, graphic, and video communications."

AMENDMENT NO. 9

On page 3, at the end of line 20, after "offering" change "and/or" to "or" and on line 21, after "gain" and before "to" insert "directly" and on line 22, after "to" and before "effectively" insert "be"

AMENDMENT NO. 10

On page 4, line 1, after "telecommunications" and before "holding" change "providers" to "carriers"

AMENDMENT NO. 11

On page 4, line 2, after "the" and before "or" change "Commission" to "commission" and at the beginning of line 3, change "Commission" to "commission"

AMENDMENT NO. 12

On page 4, line 6, after "telecommunications" and before "for" change "providers" to "carriers"

AMENDMENT NO. 13

On page 4, line 9, after "telecommunications" and before "from" change "provider" to "carrier"

AMENDMENT NO. 14

On page 4, line 11, after "telecommunications" and before "installation" change "provider's" to "carrier's"

AMENDMENT NO. 15

On page 4, line 14, after "telecommunications" and before "solely" change "provider" to "carrier"

AMENDMENT NO. 16

On page 4, at the end of line 16, after "telecommunications" change "provider" to "carrier"

AMENDMENT NO. 17

On page 4, line 21, after "telecommunications" and before "access" change "provider" to "carrier"

AMENDMENT NO. 18

On page 5, line 2, after "telecommunications" and before "for" change "provider" to "carrier"

AMENDMENT NO. 19

On page 5, at the beginning of line 3, change "provider" to "carrier"

AMENDMENT NO. 20

On page 5, line 5, after "particular" and before "for" change "provider" to "carrier"

AMENDMENT NO. 21

On page 5, line 7, after "the" and before "from" change "provider" to "carrier"

AMENDMENT NO. 22

On page 5, line 10, after "telecommunications" and before "for" change "provider" to "carrier"

AMENDMENT NO. 23

On page 5, line 14, after "telecommunications" and before "property" change "provider" to "carrier"

AMENDMENT NO. 24

On page 5, line 15, after "tenant" and before "shall" insert a comma
"

AMENDMENT NO. 25

On page 5, after line 16, insert the following:

"§844.4. Exclusions

"This Chapter shall not apply to any public or nonpublic post-secondary education institution."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2272 (Substitute for House Bill No. 535 by Representative Copelin)—
BY REPRESENTATIVE COPELIN
AN ACT

To amend and reenact R.S. 43:202(B), relative to the publication of judicial advertisements and legal notices in New Orleans; to provide relative to the journal in which such advertisements and notices may be published; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2273 (Substitute for House Bill No. 978 by Representative Hebert)—
BY REPRESENTATIVE HEBERT
AN ACT

To amend and reenact R.S. 13:5104, relative to actions against the state and state agencies; to provide relative to venue for suits against the state or any state agency; to provide for exceptions; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2274 (Substitute for House Bill No. 1082 by Representative Glover)—
BY REPRESENTATIVE GLOVER

AN ACT

To enact R.S. 33:2476.1, relative to the municipal fire and police civil service board in Shreveport; to provide relative to the composition of such board; to provide relative to the terms of members and vacancies on such board; to provide relative to a quorum; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2275 (Substitute for House Bill No. 1086 by Representatives Martiny, Ansardi, Bowler, Green, and Lancaster and Senator Hollis)—
BY REPRESENTATIVES MARTINY, ANSARDI, BOWLER, GREEN, AND LANCASTER AND SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 15:571.11(A)(1)(c), R.S. 40:1742, and R.S. 46:2583(A) and to enact R.S. 40:1742.1 and R.S. 46:2583(F), relative to parking for disabled persons; to provide relative to fines for violations of disabled person parking regulations and to the distribution of monies collected from such fines; to provide for the establishment of local offices of disability affairs and for certification of such offices; and to provide for related matters.

Read by title.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2276 (Substitute for House Bill No. 1966 by Representative Wiggins)—
BY REPRESENTATIVE WIGGINS

AN ACT

To enact R.S. 33:2740.46, relative to the city of Pineville; to create the Pineville Downtown Development District; to provide relative to the governance of such district; to provide for the authority of the district, including the preparation of redevelopment plans and the execution of redevelopment programs; to provide relative to funds for the district including funds from taxes, contributions, and the issuance of bonds; and to provide for related matters.

Read by title.

On motion of Rep. Wiggins, the bill 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. 124—
BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 33:2333(B)(2), relative to disposition of stolen, seized or relinquished property; to change the length of time required before disposition of noncontraband property; to

require certain notifications prior to the disposition of such property; 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. Toomy, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 271—
BY SENATOR HINES

AN ACT

To amend and reenact Code of Civil Procedure Art. 4843(C), relative to trial courts of limited jurisdiction; to increase the civil jurisdiction of the City Court of Ville Platte; 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. Toomy, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 399—

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

To amend and reenact R.S. 30:2205(E), relative to suits to recover state money; to authorize Department of Environmental Quality attorneys, under certain circumstances, to act in lieu of the attorney general to recover state money expended for cleaning up hazardous waste sites; 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. Toomy, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 611—

BY SENATOR COX

AN ACT

To amend and reenact R.S. 13:3881(A)(1)(a), relative to seizure; to exempt from seizure certain child support or Earned Income Tax Credit benefits received by an obligee; and to provide for related matters.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 648—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 32:661(A)(2) and R.S. 33:1563(B)(3) and (4), relative to coroners; to provide for the collection of bodily substance samples at the scene of the accident involving a fatality; to provide for the investigations of certain accidents; 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. Toomy, the bill was ordered passed to its third reading.

Under the rules, placed on the regular calendar.

SENATE BILL NO. 856 (Duplicate of House Bill No. 1304)—
BY SENATOR DARDENNE AND REPRESENTATIVE DIEZ

AN ACT

To enact R.S. 15:587.2, relative to children; to provide for release of certain background information; to provide for fingerprints samples; to provide for certain training programs; 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. 856 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 15, following ", or" change "youth-service" to "youth service"

AMENDMENT NO. 2

On page 2, line 3, following "samples" and before "submit" delete the comma ","

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 915—
BY SENATOR JONES

AN ACT

To amend and reenact R.S. 23:921(A), relative to contracts of employment; to provide with respect to restraints on choice of forum clauses in employment contracts; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Labor and Industrial Relations.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the local and consent calendar.

SENATE BILL NO. 963—
BY SENATOR LAMBERT

AN ACT

To amend and reenact R.S. 13:691(B)(3) and to enact R.S. 13:691(B)(5) and (C), relative to compensation of judges; to provide for reimbursement of lease payments and expenses related to vehicles used for official purposes; to clarify payment for certain insurance premiums; 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 Reengrossed Senate Bill No. 963 by Senator Lambert

AMENDMENT NO. 1

On page 1, at the end of line 15, after "salary" insert a comma ", compensation, emolument, or benefit"

Reported without amendments by the Legislative Bureau.

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. 982 (Duplicate of House Bill No. 1010)—
BY SENATOR LANDRY AND REPRESENTATIVE FAUCHEUX

AN ACT

To amend and reenact R.S. 48:1603 and 1604(A), (C), (E), (G), and (J), relative to public transportation; to provide relative to the River Parishes Transit Authority; to provide relative to the composition of the board of commissioners of such authority; 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 Reengrossed Senate Bill No. 982 by Senator Landry

AMENDMENT NO. 1

In Conforming Amendments proposed by Representative Fauchoux to Reengrossed Senate Bill No. 982 by Senator Landry, in Amendment No. 6, on line 18, following "line" change "6" to "7"

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

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

Under the rules, placed on the regular calendar.

Reconsideration

HOUSE BILL NO. 890—
BY REPRESENTATIVE WINDHORST
AN ACT

To amend and reenact R.S. 15:902.1, relative to the placement of delinquent juveniles into adult facilities; to authorize the transfer of certain juveniles into adult facilities; to provide that a contradictory hearing is not necessary for such transfers; to provide for restrictions on performance of work; and to provide for related matters.

Read by title.

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

Returned to the calendar under the rules.

Suspension of the Rules

On motion of Rep. Pierre, the rules were suspended in order to take up House Bills and Joint Resolutions on Third Reading and Final Passage at this time.

House Bills and Joint Resolutions on Third Reading and Final Passage

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

Local and Consent Calendar

HOUSE BILL NO. 1411—
BY REPRESENTATIVES PIERRE, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

To amend and reenact R.S. 36:401(C)(1) and 405(A)(1)(b) and to enact R.S. 36:408(E), relative to public safety services of the Department of Public Safety and Corrections; to establish the office of legal affairs within the department; to provide for the functions of office; to provide for qualifications of the assistant secretary; and to provide for related matters.

Read by title.

Rep. Pierre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Powell
Alario	Heaton	Pratt
Alexander	Hebert	Quezaire
Ansardi	Hill	Riddle
Barton	Holden	Romero
Baudoin	Hopkins	Salter
Baylor	Hunter	Scalise
Bowler	Iles	Schneider
Bruce	Jenkins	Schwegmann

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

Total—100

NAYS

Total—0

ABSENT

Donelon	Hudson	Strain
Total—3		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1505—
BY REPRESENTATIVES NEVERS AND POWELL AND SENATOR THOMAS
AN ACT

To enact R.S. 33:2711.15, relative to municipal sales and use taxes; to authorize the governing body of the city of Bogalusa to levy and collect an additional sales and use tax, subject to voter approval; and to provide for related matters.

Read by title.

Rep. Nevers moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Powell
Alario	Heaton	Pratt
Alexander	Hebert	Quezaire
Ansardi	Hill	Riddle
Barton	Holden	Romero
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	Sneed
Crane	Landrieu	Stelly
Curtis	LeBlanc	Theriot
Damico	Long	Thompson
Daniel	Marionneau	Thornhill
Deville	Martiny	Toomy
DeWitt	McCain	Travis
Diez	McCallum	Triche
Doerge	McDonald	Waddell
Dupre	McMains	Walsworth
Durand	Michot	Warner
Farve	Mitchell	Welch
Faucheux	Montgomery	Weston
Flavin	Morrell	Wiggins
Fontenot	Morrish	Wilkerson
Frith	Murray	Willard
Fruge	Nevers	Windhorst
Gautreaux	Odinot	Winston
Glover	Perkins	Wooton
Green	Pierre	Wright
Guillory	Pinac	

Total—98

NAYS

Total—0

ABSENT

Baudoin	Jenkins	Strain
Donelon	Jetson	

Total—5

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 2053—
BY REPRESENTATIVES DUPRE, DOWNER, AND GAUTREAU
AN ACT

To enact R.S. 13:1909, relative to city courts; to authorize courts to establish a judicial building fund; to provide for a service charge on civil filings; to provide for a service charge in criminal matters; to specify uses of the special account; to specify control over the special account; to require approval by local ordinance; and to provide for related matters.

Read by title.

Rep. Dupre moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pinac
Alario	Heaton	Powell
Alexander	Hebert	Pratt
Ansardi	Hill	Quezairé
Barton	Holden	Riddle
Baudoin	Hopkins	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schneider

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

Total—99

NAYS

Total—0

ABSENT

Baylor	Jenkins
Flavin	Strain

Total—4

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

On motion of Rep. LeBlanc, the rules were suspended in order to take up Special Order of the Day at this time.

Special Order of the Day

The following legislative instruments on Special Order were taken up and acted upon as follows:

HOUSE BILL NO. 1
BY REPRESENTATIVE LEBLANC
AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

Read by title.

Motion

On motion of Rep. LeBlanc, House Rule No. 8.15(A) was suspended to consider House Bill No. 1 on final passage with fewer than three legislative days having intervened after the bill had been ordered engrossed.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LeBlanc to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 20, line 20, change "Part II" to "Part II of Chapter 1"

AMENDMENT NO. 2

On page 20, line 21, after "Statutes" and before "and" insert "of 1950"

AMENDMENT NO. 3

On page 20, line 22, after "Statutes" and before "and" insert "of 1950"

AMENDMENT NO. 4

On page 31, line 32, before "Pregnancy" insert "Teen"

AMENDMENT NO. 5

On page 92, at the end of line 22, change "45.6%" to "38%"

AMENDMENT NO. 6

On page 115, line 14, change "from Tobacco Settlement Revenues" to "(Direct)"

AMENDMENT NO. 7

On page 116, line 11, change "\$744,957,885" to "744,947,885"

AMENDMENT NO. 8

On page 116, line 22, change "948,616,901" to "2,948,616,901"

AMENDMENT NO. 9

On page 118, line 13, change "from Tobacco Settlement Revenues" to "(Direct)"

AMENDMENT NO. 10

On page 118, at the beginning of line 22, change "emergency" to "nonemergency"

AMENDMENT NO. 11

On page 121, delete lines 7 and 8 and insert the following:

"the Rural Health Access Project \$ 133,434"

AMENDMENT NO. 12

On page 127, line 20, change "13,220" to "13,320"

AMENDMENT NO. 13

On page 157, at the end of line 4, change "\$185,000" to "\$185,500"

AMENDMENT NO. 14

On page 178, between lines 29 and 30, insert:

"State General Fund (Direct) \$ 579,250"

AMENDMENT NO. 15

On page 178, at the end of line 31, change "\$579,250" to "\$1,267,999"

AMENDMENT NO. 16

On page 195, delete line 23 in its entirety

AMENDMENT NO. 17

On page 195, at the end of line 28, delete "by:" and insert:

"from Tobacco Settlement Revenues \$ 5,000,000"

AMENDMENT NO. 18

On page 195, delete lines 29 and 30 in their entirety

AMENDMENT NO. 19

On page 195, delete lines 32 through 37 in their entirety

AMENDMENT NO. 20

On page 262, line 29 change "\$1,614,57" to "1,614,571"

AMENDMENT NO. 21

On page 271, at the end of line 42, change "\$88,693,483" to "\$87,360,349"

AMENDMENT NO. 22

On page 272, at the end of line 12, change "\$88,693,483" to "\$87,360,349"

AMENDMENT NO. 23

On page 298, line 20, change "Town" to "City"

AMENDMENT NO. 24

On page 298, line 35, after "Parish" delete "Greater"

AMENDMENT NO. 25

On page 302, line 31, change "332.25" to "332.35"

AMENDMENT NO. 26

On page 302, at the end of line 39, change "\$405,000" to "\$505,000"

AMENDMENT NO. 27

On page 302, line 39, change "332.11" to "322.11"

AMENDMENT NO. 28

On page 303, line 41, after "Pineville" and before "Tourism" insert "Area"

AMENDMENT NO. 29

On page 303, line 48, after "the" and before "Gretna" insert "Jefferson Parish Convention Center Fund-"

AMENDMENT NO. 30

On page 304, line 34, after "Fund-" and before "Grand" insert "Town of"

AMENDMENT NO. 31

On page 305, line 17, after "Parish" delete "Visitor"

AMENDMENT NO. 32

On page 314, lines 13 and 20, after "House Bill No." and before "of the" change "1852" to "1582"

AMENDMENT NO. 33

On page 321, line 2, after "1999-2000," and before "dollars" delete "Fifty-three Million Seven Hundred Thousand" and insert "Fifty Million"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative LeBlanc to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

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

"Payable out of the State General Fund (Direct) to the Administrative Program for the Office of Rural Development \$ 100,000"

AMENDMENT NO. 2

On page 48, between lines 7 and 8, insert the following:

"Payable out of the State General Fund (Direct) for a salary increase for registrars of voters, chief deputy registrars of voters, and confidential assistants, but only in the event that House Bill No. 665 of the 1999 Regular Session of the Legislature is enacted into law \$ 373,000"

AMENDMENT NO. 3

On page 116, between lines 31 and 32, insert the following:

"Provided, however, the commissioner of administration shall reduce the State General Fund (Direct) appropriation contained in this schedule by the amount of \$1,200,000 and shall increase the appropriation from State General Fund by Interagency Transfers herein derived from the Louisiana State University Medical Center Health Care Services Division by a like amount."

AMENDMENT NO. 4

On page 126, between lines 17 and 18, insert the following:

"Provided, however, that of the State General Fund (Direct) appropriation contained in this schedule for the Personal Health Services Program, the amount of \$125,000 shall be allocated for school-based health services at Buckeye-Deville Junior High School."

AMENDMENT NO. 5

On page 287, between lines 18 and 19, insert the following:

"Payable out of the State General Fund (Direct) for the Supplemental Education Assistance Program for the provision of services through the North Baton Rouge Tutorial Program \$ 100,000"

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

Motion

On motion of Rep. LeBlanc, the House resolved itself into a Committee of the Whole House to take into consideration House Bill No. 1.

Acting Chairman

Rep. Long in the Chair.

House Business Resumed**Speaker Downer in the Chair**

The committee having risen, the chairman, Rep. Long, reported to the House that which the Committee of the Whole House had had under consideration:

HOUSE BILL NO. 1

BY REPRESENTATIVE LEBLANC
AN ACT

Making appropriations for the ordinary expenses of the executive branch of state government, pensions, public schools, public roads, public charities, and state institutions and providing with respect to the expenditure of said appropriations.

Read by title.

Reported with amendments.

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Wooton in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 100, between lines 20 and 21, insert the following:

"Provided, however, that payments to sheriffs for the housing of state prisoners shall be provided at twenty-three dollars (\$23.00) per day."

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representatives Walsworth and Winston in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 149, between lines 30 and 31, insert the following:

"Provided, however, that the department shall develop a plan by September 1, 1999, to be presented before the House Committee on Civil Law and Procedure, to reduce the length of time it takes to file a "termination of parental rights" document in the court of appropriate jurisdiction from sixty days to fifteen days. Such plan shall be implemented by January 1, 2000, and include performance information pertaining to this goal."

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative LeBlanc in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 172, after line 46, insert the following:

"Provided, however, that of the State General Fund (Direct) appropriation contained in this schedule the amount of \$150,000 shall be allocated to the Opportunities Industrialization Center in New Orleans."

COMMITTEE OF THE WHOLE HOUSE AMENDMENTS

Amendments proposed by Representative Triche in the Committee of the Whole House to Engrossed House Bill No. 1 by Representative LeBlanc

AMENDMENT NO. 1

On page 175, after line 50, insert:

Payable out of the State General Fund by Interagency Transfers for the purposes of the Wildlife Enforcement Division \$ 100,000"

AMENDMENT NO. 2

On page 177, between lines 20 and 21, insert:

"Provided however, that of the funds contained herein from the Alligator Resource Fund, the amount of \$200,000 shall be allocated for the purposes of the Fur and Alligator Council; and further provided that of the funds contained herein from the Alligator Resource Fund, the amount of \$100,000 shall be transferred to the Office of the Secretary for the purposes of the enforcement division."

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

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

As a substitute motion, Rep. Hunter moved to adjourn until 1:30 P.M. on Wednesday, May 19, 1999.

Rep. LeBlanc objected.

The vote recurred on the substitute motion.

By a vote of 21 yeas and 72 nays, the House refused to adjourn.

Motion

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

Rep. Hunter objected.

By a vote of 78 yeas and 11 nays, the House agreed to order the previous question on the entire subject matter.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Jenkins	Landrieu
Total—2	

ABSENT

Barton	Jetson	Wooton
Farve	Mitchell	
Hunter	Strain	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Motion

On motion of Rep. Alario, House Bill No. 2 was made Special Order of the Day No. 1 for Wednesday, May 19, 1999.

Motion

On motion of Rep. LeBlanc, House Bill No. 2027 was made Special Order of the Day No. 2 for Wednesday, May 19, 1999.

Suspension of the Rules

On motion of Rep. Hill, the rules were suspended in order to take up Petitions, Memorials and Communications at this time.

Petitions, Memorials and Communications

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

Privileged Report of the Committee on Enrollment

May 18, 1999

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

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

The following House Resolutions have been properly enrolled:

HOUSE RESOLUTION NO. 56—

BY REPRESENTATIVE MCMAINS

A RESOLUTION

To formally proclaim April Sixth as Tartan Day across the state of Louisiana.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

Privileged Report of the Committee on Enrollment

May 18, 1999

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. 207—

BY REPRESENTATIVE MARTINY

A CONCURRENT RESOLUTION

To commend G. Frank Purvis, Jr., Chairman Emeritus of Pan-American Life Insurance Company, as the recipient of the prestigious Executive of the Year Award presented during the Business Association of Latin American Studies Conference, which was held in New Orleans, April 7-10, 1999, and to commend him for his outstanding contributions to the insurance industry and for his dedication and his lifelong contributions to his country, to the state of Louisiana, and to his community.

HOUSE CONCURRENT RESOLUTION NO. 208—

BY REPRESENTATIVE JETSON

A CONCURRENT RESOLUTION

To recognize and commend the players, coaches, and managers of the Capitol High School Lady Lions on an impressive season which bolstered a school record of 36-2 during the 1998-1999 season.

HOUSE CONCURRENT RESOLUTION NO. 209—

BY REPRESENTATIVE WINSTON

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of Mr. Bobby H. Fletcher, Sr. of Covington.

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.

Message from the Senate

HOUSE CONCURRENT RESOLUTIONS

May 18, 1999

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. 214
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

SIGNED SENATE BILLS AND JOINT RESOLUTIONS

May 18, 1999

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

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

Senate Bill No. 548

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

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

Message from the Senate

SIGNED SENATE CONCURRENT RESOLUTIONS

May 18, 1999

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

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

Senate Concurrent Resolution No. 101

and ask the Speaker of the House of Representatives to affix his signature to the same.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

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

Message from the Senate

HOUSE BILLS

May 18, 1999

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

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

House Bill No. 63
Returned with amendments.

House Bill No. 166
Returned without amendments.

House Bill No. 331
Returned with amendments.

House Bill No. 498
Returned with amendments.

House Bill No. 514
Returned without amendments.

House Bill No. 517
Returned with amendments.

House Bill No. 602
Returned without amendments.

House Bill No. 606
Returned without amendments.

House Bill No. 729
Returned without amendments.

House Bill No. 730
Returned without amendments.

House Bill No. 750
Returned without amendments.

House Bill No. 751
Returned without amendments.

House Bill No. 832
Returned without amendments.

House Bill No. 833
Returned with amendments.

House Bill No. 911
Returned without amendments.

House Bill No. 1103
Returned with amendments.

House Bill No. 1149
Returned without amendments.

House Bill No. 1156
Returned without amendments.

House Bill No. 1174
Returned without amendments.

House Bill No. 1183
Returned with amendments.

House Bill No. 1429
Returned with amendments.

House Bill No. 1474
Returned without amendments.

House Bill No. 1682
Returned without amendments.

House Bill No. 1714
Returned without amendments.

House Bill No. 1790
Returned with amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 18, 1999

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

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

Senate Concurrent Resolution Nos. 127 and 128

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

SENATE BILLS

May 18, 1999

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

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

Senate Bill Nos. 96, 483, 490, 831, 894, 1040, 1087, and 1110

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

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

Senate Bills and Joint Resolutions on First Reading

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

SENATE BILL NO. 96—

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 34:445 and to enact R.S. 34:3402(D), relative to navigation and shipping; to provide relative to the Mississippi River Deepening Project; to authorize a third phase of deepening; and to provide for related matters.

Read by title.

SENATE BILL NO. 483—

BY SENATOR JOHNSON

AN ACT

To amend and reenact R.S. 51:1753(B)(6) and to enact R.S. 39:1502.2 and 1595.7, relative to public contracts; to provide relative to a mentor-protégé program; to require incentives for participation in such program when awarding certain public contracts; and to provide for related matters.

Read by title.

SENATE BILL NO. 490—

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 56:325(A)(6) and 326(A)(7)(b), relative to fishing; to provide for certain freshwater game fish and commercial fish; to reduce the minimum legal size limit for channel catfish; and to provide for related matters.

Read by title.

SENATE BILL NO. 831—

BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 17:3921.2(E), relative to the Classroom-based Technology Fund; to provide relative to the deposit of monies in the fund; to provide for the use of such monies deposited into the fund; and to provide for related matters.

Read by title.

SENATE BILL NO. 894—

BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 33:1996, relative to fire protection for municipalities; to provide for scheduled paid vacation days for firemen; and to provide for related matters.

Read by title.

SENATE BILL NO. 1040—

BY SENATOR THOMAS

AN ACT

To amend and reenact R.S. 17:3048.1(P)(1)(a), relative to the Tuition Opportunity Program for Students; to provide for student eligibility; to allow students who graduate from certain out-of-state high schools to be eligible for an award provided certain enhanced eligibility criteria are met; to provide relative to certain high schools that are accredited by the Southern Association of Colleges and Schools and meet certain additional criteria; and to provide for related matters.

Read by title.

SENATE BILL NO. 1087—

BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 11:2260(A)(11)(f)(i), relative to the Firefighters' Retirement System; to authorize certain fire protection district employees to become members of the system; and to provide for related matters.

Read by title.

SENATE BILL NO. 1110—

BY SENATOR ROMERO

AN ACT

To authorize the Louisiana Wildlife and Fisheries Commission to assess an entrance fee for the Spanish Lake game and fish preserve; and to provide for related matters.

Read by title.

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. 57—

BY REPRESENTATIVE CLARKSON

A RESOLUTION

To commend the 1999 Jesuit High School soccer team on being the undefeated state champion in the highest division of soccer competition.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 216—

BY REPRESENTATIVE JOHN SMITH

A CONCURRENT RESOLUTION

To memorialize the United States Congress to take such actions as are necessary to adequately fund and staff the DeRidder Automated Flight Service Station.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 217—

BY REPRESENTATIVE MURRAY

A CONCURRENT RESOLUTION

To express the condolences and the heartfelt sorrow of the Legislature of Louisiana upon the death of the Honorable John Minor Wisdom, Judge of the United States Fifth Circuit Court of Appeals.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 218—

BY REPRESENTATIVE MURRAY

A CONCURRENT RESOLUTION

To express the condolences of the Louisiana Legislature to the family of Felton Brown.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 219—

BY REPRESENTATIVE CLARKSON

A CONCURRENT RESOLUTION

To commend the 1999 Jesuit High School soccer team on being the undefeated state champion in the highest division of soccer competition.

Read by title.

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

Ordered to the Senate.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Appropriations

May 18, 1999

To the Speaker and Members of the House of Representatives:

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

House Bill No. 123, by McMains
Reported favorably. (14-0) (Regular)

House Bill No. 315, by Dupre
Reported favorably. (14-0) (Local and Consent)

House Bill No. 386, by Toomy
Reported with amendments. (9-0-1) (Regular)

House Bill No. 728, by Salter
Reported with amendments. (14-0) (Local and Consent)

House Bill No. 862, by Landrieu
Reported with amendments. (9-0-1) (Regular)

House Bill No. 899, by Hudson
Reported with amendments. (7-3) (Regular)

House Bill No. 953, by McMains
Reported favorably. (9-0-1) (Regular)

House Bill No. 955, by McMains
Reported favorably. (10-0) (Regular)

House Bill No. 1081, by Dupre
Reported favorably. (14-0) (Local and Consent)

House Bill No. 1090, by Marionneaux
Reported with amendments. (10-0) (Regular)

House Bill No. 1468, by Landrieu
Reported with amendments. (10-0) (Regular)

House Bill No. 1755, by DeWitt
Reported with amendments. (9-0-1) (Regular)

House Bill No. 1782, by Winston
Reported with amendments. (10-0) (Local and Consent)

House Bill No. 1999, by Powell
Reported favorably. (10-0) (Local and Consent)

House Bill No. 2106, by Walsworth
Reported favorably. (11-0) (Local and Consent)

House Bill No. 2161, by John Smith
Reported favorably. (10-0) (Regular)

House Bill No. 2165, by Thornhill
Reported with amendments. (12-0) (Local and Consent)

House Bill No. 2198, by Frith
Reported with amendments. (10-0) (Regular)

House Bill No. 2203, by Scalise
Reported favorably. (10-0) (Local and Consent)

JERRY LUKE LEBLANC
Chairman

Report of the Committee on Civil Law and Procedure

May 18, 1999

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 44, by Lancaster
Reported with amendments. (7-0)

House Bill No. 311, by Thornhill
Reported favorably. (9-0) (Regular)

House Bill No. 807, by Green
Reported with amendments. (7-0) (Regular)

House Bill No. 874, by Wilkerson
Reported favorably. (10-0) (Regular)

House Bill No. 1390, by McMains
Reported favorably. (8-0) (Regular)

House Bill No. 1391, by McMains
Reported with amendments. (9-0) (Regular)

House Bill No. 1393, by McMains
Reported favorably. (7-0) (Regular)

House Bill No. 1450, by Fontenot
Reported with amendments. (10-0) (Regular)

House Bill No. 1536, by Bowler
Reported with amendments. (9-0) (Regular)

House Bill No. 1878, by McMains
Reported with amendments. (7-0) (Regular)

House Bill No. 2151, by Green
Reported with amendments. (8-0) (Regular)

House Bill No. 2271, by DeWitt (Joint Resolution)
Reported with amendments. (10-0) (Regular) (Special Order)

F. CHARLES MCMAINS, JR.
Chairman

Report of the Committee on Environment

May 18, 1999

To the Speaker and Members of the House of Representatives:

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

House Bill No. 1791, by Damico
Reported with amendments. (8-3) (Regular)

House Bill No. 2211, by Guillory
Reported with amendments. (11-1) (Regular)

Senate Concurrent Resolution No. 44, by C. Fields
Reported with amendments. (8-1)

Senate Bill No. 743, by C. Fields
Reported with amendments. (11-0) (Regular)

N. J. DAMICO
Chairman

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

Report of the Committee on Transportation, Highways and Public Works

May 18, 1999

To the Speaker and Members of the House of Representatives:

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

House Bill No. 2168, by McMains
Reported with amendments. (10-0) (Local and Consent)

House Bill No. 2197, by Flavin
Reported with amendments. (8-0) (Regular)

Senate Concurrent Resolution No. 105, by C. Fields
Reported favorably. (10-0)

Senate Bill No. 46, by Landry
Reported favorably. (7-0) (Regular)

Senate Bill No. 86, by Landry
Reported with amendments. (7-3-1) (Regular)

Senate Bill No. 110, by Hollis
Reported favorably. (10-0) (Regular)

Senate Bill No. 146, by Lentini
Reported favorably. (7-0) (Regular)

Senate Bill No. 164, by Barham
Reported favorably. (7-0) (Regular)

Senate Bill No. 290, by Campbell
Reported with amendments. (10-0) (Regular)

Senate Bill No. 350, by Ullo
Reported favorably. (7-0) (Regular)

Senate Bill No. 380, by Greene
Reported with amendments. (8-0) (Regular)

Senate Bill No. 430, by Landry
Reported with amendments. (7-0) (Regular)

Senate Bill No. 432, by Landry
Reported favorably. (8-0) (Regular)

Senate Bill No. 433, by Landry
Reported favorably. (8-0) (Regular)

Senate Bill No. 480, by Heitmeier
Reported with amendments. (7-0) (Regular)

Senate Bill No. 484, by Landry
Reported with amendments. (8-0) (Regular)

Senate Bill No. 647, by Smith
Reported favorably. (10-0) (Regular)

Senate Bill No. 802, by Landry
Reported favorably. (9-0) (Regular)

Senate Bill No. 806, by Landry
Reported favorably. (9-0) (Regular)

Senate Bill No. 808, by Landry
Reported with amendments. (8-0) (Regular)

Senate Bill No. 889, by Landry
Reported favorably. (8-0) (Regular)

Senate Bill No. 912, by Ewing
Reported with amendments. (10-0) (Regular)

Senate Bill No. 996, by Landry
Reported favorably. (10-0) (Regular)

Senate Bill No. 1026, by Landry
Reported favorably. (10-0) (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 Ways and Means

May 18, 1999

To the Speaker and Members of the House of Representatives:

I am directed by your Committee on Ways and Means to submit the following report:

House Bill No. 137, by Farve
Reported favorably. (12-0) (Regular)

House Bill No. 617, by Murray (Joint Resolution)
Reported with amendments. (13-0)

House Bill No. 897, by Faucheux
Reported with amendments. (15-0) (Regular)

House Bill No. 1049, by Farve
Reported with amendments. (13-0) (Regular)

House Bill No. 1242, by Holden
Reported favorably. (15-0) (Regular)

House Bill No. 1405, by Damico
Reported with amendments. (14-0) (Regular)

House Bill No. 2104, by Alario
Reported favorably. (9-0-1) (Regular)

House Bill No. 2208, by Copelin
Reported with amendments. (15-0) (Regular)

JOHN A. ALARIO, JR.
Chairman

**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. 132—
BY SENATORS CAMPBELL, CRAVINS, BAJOE, BEAN, BOISSIERE,
DEAN, C. FIELDS, W. FIELDS, HINES, IRONS, JONES AND ROMERO
AN ACT

To enact Part XIX of Chapter 2 of Code Title XII of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:3577.11 through 3577.22, and to repeal Part XIX of Chapter 2 of Code Title XII of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, comprised of R.S. 9:3577.1 through 3577.8; to replace the Louisiana Small Loan Act with the Louisiana Pay Day Loan Act on April 1, 2000 in order to provide for comprehensive regulation of the deferred deposit loan or "pay day loan" business; to provide for civil and criminal penalties; to provide for civil remedies; and to provide for related matters.

Called from the calendar.

Read by title.

On motion of Rep. Travis, the bill was referred to the Committee on Commerce, under the rules.

Suspension of the Rules

On motion of Rep. McMains, the rules were suspended to permit the Committee on Civil Law and Procedure to meet at adjournment on Tuesday, May 18, 1999, without giving the notice required by House Rule 14.24(A) and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

House Bill No. 640

Suspension of the Rules

On motion of Rep. McDonald, the rules were suspended to permit the Committee on Education to meet and consider the following legislative instruments that were not listed on the weekly committee schedule as required by House Rule 14.23:

Senate Bill No. 198

Leave of Absence

Rep. Strain - 1 day

Adjournment

On motion of Rep. McMains, at 8:05 P.M., the House agreed to adjourn until Wednesday, May 19, 1999, at 1:30 P.M.

The Speaker of the House declared the House adjourned until 1:30 P.M., Wednesday, May 19, 1999.

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays
Journal Clerk, *Emeritus*