

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

THIRTY-EIGHTH 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

Thursday, May 20, 1999

The House of Representatives was called to order at 1:00 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	Hammett	Pinac
Alexander	Heaton	Powell
Ansardi	Hebert	Pratt
Barton	Hill	Quezaire
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	Odinet	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 Reverend Dennis Allen.

Pledge of Allegiance

Rep. Sneed led the House in reciting the Pledge of Allegiance to the Flag of the United States of America.

Reading of the Journal

On motion of Rep. Walsworth, the reading of the Journal was dispensed with.

On motion of Rep. Walsworth, the Journal of May 19, 1999, was adopted.

Suspension of the Rules

On motion of Rep. Walsworth, 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 20, 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. 4
Reported without amendments.

Senate Bill No. 16
Reported without amendments.

Senate Bill No. 20
Reported without amendments.

Senate Bill No. 63
Reported without amendments.

Senate Bill No. 170
Reported without amendments.

Senate Bill No. 178
Reported without amendments.

Senate Bill No. 243
Reported without amendments.

Senate Bill No. 300
Reported with amendments.

Senate Bill No. 307
Reported without amendments.

Senate Bill No. 363
Reported without amendments.

Senate Bill No. 417
Reported with amendments.

Senate Bill No. 499
Reported without amendments.

Senate Bill No. 512
Reported without amendments.

Senate Bill No. 546
Reported without amendments.

Senate Bill No. 562
Reported without amendments.

Senate Bill No. 578
Reported without amendments.

Senate Bill No. 632
Reported without amendments.

Senate Bill No. 641
Reported without amendments.

Respectfully submitted,

JOE SALTER
Chairman

Message from the Senate

SENATE BILLS

May 19, 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 No. 324

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. Windhorst, 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. 324—
BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:502, relative to the Louisiana State Employees' Retirement System; to provide for a death benefit for retirees age sixty-five or older; to provide for an effective date; 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 CONCURRENT RESOLUTION NO. 224—

BY REPRESENTATIVE WALSWORTH
A CONCURRENT RESOLUTION

To urge and request the Orleans Parish coroner's office to produce the report on the autopsy of Mr. Curtis Lee Gullette and to provide such report to Mr. Gullette's immediate family members and to recognize and record the disregard displayed by such office to Mr. Gullette's family.

Read by title.

Lies over under the rules.

House and House Concurrent Resolutions

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

HOUSE RESOLUTION NO. 60—

BY REPRESENTATIVE WALSWORTH
A RESOLUTION

To urge and request the office of alcohol and tobacco control, Department of Revenue, to develop a plan for issuing citations and conducting undercover operations to charge persons under the age of twenty-one for purchasing or possessing alcoholic beverages.

Read by title.

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

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.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 220—

BY REPRESENTATIVE WILLARD
A CONCURRENT RESOLUTION

To recognize the historical significance of Lincoln Beach and the importance of its rehabilitation, to express legislative support for its rehabilitation, and to request that the assistant secretary of the office of cultural development of the Department of Culture, Recreation, and Tourism evaluate the site for possible inclusion on the National Register of Historic Places.

Read by title.

Under the rules, the above resolution was referred to the Committee on Municipal, Parochial and Cultural Affairs.

HOUSE CONCURRENT RESOLUTION NO. 221—

BY REPRESENTATIVE MCCALLUM

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study a successor's rights relative to transfers of succession interests in immovable property prior to the judicial opening of the succession, the effect of creating a preemptive period for actions arising out of transfers of succession interests in immovable property which occurred prior to the judicial opening of the succession, and to report its findings and recommendations to the Legislature of Louisiana no later than January 1, 2001.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 222—

BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

To memorialize the United States Congress to continue to support and fund the United States-Asia Environmental Partnership, the Environmental Technology Network for Asia, and the Council of State Governments' State Environmental Initiative.

Read by title.

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

HOUSE CONCURRENT RESOLUTION NO. 223—

BY REPRESENTATIVE SCHWEGMANN

A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study the law regarding domicile and legal residence relative to granting a homestead exemption, to make recommendations as to an expedited procedure for establishing a citizen's legal residence for purposes of the homestead exemption, and to report its findings to the Legislature of Louisiana no later than January 1, 2001.

Read by title.

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

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 113—

BY SENATOR CAIN

A CONCURRENT RESOLUTION

To direct the secretary of the Department of Transportation and Development to study the long term effects of taking water from public water sources to be used for commercial purposes.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 114—

BY SENATOR CAIN (BY REQUEST)

A CONCURRENT RESOLUTION

To urge and request the president of the United States to exercise the emergency powers delegated by congress to reestablish, restore, and maintain economic parity relative to the price of agricultural products.

Read by title.

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

SENATE CONCURRENT RESOLUTION NO. 129—

BY SENATORS COX, CAIN AND THEUNISSEN AND REPRESENTATIVES GUILLORY, FLAVIN, JOHNS, MOORISH AND STELLY

A CONCURRENT RESOLUTION

To recognize and commend the members, coaches, and staff of the Lake Charles-Boston Lady Cougars Outdoor Track and Field Team on winning the Class 3A state meet.

Read by title.

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

Senate Bills and Joint Resolutions on Second Reading to be Referred

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

SENATE BILL NO. 339—

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 9:5626, relative to prescription; to provide that all claims and actions for land and improvements taken for levee and levee drainage purposes shall prescribe within two years from actual occupancy, use or destruction; 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. 431—

BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 9:5628, relative to prescription; to provide for prescriptive period applicable to state and private health care providers for actions for medical malpractice; to provide that the preemptive period does not apply in cases of fraud; 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. 549—

BY SENATOR ROMERO

AN ACT

To enact Code of Criminal Procedure Art. 740, relative to restrictions on subpoenas; to provide for a subpoena duces tecum for certain records in the possession of the Department of Public Safety and Corrections; 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. 761—

BY SENATORS BEAN, HINES, BAJOE, CAMPBELL, CASANOVA, CRAVINS, DARDENNE, DYESS, ELLINGTON, EWING, C. FIELDS, HOLLIS, IRONS, JOHNSON, JORDAN, LAMBERT, LANDRY, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SIRACUSA, SMITH, THEUNISSEN AND THOMAS

AN ACT

To enact R.S. 22:230.3, relative to health insurance; to provide for coverage of certain patients participating in selected clinical trials; to provide for approval of entities conducting such trials; and to provide for related matters.

Read by title.

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

SENATE BILL NO. 798—

BY SENATOR BOISSIERE

AN ACT

To enact Subpart D of Chapter 9 of Title 51 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 51:1291, relative to the Louisiana Hospitality Research Program; to provide for its creation; to provide for its purpose; to provide for its administration; to establish an advisory committee and provide for its membership, functions, and duties; to provide for development of a plan of operation; to provide for funding and record keeping; and to provide for related matters.

Read by title.

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

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. 1—

BY REPRESENTATIVE SALTER

A CONCURRENT RESOLUTION

To prohibit the Office of Elderly Affairs from making certain planning and service area changes and federal funding distribution changes relative to the Older Americans Act.

Read by title.

Reported with amendments by the Committee on Health and Welfare.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Health and Welfare to Original House Concurrent Resolution No. 1 by Representative Salter

AMENDMENT NO. 1

On page 2, line 19, after "of the" change "council directors" to "boards of directors of parish councils on aging"

AMENDMENT NO. 2

On page 3, line 5, after "of the" change "council directors" to "boards of directors of parish councils on aging"

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

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

House Bills and Joint Resolutions on Second Reading Reported by Committees

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

HOUSE BILL NO. 223—

BY REPRESENTATIVE MORRISH

AN ACT

To enact Code of Criminal Procedure Art. 222, relative to blood and saliva testing; to require a person to be tested for infectious disease after committing an act which could transmit the disease to a law enforcement officer; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 223 by Representative Morrish

AMENDMENT NO. 1

On page 2, line 22, change "'Means' is any" to "'Act' is the"

AMENDMENT NO. 2

On page 2, line 23, after "substances" and before the period "." add "by any means"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 465—

BY REPRESENTATIVE MONTGOMERY

AN ACT

To enact R.S. 14:40.2(E), relative to the crime of stalking; to provide for certain written notices of convictions; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 735—

BY REPRESENTATIVE TRAVIS

AN ACT

To amend and reenact R.S. 14:30(B), relative to the crime of first degree murder; to provide for the definition of "peace officer" for purposes of the crime; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 735 by Representative Travis

AMENDMENT NO. 1

On page 1, line 15, after "officer," and before "licensed" insert "or a"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 757—

BY REPRESENTATIVE TRAVIS

AN ACT

To enact Code of Criminal Procedure Art. 215.3, relative to arrest; to authorize private security officers licensed by the Louisiana State Board of Private Security Examiners to detain a person suspected of criminal activity; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 757 by Representative Travis

AMENDMENT NO. 1

On page 1, line 13, after "minutes," delete the remainder of the line, and delete line 14, and insert "when the"

AMENDMENT NO. 2

On page 1, line 15, after "officer has" and before "cause" change "reasonable" to "probable"

AMENDMENT NO. 3

On page 1, line 17, after "person" and before "for arrest" insert ". for a length of time not to exceed sixty minutes."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1119—

BY REPRESENTATIVE JOHNS

AN ACT

To amend and reenact R.S. 40:1379.3.1(A), relative to fees paid for concealed handgun permits; to provide for reduced fees for certain persons; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1512—

BY REPRESENTATIVE BARTON

AN ACT

To enact R.S. 14:97.1(C), relative to the crime of soliciting on an interstate highway; to provide an exemption for professional firefighters soliciting for charitable purposes; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1596—

BY REPRESENTATIVE WINDHORST

AN ACT

To amend and reenact R.S. 24:11, relative to legislative procedure; to provide for the form of a legislative petition for an extraordinary session of the legislature; to provide for the timing of such an extraordinary session; and to provide for related matters.

Read by title.

Reported favorably by the Committee on House and Governmental Affairs.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 1619—

BY REPRESENTATIVE RIDDLE

AN ACT

To amend and reenact R.S. 36:478(C)(3), R.S. 46:231.12(A)(7), 1406, 1407, 1408(A) and (B), 1409, and 1443(A)(1), and Children's Code Art. 1173(A)(introductory paragraph), relative to child care facilities; to change the Louisiana Advisory Committee on Licensing of Child Care Facilities and Child Placing Agencies to the Child Care Committee on Licensing of Child Care Facilities; to provide for committee membership; to provide for powers, duties, and functions of the committee; to provide for regulations pertaining to Class A child care facilities; and to provide for related matters.

Read by title.

Reported by substitute by the Committee on Health and Welfare.

The substitute was read by title as follows:

HOUSE BILL NO. 2278 (Substitute for House Bill No. 1619 by Representative Riddle)—

BY REPRESENTATIVES RIDDLE AND DURAND
AN ACT

To amend and reenact R.S. 46:1406, relative to child care facilities; to provide for the membership of the Louisiana Advisory Committee on Licensing of Child Care Facilities and Child Placing Agencies; and to provide for related matters.

Read by title.

On motion of Rep. Alexander, the substitute was adopted and became House Bill No. 2278 by Rep. Riddle, on behalf of the Committee on Health and Welfare, as a substitute for House Bill No. 1619 by Rep. Riddle.

Under the rules, lies over in the same order of business.

HOUSE BILL NO. 1742—

BY REPRESENTATIVES MORRISH, ANSARDI, BAYLOR, CHAISSON, JOHNS, MARTINY, PINAC, AND THERIOT
AN ACT

To amend and reenact R.S. 22:1241 and 1245 and R.S. 23:1293(A)(3) and to enact Part A-1 of Part II of Chapter 6 of Title 40 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 40:1421 through 1428, relative to insurance fraud; to provide for an insurance fraud investigation unit; to provide for the Department of Public Safety and Corrections; to provide for the powers, duties, and responsibilities; to provide for the duties and responsibilities of insurers; to provide immunity from liability; to provide with respect to rewards; to provide for reports to the legislature; to provide for reports of fraud investigations within the department of insurance; to provide relative to the confidentiality of certain records; to provide for a special assessment fee; to create a special fund; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Insurance.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Insurance to Original House Bill No. 1742 by Representative Morrish

AMENDMENT NO. 1

On page 11, line 17, after "unit" and before "shall" delete ", and" and in lieu thereof insert:

"and the section of insurance fraud within the department of insurance as provided in R.S. 22:1241 et seq. The fees provided for in this Section"

AMENDMENT NO. 2

On page 12, line 1, after "Investigation" and before "Fund" insert "and Department of Insurance Section of Insurance Fraud"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2097—

BY REPRESENTATIVE HUDSON
AN ACT

To amend and reenact R.S. 33:1432(8) and to enact R.S. 13:996.35, relative to fees paid to sheriffs in criminal cases; to provide for an increase of the fee paid to all sheriffs by persons who are convicted and condemned to pay costs; to provide for an additional fee to be paid to the sheriffs in certain parishes in all convictions and bond forfeitures in criminal cases in district courts; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 2097 by Representative Hudson

AMENDMENT NO. 1

On page 1, delete lines 2 through 5 in their entirety and insert in lieu thereof the following:

"To amend and reenact R.S. 33:1432(8) and to enact R.S. 13:996.35, relative to fees paid to sheriffs in criminal cases; to provide for an increase of the fee paid to all sheriffs by persons who are convicted and condemned to pay costs; to provide for an additional fee to be paid to the sheriffs in certain parishes in all convictions and bond forfeitures in criminal cases in district courts; and to provide for related"

AMENDMENT NO. 2

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

"Section 2. R.S. 33:1432(8) is hereby amended and reenacted to read as follows:

§1432. Fees in criminal matters

The compensation, fees, and costs allowed sheriffs, the parish of Orleans excepted, for all services in criminal matters, shall be the following:

* * *

(8) Sheriffs are entitled to receive the same fees as fixed in civil matters when a person is convicted and condemned to pay costs, which in no event shall be less than five eight dollars.

* * *"

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2098—

BY REPRESENTATIVE TOOMY
AN ACT

To amend and reenact R.S. 17:3217.2(D), to provide relative to the operation of vending stands, vending machines, and other concessions at Delgado Community College, including limitations on fees, service charges, or other operating costs; to provide for an effective date; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Health and Welfare.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2166—

BY REPRESENTATIVE WELCH
AN ACT

To amend and reenact R.S. 14:313, relative to offenses affecting the public generally; to provide an exception to wearing masks or hoods in public; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

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

HOUSE BILL NO. 2167—

BY REPRESENTATIVE WELCH
AN ACT

To enact R.S. 14:93.4(C), relative to the crime of exploitation of the infirmed; to provide that a person convicted of the offense or who enters a plea agreement for the offense shall be prohibited from having access to any aged or disabled persons power of attorney, guardianship, assets, or property; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Administration of Criminal Justice.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Administration of Criminal Justice to Original House Bill No. 2167 by Representative Welch

AMENDMENT NO. 1

On page 1, at the end of line 17, insert the following:

"The provisions of this Subsection shall not be construed to prohibit the offender from inheriting from the infirmed victim."

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

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2177—

BY REPRESENTATIVES QUEZAIRE, CRANE, AND KENNARD
AN ACT

To enact R.S. 14:34.8, relative to the crime of battery of a recreation athletic contest official; to create the crime; to provide for definitions; to provide for penalties; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2228—

BY REPRESENTATIVE WESTON
AN ACT

To amend and reenact R.S. 14:73.1(5) and (8) through (11) and to enact R.S. 14:73.1(12) and 73.6, relative to computer-related crime; to provide for the commission of computer fraud; to expand the definition of that crime to include certain acts involving unsolicited bulk electronic mail; to provide for penalties; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Administration of Criminal Justice.

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

Under the rules, placed on the regular calendar.

HOUSE BILL NO. 2277 (Substitute Bill for House Bill No. 4 by Representative Windhorst, et al.)—

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

A JOINT RESOLUTION

Proposing to amend Article III, Section 2(A) of the Constitution of Louisiana, to provide for the consideration of certain legislative instruments during regular sessions; to provide relative to subject matter limitations for and the duration of regular sessions; to provide deadlines for the prefiling and introduction of legislation and for certain legislative action; to provide for the authority of the legislature as related thereto; to provide for the submission of the proposed amendment to the electors; and to provide for related matters.

Read by title.

On motion of Rep. Lancaster, the bill was ordered engrossed and returned to the 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. 46—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 32:191.1(A) and R.S. 45:161, 162(2), (5)(a) and (e) and (10), 163(A) and 173, to enact R.S. 45:162(7.1), relative to motor vehicles and traffic regulations; to provide for the deregulation of certain intrastate contract carrier by buses; to provide for definitions; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 86—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 32:190(A), relative to safety helmets; to require certain motor vehicle operators to wear safety helmets; to provide for minimum health insurance coverage; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Engrossed Senate Bill No. 86 by Senator Landry

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 32:190(A)" insert "and to enact R.S. 32:193.1"

AMENDMENT NO. 2

On page 1, line 4, after "coverage;" insert the following:

"to require children under a certain age to operate or ride a bicycle with an approved bicycle helmet;"

AMENDMENT NO. 3

On page 1, line 6, after "reenacted" insert "and R.S. 32:193.1 is hereby enacted"

AMENDMENT NO. 4

On page 2, line 2, after "wear a" insert "safety"

AMENDMENT NO. 5

On page 2, after line 7, insert the following:

"§193.1. Bicycle helmets

A. The following words and phrases when used in this Section shall have the meaning herein assigned to them:

(1) "Approved helmet" means a bicycle helmet that meets or exceeds the minimum bicycle helmet safety standards set by the American National Standards Institute or the Snell Memorial Foundation.

(2) "Bicycle" means a human-powered vehicle with two tandem wheels designed to transport, by pedaling, one or more persons.

(3) "Operator" means a person who travels on a bicycle seated on a saddle seat from which that person is intended to and can pedal the bicycle.

(4) "Passenger" means any person who travels on a bicycle in any manner except as an operator.

B. With regard to any bicycle used on a public roadway, public bicycle path, or other public right-of-way, it shall be unlawful for any person under the age of twelve years to operate or to be a passenger on a bicycle unless, at all times when the person is engaged in riding the bicycle, he wears an approved protective bicycle helmet, which is not otherwise damaged, of good fit fastened securely upon the head with the straps of the helmet."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 164—
BY SENATOR BARHAM

AN ACT

To enact R.S. 47:462(C), relative to motor vehicles; to provide relative to prestige plates; to authorize such plates for use on certain oversized private vehicles; to provide relative to fees; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 290—
BY SENATOR CAMPBELL

AN ACT

To amend and reenact R.S. 47:463.45(B) and (C), 463.46(B) and (C), 463.54(B) and (C) and R.S. 56:10(B)(6)(a) and to enact R.S. 56:10(B)(9) and (10), relative to motor vehicles; to provide relative to license plates; to provide relative to the Louisiana Quail, Wild Turkey and Black Bear Unlimited prestige license plates; to reduce the fees for such plates; to create special accounts; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Reengrossed Senate Bill No. 290 by Senator Campbell

AMENDMENT NO. 1

On page 1, line 7, after "such plates;" insert "to provide for a handling fee;"

AMENDMENT NO. 2

On page 1, line 16, after "R.S. 47:463" and before the period insert the following:

"and a three dollars and fifty cents handling fee which shall be retained by the department to offset a portion of the administrative costs"

AMENDMENT NO. 3

On page 2, line 26, after "R.S. 47:463" and before the period insert the following:

"and a three dollars and fifty cents handling fee which shall be retained by the department to offset a portion of the administrative costs"

AMENDMENT NO. 4

On page 3, line 18, after "R.S. 47:463" and before the period insert the following:

"and a three dollars and fifty cents handling fee which shall be retained by the department to offset a portion of the administrative costs"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 350—

BY SENATOR ULLO AND REPRESENTATIVE DAMICO
AN ACT

To amend and reenact R.S. 32:303(D), relative to traffic; to provide relative to motor vehicle equipment; to provide relative to headlamps; to prohibit the use of off road colored lights; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 380—

BY SENATOR GREENE

AN ACT

To enact R.S. 48:1001, relative to public transportation; to provide relative to ferries; to authorize the Department of Transportation and Development to endeavor for operation and maintenance of the St. Francisville ferry through private contract; to require compliance with the public bid requirements of the department; to require promulgation of rules; to provide exceptions; to provide for a two-thirds vote to increase toll; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Engrossed Senate Bill No. 380 by Senator Greene

AMENDMENT NO. 1

On page 1, line 4, after "for" and before "maintenance" delete "operation and"

AMENDMENT NO. 2

On page 1, line 14, after "the" and before "maintenance" delete "operation and"

AMENDMENT NO. 3

On page 2, line 2, after "for the" and before "maintenance" delete "operation and"

AMENDMENT NO. 4

On page 2, line 18, after "The" and before "maintenance" delete "operation and"

AMENDMENT NO. 5

On page 2, line 20, after "for" and before "maintenance" delete "operation and"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 430—

BY SENATORS LANDRY AND LAMBERT
AN ACT

To enact Chapter 28 of Title 48 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 48:2051 through 2057, relative to the Mississippi River Road Corridor Commission; to create the Mississippi River Road Corridor Commission and to establish the boundaries thereof; to provide for the membership of such board and its powers, duties, functions, and authority; to provide for definitions; to establish the domicile of the commission; to provide for the official depository of the commission; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Reengrossed Senate Bill No. 430 by Senators Landry and Lambert

AMENDMENT NO. 1

On page 1, line 3, after "48:2051" change "though 2057" to "through 2056"

AMENDMENT NO. 2

On page 1, line 4, after "Road" delete "Corridor"

AMENDMENT NO. 3

On page 1, at the beginning of line 5, delete "Corridor"

AMENDMENT NO. 4

On page 1, at the end of line 7, delete "to establish the"

AMENDMENT NO. 5

On page 1, delete line 8 in its entirety

AMENDMENT NO. 6

On page 1, at the beginning of line 9, delete "commission"

AMENDMENT NO. 7

On page 1, line 12, after "through" change "2057" to "2056"

AMENDMENT NO. 8

On page 1, line 14, after "Road" delete "Corridor"

AMENDMENT NO. 9

On page 2, at the beginning of line 4, delete "Corridor"

AMENDMENT NO. 10

On page 2, delete lines 5 through 20 in their entirety

AMENDMENT NO. 11

On page 2, at the beginning of line 21, change "(5)" to "(2)"

AMENDMENT NO. 12

On page 2, line 24, after the semicolon ";" add "purpose and"

AMENDMENT NO. 13

On page 2, line 26, after "Road" delete "Corridor"

AMENDMENT NO. 14

On page 3, line 1, after "of the" change "Great" to "Historic"

AMENDMENT NO. 15

On page 3, between lines 6 and 7, add the following:

"B. The purpose of the commission is to preserve, enhance, and promote the Mississippi River Road as a historic, cultural, scenic, natural, and economic resource for the state."

AMENDMENT NO. 16

On page 3, at the beginning of line 7, change "B" to "C"

AMENDMENT NO. 17

On page 3, line 10, after "the" change "department" to "Department of Transportation and Development"

AMENDMENT NO. 18

On page 3, line 16, after "of" change "twenty-eight" to "twenty-seven"

AMENDMENT NO. 19

On page 4, delete lines 1 and 2 in their entirety

AMENDMENT NO. 20

On page 4, at the beginning of line 3, change "(g)" to "(f)"

AMENDMENT NO. 21

On page 4, delete lines 4 and 5 in their entirety

AMENDMENT NO. 22

On page 4, at the beginning of line 6, change "(i)" to "(g)"

AMENDMENT NO. 23

On page 4, at the beginning of line 8, change "(j)" to "(h)"

AMENDMENT NO. 24

On page 4, at the beginning of line 13, change "(k)" to "(i)"

AMENDMENT NO. 25

On page 4, at the beginning of line 16, change "(l)" to "(j)"

AMENDMENT NO. 26

On page 4, at the beginning of line 19, change "(m)" to "(k)"

AMENDMENT NO. 27

On page 4, at the beginning of line 21, change "(n)" to "(l)"

AMENDMENT NO. 28

On page 4, at the beginning of line 23, change "(o)" to "(m)"

AMENDMENT NO. 29

On page 4, at the beginning of line 24, change "(p)" to "(n)"

AMENDMENT NO. 30

On page 4, at the beginning of line 26, change "(q)" to "(o)"

AMENDMENT NO. 31

On page 4, after line 27, add the following:

"(p) The secretary of the Department of Economic Development or his designee."

AMENDMENT NO. 32

On page 5, line 19, after "D." delete the remainder of the line and add in lieu thereof "Those members of the commission appointed by the governor shall serve at his pleasure."

AMENDMENT NO. 33

On page 5, delete line 20 in its entirety

AMENDMENT NO. 34

On page 6, delete lines 4 and 5 in their entirety

AMENDMENT NO. 35

On page 6, at the beginning of line 6, delete "convenes them or on written request of eight members."

AMENDMENT NO. 36

On page 6, line 7, after the period "." delete the remainder of the line

AMENDMENT NO. 37

On page 6, delete line 8 in its entirety

AMENDMENT NO. 38

On page 6, at the beginning of line 9, delete "votes in an open public meeting."

AMENDMENT NO. 39

On page 6, line 10, after "govern" add "the scheduling and conduct of"

AMENDMENT NO. 40

On page 6, line 11, after "G." delete the remainder of the line and add in lieu thereof "Domicile for the commission shall be prescribed by the commission."

AMENDMENT NO. 41

On page 6, delete line 12 in its entirety

AMENDMENT NO. 42

On page 6, delete lines 23 through 27 in their entirety and on page 7, delete lines 1 through 14 in their entirety and insert the following:

"(3) To develop economic development impact and benefit studies.

(4) To develop promotional materials and campaigns of all types.

(5) To pursue tourism development studies and projects.

(6) To develop proposals for scenic levy overlooks of the Mississippi River.

(7) To sponsor recreational and heritage traces and trails.

(8) To sponsor scenic enhancement projects.

(9) To sponsor economic development projects.

(10) To develop appropriate signage and incorporate it into the state system.

(11) To accept rights of way and easements.

(12) To develop cultural and historical resource surveys.

(13) To sponsor archaeological investigation, conservation, and interpretive projects.

(14) To administer grants for a wide variety of tourism and historic preservation related projects."

AMENDMENT NO. 43

On page 7, at the beginning of line 15, change "(5)" to "(15)"

AMENDMENT NO. 44

On page 7, delete lines 18 through 27 in their entirety and add in lieu thereof:

"(16) To utilize such monies as may be received to fund staff support.

(17) To enter into contracts and agreements with the United States or any appropriate agency thereof, the state of Louisiana or any appropriate agency thereof, any parish or municipal governing authority, or any private group or individual to further its goals.

(18) To designate an official depository."

AMENDMENT NO. 45

On page 8, delete lines 1 through 17 in their entirety

AMENDMENT NO. 46

On page 8, line 19, after "Development" add a comma and "Department of Economic Development, and Department of Culture, Recreation, and Tourism"

AMENDMENT NO. 47

On page 8, line 24, after "Development" add a comma and "the Department of Economic Development, and the Department of Culture, Recreation, and Tourism" and after "of the" change "secretary of said" to "secretaries of such"

AMENDMENT NO. 48

On page 8, at the beginning of line 25, change "department" to "departments"

AMENDMENT NO. 49

On page 9, delete lines 8 through 24 in their entirety

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 432—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 48:461.4(c)(2), relative to outdoor advertising; to provide relative to spacing requirements of such advertising; to provide for exceptions to such requirements; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 433—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 48:253(E) and 255(D)(2) and (3), relative to the Department of Transportation and Development; to provide relative to projects advertised by such department; to provide relative to certain bonds relating to such projects; to authorize such bonds to be written by certain companies locally owned or domiciled; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 480—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 48:1101.1(B)(2), relative to bridge and ferry authorities; to provide for the authority of the Crescent City Connection police; to limit the geographic jurisdiction of those police officers on the Westbank Expressway; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Engrossed Senate Bill No. 480 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 5, after "Expressway;" and before "and" insert "to require the Crescent City Connection Division to erect a plaque or other appropriate marker memorializing a former police officer;"

AMENDMENT NO. 2

On page 2, between lines 18 and 19, add the following:

"Section 2. Notwithstanding any other provision of law to the contrary, the Crescent City Connection Division of the Department of Transportation and Development shall erect a plaque or other appropriate marker memorializing Andre K. Williams, a former police officer employed by the Mississippi River Bridge Authority, who died while performing his duties on the Alvin T. Stumpf ferry boat. The plaque or marker shall be located in the immediate vicinity of the Mississippi River Riverwalk in New Orleans."

AMENDMENT NO. 3

On page 2, line 19, after "Section" change "2" to "3"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 484—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 48:945 and to enact R.S. 47:820.5(D), relative to tolls on bridges; to provide relative to assessing tolls on bridges; to classify certain motorcycles as two axle vehicles; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Engrossed Senate Bill No. 484 by Senator Landry

AMENDMENT NO. 1

On page 1, line 11, after "trailer" and before "shall" insert "which does not exceed two feet in length and two feet in width"

AMENDMENT NO. 2

On page 2, line 5, after "trailer" and before "shall" insert "which does not exceed two feet in length and two feet in width"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 647—
BY SENATOR SMITH

AN ACT

To enact R.S. 56:1948.7(C), relative to scenic highways; to provide for exceptions; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 743—
BY SENATOR C. FIELDS

AN ACT

To amend and reenact R.S. 30:2060(F), relative to the toxic air pollutant monitoring control program; to authorize continuous monitoring of air around certain facilities permitted by the Louisiana Department of Environmental Quality; and to provide for related matters.

Read by title.

Reported with amendments by the Committee on Environment.

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Environment to Engrossed Senate Bill No. 743 by Senator C. Fields

AMENDMENT NO. 1

On page 1, line 3, after "continuous" insert "or periodic"

AMENDMENT NO. 2

On page 1, line 13, after "continuous" insert "or periodic"

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 802—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 38:2241(A)(2), relative to public contracts; to provide relative to public works; to decrease the amount at which a bond is required; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 806—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 32:1719(B) and 1720(A), relative to motor vehicles; to provide for times of notification of vehicle owners by storage facility and parking lot operators; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 808—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 38:2212(B), relative to public contracts; to provide for public works which may be undertaken by a public entity itself; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Reengrossed Senate Bill No. 808 by Senator Landry

AMENDMENT NO. 1

On page 1, line 15, after "employees." insert the following:

"Nothing contained herein shall be construed as reducing those powers established by law in Chapter 3-B of Title 3 of the Louisiana Revised Statutes."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 889—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 48:381.2(C)(4), relative to utilities and facilities; to provide relative to the secretary of the Department of Transportation and Development authority to promulgate rules and regulations concerning the permitting of rights-of-ways for fiber-optic cable and wireless telecommunications providers; to provide for safety regulations and maintenance standards; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 912—
BY SENATOR EWING

AN ACT

To enact Part I-A of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 38:2511 through 2523, relative to water conservation; to authorize the creation of multiparish groundwater conservation districts; to provide relative to a board of commissioners to administer such district; to provide for the membership, appointments, terms, replacement, compensation, meetings, elections of officers, and powers of the board; to provide relative to the adoption and enforcement of water conservation laws, rules, regulations, and orders; to provide for administrative procedures; to provide for the assessment of certain pumping charges; to provide for judicial review and injunctive relief relative to certain actions of the board; to provide relative to violations and penalties; and to provide for related matters.

Read by title.

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

The committee amendments were read as follows:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Transportation, Highways and Public Works to Reengrossed Senate Bill No. 912 by Senator Ewing

AMENDMENT NO. 1

On page 1, line 3, change "2523" to "2517"

AMENDMENT NO. 2

On page 1, line 4, after "conservation;" delete the remainder of the line, delete lines 5 through 13, and insert the following:

"to create the Sparta Groundwater Conservation District; to provide relative to a board of commissioners for the district; to provide for the powers and duties of the board; and to provide for"

AMENDMENT NO. 3

On page 1, delete line 16, delete pages 2 through 24 in their entirety and insert the following:

"Section 1. Part I-A of Chapter 13 of Title 38 of the Louisiana Revised Statutes of 1950, comprised of R.S. 38:2511 through 2517, is hereby enacted to read as follows:

PART I-A. SPARTA GROUNDWATER CONSERVATION DISTRICT

§2511. Legislative finding; purpose

The increasing use of water for municipal, industrial, agricultural, recreational, and other purposes in North Central Louisiana is a matter of great public interest; the continued

uncontrolled use of groundwater from Sparta and other aquifers may create critical problems; the public welfare requires that such water be put to the highest beneficial use; and there is a need to study these matters and how to provide for the efficient administration, conservation, and orderly development of groundwater resources in the parishes of Bienville, Bossier, Caddo, Caldwell, Claiborne, Jackson, LaSalle, Lincoln, Morehouse, Natchitoches, Ouachita, Richland, Sabine, Union, Webster, and Winn.

§2512. District and board; creation

A. The Sparta Groundwater Conservation District is hereby established as a political subdivision of the state.

B. The district shall be administered by a board of commissioners whose members shall be commissioned as provided by R.S. 38:2514.

§2513. Definitions

Unless the context otherwise requires, the following terms shall have the following meanings for purposes of this Part:

(1) "Beneficial purpose" or "beneficial use" means the use of groundwater for domestic, municipal, industrial, agricultural, recreational, or therapeutic purposes or any other advantageous use.

(2) "Board" means the board of commissioners of the district.

(3) "Commissioner" means a member of the board of the district who has been commissioned in accordance with this Part.

(4) "District" means the Sparta Groundwater Conservation District.

(5) "Governing body" means the police jury, commission, council, or other legislative body of a parish.

(6) "Groundwater" is water suitable for any beneficial purpose percolating below the earth's surface.

(7) "User" means any person who produces groundwater in the district in excess of fifty thousand gallons for any day during any calendar year from a well or wells owned or operated by such person or from a well or wells owned or operated solely for the production of water used by such person.

(8) "Well" or "water well" means any well drilled or constructed for the principal purpose of producing groundwater.

§2514. Board of commissioners; tenure; replacement; compensation

A. The board of commissioners for the district shall consist of sixteen voting members commissioned by the governor as follows:

(1) One member each from the parishes of Bienville, Claiborne, Jackson, Lincoln, Morehouse, Ouachita, Union, Webster, and Winn, respectively. The governor shall designate the term of office for each member appointed pursuant to this Subparagraph so that insofar as possible, one-third of the initial members shall serve a one-year term, one-third a two-year term, and one-third a three-year term.

(2) One member, to serve a one-year term, from one of the following parishes: Bossier, Caddo, Caldwell, LaSalle, Natchitoches, Richland, and Sabine. The parish nominating the member shall be on a rotating basis in the order listed herein.

(3) Three members from the nominees of the user groups of wood product industry users, agricultural users, and other industrial

users, respectively, in the district commissioned in such manner that the wood products industry, agriculture, and other industries are each represented by one member. The governor shall designate the term of office for each member appointed pursuant to this Paragraph so that one member shall serve a one-year term, one shall serve for a two-year term, and one shall serve a three-year term.

(4) Three members from the nominees of municipalities within the district which have a minimum use of two million gallons per day. The governor shall designate the term of office for each member commissioned pursuant to this Paragraph so that one member shall serve a one-year term, one member shall serve a two-year term, and one member shall serve a three-year term.

B. The initial voting members shall be nominated by the appropriate nominating entity or group and presented to the governor on or before September 15, 1999. The members shall be commissioned by the governor on or before October 15, 1999.

C. Commissions pursuant to Paragraphs (A)(1), (3) and (4), other than the initial commissions, shall be for three year terms.

D. Each commission by the governor shall be submitted to the Senate for confirmation.

E. In addition, the following may serve at their pleasure as ex-officio nonvoting members of the board and shall not be considered in determining a quorum for the purpose of board meetings:

(1) The secretary of the Department of Environmental Quality or his designee.

(2) The commissioner of agriculture and forestry or his designee.

(3) A representative of the United States Geological Survey.

(4) The secretary of the Department of Wildlife and Fisheries or his designee.

(5) The secretary of the Department of Transportation and Development or his designee.

(6) A representative of the Louisiana Rural Water Association appointed by the association.

(7) A representative of the Louisiana Cattlemen's Association appointed by the association.

(8) A representative of the Louisiana Farm Bureau Federation appointed by the federation.

(9) Each senator whose senatorial district includes any portion of any parish included within the district or his designee.

(10) Each member of the House of Representatives whose representative district includes any portion of any parish included within the district on his designee.

(11) One or more representatives of industrial users of the groundwater appointed by the board to serve at its pleasure.

F. Terms of members commissioned pursuant to Subsection A shall commence for those initially commissioned on October 15, 1999. Terms for commissioners subsequently commissioned shall commence on each October 15th thereafter.

G.(1) Sixty days prior to the expiration of the term of any voting member, the board shall notify the appropriate nominating entity or group entitled to make nomination for the member's successor.

(2) In case a vacancy occurs more than ninety days prior to the end of the member's term, the governor shall commission a replacement within thirty days of its occurrence to fill the unexpired

term, such replacement to be the nominee of the appropriate nominating entity or group.

(3) In case a vacancy occurs ninety or less days prior to the end of the member's term, the position shall remain vacant for the remainder of the term.

H. Commissioners shall not be compensated for their services, except that the board may, by regulation, provide for the payment of expenses for travel outside the district on official business.

I. A member of a parish governing authority within the district may serve as a commissioner.

§2515. Meetings; election of officers

On or before November 15, 1999, the board shall meet at the call of the governor, and it shall meet at its domicile no less than quarterly thereafter. At its organizational meeting, the board shall:

(1) Elect a chairman, vice-chairman, secretary, and treasurer.

(2) Establish its domicile within the district.

(3) Begin consideration of the study required by R.S. 38:2516.

§2516. Powers of the board

The board shall conduct a study and survey of the groundwater resources in the district, including but not limited to, consideration of what is necessary or advisable to conserve groundwater resources and where appropriate, prevent or alleviate damaging or potentially damaging drawdowns, land surface subsidence and groundwater quality degradation. For this purpose, the board shall hold hearings and may:

(1) Cooperate with and enter into contracts or cooperative agreements with other governmental units and agencies of this state, with governments and agencies of other states and of the United States, and with private agencies or other groundwater conservation districts for the achievement of the purposes of this Part.

(2) Receive and expend funds from any source, public or private, for the achievement of the purposes of this Part.

(3) Hire such personnel and retain such consultants as shall be reasonably necessary to the performance of its functions. Personnel from other agencies shall be used wherever practical and possible.

§2517. Hearings

A. At hearings conducted by the board, members of the board or members of its staff may testify and present exhibits or other evidence.

B. Notice of hearings by the board must be given by publication in the official journal of each parish within the district.

C. When authorized by the board, the chairman of the board may subpoena witnesses and require their attendance and testimony before the board. The chairman may require the production of any books, papers, or records material to the questions lawfully before the board. Subpoenas shall be served by any agent of the board, by the sheriff, or by any other officer authorized by law to serve process in this state. No person shall be excused from attending and testifying or producing books, papers, or records, or from obeying the subpoena of the board or of a court of record on the ground that the testimony or evidence required by such person may tend to incriminate or subject the person to penalty or forfeiture. Nothing in this Section shall be construed as requiring any person to produce books, papers, or records, or to testify in response to any inquiry not pertinent to some question lawfully before the board or a court for determination. No natural person shall be subject to criminal prosecution or to any

penalty or forfeiture relative to any testimony or evidence required to be provided to the board or a court. However, no person testifying shall be exempt from prosecution and punishment for perjury.

D. In the case of failure or refusal of a person to comply with a subpoena issued by the chairman of the board, or in the case of the refusal of a witness to testify or answer as to a matter regarding which the person may be lawfully interrogated, any district court on application of the board may, in term time or in vacation, issue an attachment to compel the person to comply with the subpoena and to appear before the board with the requested documents and to give testimony upon whatever matters are lawfully required. The court may punish for contempt those disobeying its orders as in the case of disobedience of a subpoena issued by the court or refusal to testify therein.

E. The board shall make a record of all hearings which shall be available for public inspection at the office of the board during reasonable office hours."

Reported without amendments by the Legislative Bureau.

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

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 996—
BY SENATOR LANDRY

AN ACT

To amend and reenact the introductory paragraphs of R.S. 34:2471(A), and (A)(1), (3), and (4), 2471(A)(6)(a), 2473(B)(3), (C), (D), (E), and (F), 2473.1(B), (C), (D), and (E), 2474, 2475(B) and (C), and 2476 and to enact R.S. 34:2473.1(F), relative to ports; to provide relative to the Port of South Louisiana; to provide relative to designations of officers of the commission; to provide relative to contracts for professional services; to provide relative to powers of the commission; to authorize additional powers; to provide that the title to facility improvements shall vest to the port; to increase monetary limits of contracts and purchasing requiring commission approval; to increase the limits authorized for outstanding bonds and notes; to authorize acquisition of facility improvements by expropriation; to provide an effective date; and to provide for related matters.

Read by title.

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

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. 996 by Senator Landry

AMENDMENT NO. 1

On page 1, line 2, following "34:2471(A)" and before "and" delete the comma ","

AMENDMENT NO. 2

On page 1, line 3, following "2471(A)(6)(a)," and before "2473(B)(3)" insert "2471(B),"

AMENDMENT NO. 3

On page 2, line 1, following "34:2471(A)" and before "and" delete the comma ","

AMENDMENT NO. 4

On page 2, line 2, following "2471(A)(6)(a)," and before "2473(B)(3)" insert "2471(B),"

AMENDMENT NO. 5

On page 3, line 16, following "shall" and before "be" insert "not"

AMENDMENT NO. 6

On page 7, line 24, following "health" and before "and" insert a comma ","

AMENDMENT NO. 7

On page 8, line 24, following "equipment" and before "and" insert a 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. 1026—
BY SENATOR LANDRY

AN ACT

To amend and reenact R.S. 48:757(A)(1)(c), relative to construction or maintenance work performed by the Department of Transportation and Development; to provide for off-system work on certain intersections performed by the department; and to provide for related matters.

Read by title.

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

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

SENATE BILL NO. 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.

Read by title.

Reported without amendments by the Legislative Bureau.

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

Under the rules, placed on the regular calendar.

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

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

SENATE BILL NO. 198—
BY SENATOR W. FIELDS

AN ACT

To amend and reenact R.S. 17:3048.1(A)(1)(a), relative to the Tuition Opportunity Program for Students; to provide relative to eligibility; to provide for residency requirements; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

Under the rules, the bill was recommitted to the Committee on Appropriations.

SENATE BILL NO. 249—

BY SENATORS DARDENNE, HAINKEL AND BARHAM AND REPRESENTATIVES DEWITT, DOWNER AND MCMAINS

AN ACT

To amend and reenact R.S. 17:24.4(G)(4) and 346.1 and to repeal 24.4(H), relative to competency-based education programs; to require that summer school remediation programs be offered to certain students; to provide relative to the requirements for summer school remediation programs; to provide relative to the funding for certain competency-based education programs, including summer school remediation programs; to provide relative to maximum required length of a school year for teachers and students; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

Under the rules, the bill was recommitted to the Committee on Appropriations.

SENATE BILL NO. 296—

BY SENATOR GREENE

AN ACT

To amend and reenact R.S. 17:47(D), 500.2 and 1202, relative to sick leave for school personnel; to eliminate the prohibition on certain deductions from the salary of a teacher or school bus driver under certain circumstances; to provide for the granting of certain extended sick leave under certain circumstances; to provide for additional compensation to certain teachers; to provide for the responsibilities of city and parish school boards and the State Board of Elementary and Secondary Education; and to provide for related matters.

Read by title.

Reported favorably by the Committee on Education.

Under the rules, the bill was recommitted to the Committee on Appropriations.

Suspension of the Rules

On motion of Rep. McMains, 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:

Regular Calendar

HOUSE BILL NO. 1783—

BY REPRESENTATIVE MCMAINS

AN ACT

To amend and reenact Civil Code Article 2320, relative offenses and quasi offenses; to provide with respect to liability for acts of the employee, servant, overseer, student, scholar, or apprentice; to provide that the liability of the master or employer shall be vicarious and secondary to the liability of the employee, servant, overseer, student, scholar, or apprentice; and to provide for related matters.

Read by title.

Rep. McMains moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Green	Quezaire
Alario	Guillory	Riddle
Alexander	Hammett	Romero
Ansardi	Heaton	Salter
Barton	Hebert	Scalise
Bowler	Hill	Schneider
Bruce	Hopkins	Schwegmann
Bruneau	Hudson	Shaw
Carter	Hunter	Smith, J.D.—50th
Chaisson	Iles	Smith, J.R.—30th
Clarkson	Jenkins	Sneed
Copelin	Jetson	Stelly
Crane	Johns	Theriot
Curtis	Kenney	Thompson
Damico	Lancaster	Thornhill
Daniel	Landrieu	Toomy
Deville	LeBlanc	Travis
DeWitt	Long	Triche
Diez	Martiny	Waddell
Doerge	McCallum	Walsworth
Donelon	McDonald	Warner
Dupre	McMains	Welch
Durand	Michot	Weston
Farve	Montgomery	Wiggins
Faucheux	Morrell	Wilkerson
Flavin	Morrish	Willard
Fontenot	Perkins	Windhorst
Frith	Pierre	Winston
Fruge	Pinac	Wooton
Gautreaux	Powell	Wright
Glover	Pratt	
Total—92		

NAYS

Baudoin	Murray	Odinot
Total—3		

ABSENT

Baylor	Marionneaux	Nevers
Holden	McCain	Strain
Kennard	Mitchell	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. McMains 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. 2169—
BY REPRESENTATIVE CLARKSON
AN ACT

To amend and reenact R.S. 37:1435(F) and to enact R.S. 37:1435(H), relative to the Louisiana Real Estate Commission; to provide for powers and duties; and to provide for related matters.

Read by title.

Rep. Clarkson moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Ansardi	Martiny	Toomy
Holden	Smith, J.R.—30th	Windhorst
Jetson	Strain	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 2171—
BY REPRESENTATIVE CLARKSON
AN ACT

To amend and reenact R.S. 37:1437(C)(2), (5), and (6)(a) and 1437.3(E)(1) and (3), relative to real estate licensees; to provide for education requirements for real estate brokers and salespersons; to provide for an exemption to education requirements; to provide relative to education requirements for licensees with inactive status; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Clarkson to Engrossed House Bill No. 2171 by Representative Clarkson

AMENDMENT NO. 1

On page 2, line 8, after "first" and before "year" insert "full calendar"

AMENDMENT NO. 2

On page 2, line 10, after "Such" and before "hours" delete "continuing education"

AMENDMENT NO. 3

On page 2, line 21, after "first" and before "year" insert "full calendar"

AMENDMENT NO. 4

On page 2, line 23, after "Such" and before "hours" delete "continuing education"

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

Rep. Clarkson 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
Barton	Hebert	Romero
Baudoin	Hill	Salter
Baylor	Hopkins	Scalise
Bowler	Hudson	Schneider
Bruce	Hunter	Schwegmann
Bruneau	Iles	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	McCain	Travis
DeWitt	McCallum	Triche
Doerge	McDonald	Waddell
Donelon	McMains	Walsworth
Dupre	Michot	Warner
Durand	Mitchell	Welch
Farve	Montgomery	Weston
Faucheux	Morrell	Wiggins
Flavin	Morrish	Wilkerson
Fontenot	Murray	Willard
Frith	Nevers	Windhorst
Fruge	Odinet	Winston
Gautreaux	Pierre	Wooton
Glover	Pinac	Wright
Green	Powell	
Total—95		

NAYS

Perkins
Total—1

ABSENT

Ansardi	Jenkins	Strain
Diez	Jetson	
Holden	Martiny	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 69—

BY REPRESENTATIVE BOWLER

AN ACT

To amend and reenact R.S. 14:95(G) and R.S. 40:1379.3(D)(1)(introductory paragraph) and (f), relative to the training requirements for peace officers; to provide for certain exemptions from the prohibition of carrying of concealed weapons for retired law enforcement officers who have successfully completed certain training; to provide with regard to training requirements for carrying a concealed handgun; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 168—

BY REPRESENTATIVE ALARIO

AN ACT

To amend and reenact R.S. 27:91(A)(5) and (6) and to enact R.S. 27:91(A)(7) and (8), relative to riverboat gaming permit and license fees; to reduce the fee for gaming employee permit renewals; to provide for other permit fees; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Alario to Engrossed House Bill No. 168 by Representative Alario

AMENDMENT NO. 1

On page 1, after line 18, insert the following:

"Section 2. This Act shall become effective on July 1, 2000."

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Hammett	Pratt
Alario	Heaton	Quezaire
Alexander	Hebert	Riddle
Ansardi	Hill	Romero
Barton	Hopkins	Salter
Baudoin	Hudson	Scalise
Baylor	Hunter	Schneider
Bruce	Iles	Schwegmann
Bruneau	Jenkins	Shaw
Carter	Johns	Smith, J.D.—50th
Chaisson	Kennard	Smith, J.R.—30th
Copelin	Kenney	Sneed
Crane	Lancaster	Stelly
Curtis	Landrieu	Theriot
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Deville	Marionneaux	Toomy
DeWitt	McCain	Travis
Diez	McCallum	Triche
Doerge	McDonald	Waddell
Donelon	McMains	Walsworth
Dupre	Michot	Warner
Durand	Mitchell	Welch
Farve	Montgomery	Weston
Faucheux	Morrell	Wiggins
Flavin	Morrish	Wilkerson
Fontenot	Murray	Willard
Frith	Nevers	Windhorst
Fruge	Odinet	Winston
Gautreaux	Perkins	Wooton
Glover	Pierre	Wright
Green	Pinac	
Guillory	Powell	
Total—97		

NAYS

Total—0

ABSENT

Bowler	Holden	Martiny
Clarkson	Jetson	Strain
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Alario 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. 365—

BY REPRESENTATIVE DUPRE
AN ACT

To enact R.S. 56:303.7(C) and (D), relative to wholesale/retail seafood dealers; to provide for the means by which information may be submitted to the Department of Wildlife and Fisheries; to provide for exceptions relative to crawfish and catfish; 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	Guillory	Pratt
Alario	Hammett	Quezaire
Alexander	Hebert	Riddle
Ansardi	Hill	Salter
Barton	Hopkins	Scalise
Baudoin	Hunter	Schneider
Baylor	Iles	Schwegmann
Bruce	Jenkins	Shaw
Bruneau	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	McCain	Travis
DeWitt	McCallum	Triche
Diez	McDonald	Waddell
Doerge	McMains	Walsworth
Donelon	Michot	Warner
Dupre	Mitchell	Welch
Durand	Montgomery	Weston
Farve	Morrell	Wiggins
Flavin	Morrish	Wilkerson
Fontenot	Murray	Willard
Frith	Nevers	Windhorst
Fruge	Odinet	Winston
Gautreaux	Perkins	Wooton
Glover	Pierre	Wright
Green	Pinac	
Total—92		

NAYS

Total—0

ABSENT

Bowler	Holden	Powell
Carter	Hudson	Romero
Faucheux	Jetson	Strain
Heaton	Martiny	
Total—11		

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.

HOUSE BILL NO. 427—

BY REPRESENTATIVE ODINET
AN ACT

To enact R.S. 36:610(B)(7) and R.S. 56:421, relative to the Oyster Task Force; to establish the Oyster Task Force as a statutory entity; to continue its membership; to continue its powers, duties, functions, and responsibilities; to continue its source of funding; and to provide for related matters.

Read by title.

Rep. Odinet moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Bowler	Faucheux	Jetson
Damico	Holden	Strain
Farve	Hudson	Thornhill
Total—9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Odinet 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. 451—
BY REPRESENTATIVE MCCAIN
AN ACT

To amend and reenact Code of Criminal Procedure Articles 915(A) and 919(A) and (B), relative to the preparation of transcripts of criminal court proceedings; to provide for time for delivery of record to the clerk of court; to provide with respect to motions for appeal; and to provide for related matters.

Read by title.

Rep. McCain 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	Hopkins	Romero
Baudoin	Hudson	Salter
Baylor	Hunter	Scalise
Bruce	Iles	Schneider
Bruneau	Jenkins	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	Marionneaux	Thornhill
Deville	Martiny	Toomy
DeWitt	McCain	Travis
Diez	McCallum	Triche
Doerge	McDonald	Waddell
Donelon	McMains	Walsworth
Dupre	Michot	Warner
Durand	Mitchell	Welch
Farve	Montgomery	Weston
Flavin	Morrell	Wiggins
Fontenot	Morrish	Wilkerson
Frith	Murray	Willard
Fruge	Nevers	Windhorst
Gautreaux	Odinet	Winston
Glover	Perkins	Wooton
Green	Pierre	Wright
Guillory	Pinac	
Total—97		

NAYS

Total—0

ABSENT

Bowler	Holden	Strain
Faucheux	Jetson	
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 522—
BY REPRESENTATIVE COPELIN
AN ACT

To enact R.S. 27:24(E), relative to the rulemaking authority of the Louisiana Gaming Control Board; to prohibit the board from authorizing phantom or simulated riverboat cruises; and to provide for related matters.

Read by title.

Rep. Copelin moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Gautreaux	Odinet
Barton	Glover	Pierre
Baylor	Green	Pinac
Bruce	Guillory	Pratt
Copelin	Hammett	Quezaire
Curtis	Hebert	Romero
Damico	Hudson	Schwegmann
Deville	Hunter	Smith, J.D.—50th
Doerge	Iles	Stelly
Dupre	Johns	Travis
Durand	Martiny	Warner
Farve	McCain	Welch
Faucheux	Montgomery	Willard
Flavin	Morrell	Windhorst
Frith	Morrish	Wooton
Fruge	Murray	
Total—47		

NAYS

Mr. Speaker	Landrieu	Smith, J.R.—30th
Alexander	LeBlanc	Sneed
Baudoin	Long	Theriot
Bruneau	McCallum	Thompson
Carter	McDonald	Thornhill
Chaisson	McMains	Triche
Crane	Michot	Waddell
Daniel	Nevers	Walsworth
Diez	Perkins	Weston
Donelon	Powell	Wiggins
Hill	Riddle	Wilkerson
Hopkins	Salter	Winston
Kennard	Scalise	Wright
Kenney	Schneider	
Lancaster	Shaw	
Total—43		

ABSENT

Ansardi	Heaton	Mitchell
Bowler	Holden	Strain
Clarkson	Jenkins	Toomy
DeWitt	Jetson	
Fontenot	Marionneaux	
Total—13		

Failed to pass.

Motion to reconsider pending.

Suspension of the Rules

On motion of Rep. Wilkerson, and under a suspension of the rules, the above roll call was corrected to reflect her as voting nay.

Acting Speaker LeBlanc in the Chair

HOUSE BILL NO. 998—

BY REPRESENTATIVES JOHN SMITH AND TRICHE
AN ACT

To enact R.S. 49:191(12) and to repeal R.S. 49:191(10)(j), relative to the Department of Wildlife and Fisheries, including provisions to provide for the re-creation of the Department of Wildlife and Fisheries and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative John Smith to Engrossed House Bill No. 998 by Representative John Smith

AMENDMENT NO. 1

On page 1, line 2, after "49:191" change "(12)" to "(11)(g)"

AMENDMENT NO. 2

On page 2, line 5, change "49:191(12)" to "49:191(11)(g)"

AMENDMENT NO. 3

On page 2, line 15, delete entire line and insert the following:

"(11) July 1, 2001:

* * *

AMENDMENT NO. 4

On page 2, line 16, change "(a)" to "(g)"

On motion of Rep. John Smith, the amendments were adopted.

Rep. John Smith moved the final passage of the bill, as amended.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Guillory	Quezaire
Alexander	Hebert	Riddle
Barton	Hill	Romero
Baudoin	Hopkins	Salter
Baylor	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Iles	Schwegmann
Carter	Johns	Shaw
Chaisson	Kennard	Smith, J.D.—50th
Copelin	Kenney	Smith, J.R.—30th

Crane	Landrieu	Sneed
Curtis	LeBlanc	Stelly
Damico	Long	Theriot
Daniel	Martiny	Thompson
Deville	McCain	Thornhill
DeWitt	McDonald	Travis
Diez	McMains	Triche
Doerge	Michot	Waddell
Donelon	Montgomery	Walsworth
Dupre	Morrell	Warner
Durand	Morrish	Welch
Farve	Murray	Weston
Faucheux	Nevers	Wiggins
Flavin	Odinet	Wilkerson
Frith	Perkins	Willard
Fruge	Pierre	Windhorst
Gautreaux	Pinac	Winston
Glover	Powell	Wooton
Green	Pratt	Wright
Total—87		

NAYS

Total—0

ABSENT

Mr. Speaker	Heaton	McCallum
Ansardi	Holden	Mitchell
Bowler	Jenkins	Strain
Clarkson	Jetson	Toomy
Fontenot	Lancaster	
Hammett	Marionneaux	
Total—16		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. John Smith 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. 1026—

BY REPRESENTATIVE PERKINS
AN ACT

To amend and reenact R.S. 15:571.3(A)(1), (B), and (C)(1)(introductory paragraph) and (4) and to enact R.S. 15:571.3(C)(1)(t), relative to diminution of sentences; to provide that prisoners who have been convicted of crimes which require those prisoners to register as sex offenders are not eligible to earn the diminution of sentence known as "good time"; to provide with regard to convictions of certain crimes for which diminution of sentence shall not be allowed; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 1125—

BY REPRESENTATIVE THERIOT
AN ACT

To amend and reenact R.S. 22:627(B) and (C), relative to fees for insurance agents; to provide for fees; and to provide for related matters.

Read by title.

Rep. Theriot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Hammett	Pratt
Alexander	Hebert	Quezaire
Barton	Hill	Riddle
Baudoin	Hopkins	Romero
Baylor	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schneider
Carter	Johns	Schwegmann
Chaisson	Kennard	Shaw
Copelin	Kenney	Smith, J.D.—50th
Crane	Lancaster	Smith, J.R.—30th
Curtis	Landrieu	Sneed
Damico	LeBlanc	Stelly
Daniel	Long	Theriot
Deville	Martiny	Thompson
DeWitt	McCain	Thornhill
Diez	McCallum	Travis
Doerge	McDonald	Triche
Donelon	McMains	Waddell
Dupre	Michot	Walsworth
Durand	Montgomery	Warner
Farve	Morrell	Welch
Faucheux	Morrish	Weston
Flavin	Murray	Wilkerson
Frith	Nevers	Willard
Fruge	Odinet	Windhorst
Gautreaux	Perkins	Winston
Glover	Pierre	Wooton
Green	Pinac	
Guillory	Powell	
Total—88		

NAYS

Total—0

ABSENT

Mr. Speaker	Heaton	Mitchell
Ansardi	Holden	Strain
Bowler	Jenkins	Toomy
Clarkson	Jetson	Wiggins
Fontenot	Marionneaux	Wright
Total—15		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Theriot 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. 1150—

BY REPRESENTATIVE COPELIN

AN ACT

To enact R.S. 49:191(11)(g) and to repeal R.S. 49:191(10)(g), relative to the Department of Elections and Registration, including provisions to provide for the re-creation of the Department of Elections and Registration and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

Rep. Copelin moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

McCain
Total—1

ABSENT

Mr. Speaker	Marionneaux	Strain
Holden	Mitchell	Wright
Jetson	Stelly	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1286—

BY REPRESENTATIVE RIDDLE

AN ACT

To amend and reenact R.S. 37:1171(5), 1701, 2366, and 2367 and to enact Part II of Chapter 28 of Title 37 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 37:2371 through 2379, relative to psychologists; to authorize the State Board of Examiners of Psychologists to certify qualified psychologists to prescribe drugs and to provide for other related powers and

duties; to provide for definitions; to provide for the duties of a psychologist certified to prescribe; to allow a psychologist certified to prescribe to give directions to certain other health care providers; to establish the qualifications for psychologists certified to prescribe and the requirements for such certification; to provide for renewal of the certificate; to provide for grounds for discipline, suspension, and revocation of a certificate; to prohibit issuance of a prescription by a psychologist who is not certified to prescribe; to provide a penalty for violations; to provide for prescribing practices; to provide for controlled substance prescriptive authority; to provide for coordination with the Louisiana Board of Pharmacy; to provide for designation of existing law; to provide for the effective date; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 1368—

BY REPRESENTATIVES ANSARDI, CHAISSON, MARTINY, COPELIN, FONTENOT, MONTGOMERY, WELCH, AND WILLARD
AN ACT

To amend and reenact R.S. 18:424(E) and 425(E), to provide relative to the compensation of commissioners and commissioners-in-charge who serve at the polls on election day; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 69—

BY REPRESENTATIVE BOWLER
AN ACT

To amend and reenact R.S. 14:95(G) and R.S. 40:1379.3(D)(1)(introductory paragraph) and (f), relative to the training requirements for peace officers; to provide for certain exemptions from the prohibition of carrying of concealed weapons for retired law enforcement officers who have successfully completed certain training; to provide with regard to training requirements for carrying a concealed handgun; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Bowler moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Heaton	Powell
Alexander	Hebert	Pratt
Ansardi	Hill	Quezaire
Barton	Holden	Riddle
Baudoin	Hopkins	Romero
Bowler	Hudson	Salter
Bruce	Hunter	Scalise
Bruneau	Iles	Schneider
Carter	Jenkins	Schwegmann
Chaisson	Johns	Smith, J.D.—50th

Clarkson	Kennard	Smith, J.R.—30th
Copelin	Kenney	Sneed
Crane	Lancaster	Stelly
Curtis	Landrieu	Theriot
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Deville	Marionneaux	Toomy
DeWitt	Martiny	Travis
Doerge	McCain	Triche
Donelon	McCallum	Waddell
Dupre	McDonald	Walsworth
Durand	McMains	Warner
Farve	Michot	Welch
Faucheux	Montgomery	Weston
Flavin	Morrell	Wiggins
Frith	Morrish	Wilkerson
Fruge	Murray	Willard
Gautreaux	Nevers	Windhorst
Glover	Odinot	Winston
Green	Perkins	Wooton
Guillory	Pierre	Wright
Hammett	Pinac	
Total—95		

NAYS

Total—0

ABSENT

Mr. Speaker	Fontenot	Shaw
Baylor	Jetson	Strain
Diez	Mitchell	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 1733—

BY REPRESENTATIVES DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE AND SENATORS DARDENNE, HAINKEL, BARHAM, AND SCHEDLER
AN ACT

To amend and reenact R.S. 17:3972(B)(1)(introductory paragraph), 3973(1)(a), 3982, 3983(A)(2)(a)(i), (3)(a), (4), and (5), (B)(1), and (D), 3991(B)(1), (3), (6), (7), (10), and (21), 3992(A)(1), 3995(A), (B), and (C), 3996(C), 3997(A)(1)(a), (2), and (3) and (C)(1)(a) and (2), (D), and (E), 3998(C) and (D), 3999, 4001(A) and (C) and to enact R.S. 17:3973(1)(f) and 3991(B)(23), (C)(1)(c)(iv), (E)(5), and (H), all relative to the Charter School Demonstration Programs Law; to provide relative to purposes, definitions, local school board duties, chartering process, charter terms, charter operations, charter renewal length, pupil admission requirements, charter contents, charter school employees, assets, property, and funding; to provide for the application of certain laws; to provide relative to charter school loans; and to provide for related matters.

Read by title.

Motion

Rep. DeWitt moved that House Bill No. 1733 be designated as a duplicate of Senate Bill No. 554.

Which motion was agreed to.

Motion

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

HOUSE BILL NO. 2068—

BY REPRESENTATIVE ANSARDI
AN ACT

To repeal R.S. 22:1407(J), (K)(1), and (L), to delete provisions relative to workers' compensation insurance rates and the rating commission.

Read by title.

Motion

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

HOUSE BILL NO. 2069—

BY REPRESENTATIVE MICHOT
AN ACT

To amend and reenact R.S. 56:449(A), (C), (E), and (G), relative to oyster tags; to require certain information be contained on the tag; to provide relative to the ten percent tolerance for loss of tags; and to provide for related matters.

Read by title.

Rep. Michot moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Guillory	Powell
Alexander	Hammett	Pratt
Ansardi	Heaton	Quezaire
Barton	Hebert	Riddle
Baudoin	Hill	Romero
Baylor	Holden	Salter
Bowler	Hopkins	Scalise
Bruce	Hudson	Schneider
Bruneau	Hunter	Schwegmann
Carter	Iles	Shaw
Chaisson	Jenkins	Smith, J.D.—50th
Clarkson	Johns	Smith, J.R.—30th
Copelin	Kennard	Sneed
Crane	Kenney	Stelly
Curtis	Lancaster	Theriot
Damico	Landrieu	Thompson
Daniel	LeBlanc	Thornhill
Denville	Long	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Doerge	McCallum	Waddell
Donelon	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Michot	Welch
Farve	Montgomery	Weston
Faucheux	Morrell	Wiggins
Flavin	Morrish	Wilkerson
Fontenot	Murray	Willard
Frith	Nevers	Windhorst
Fruge	Odinet	Winston
Gautreaux	Perkins	Wooton
Glover	Pierre	Wright
Green	Pinac	
Total—98		

NAYS

Total—0

ABSENT

Mr. Speaker	Marionneaux	Strain
Jetson	Mitchell	
Total—5		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Michot 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. 2070—

BY REPRESENTATIVE KENNEY
AN ACT

To amend and reenact R.S. 56:327(A)(1)(a), 411(6) and 412(A)(4), relative to fishing; to provide for exceptions to the prohibitions on the selling or purchasing of certain fish; to provide relative to hybrid bream; to provide for the definition of "domesticated fish"; to provide for the propagation, production, and transportation of hybrid bream; and to provide for related matters.

Read by title.

Rep. Kenney moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Heaton	Pratt
Alexander	Hebert	Quezaire
Barton	Hill	Riddle
Baudoin	Holden	Romero
Baylor	Hopkins	Salter
Bowler	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Iles	Schwegmann
Carter	Jenkins	Shaw
Chaisson	Johns	Smith, J.D.—50th
Clarkson	Kennard	Smith, J.R.—30th
Copelin	Kenney	Sneed
Crane	Lancaster	Stelly
Curtis	Landrieu	Theriot
Damico	LeBlanc	Thompson
Daniel	Long	Thornhill
Denville	Marionneaux	Toomy
DeWitt	Martiny	Travis
Diez	McCain	Triche
Doerge	McCallum	Waddell
Donelon	McDonald	Walsworth
Dupre	McMains	Warner
Durand	Michot	Welch
Farve	Montgomery	Weston
Faucheux	Morrell	Wiggins
Flavin	Morrish	Wilkerson
Fontenot	Murray	Willard
Frith	Nevers	Windhorst
Fruge	Odinet	Winston
Gautreaux	Perkins	Wooton
Green	Pierre	Wright
Guillory	Pinac	
Hammett	Powell	
Total—97		

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NAYS

Total—0

ABSENT

Mr. Speaker Glover Mitchell
 Ansardi Jetson Strain
 Total—6

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Kenney 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. 2123—
 BY REPRESENTATIVES WILLARD AND FARVE
 AN ACT

To amend and reenact R.S. 17:2115(A), relative to prayer in schools; to remove restriction that prayer authorized for students and teachers be silent prayer; and to provide for related matters.

Read by title.

Rep. Willard moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Jetson Morrell Strain
 Total—3

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 2128—
 BY REPRESENTATIVE MCCAIN
 AN ACT

To amend and reenact R.S. 27:15(B)(2)(a) and to enact R.S. 27:24(F), relative to the Louisiana Gaming Control Board; to provide with respect to the authority of the Louisiana Gaming Control Board; to provide with respect to rulemaking; and to provide for related matters.

Read by title.

Rep. McCain moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Hammett	Powell
Alexander	Heaton	Pratt
Ansardi	Hebert	Quezaire
Barton	Hill	Riddle
Baudoin	Holden	Romero
Baylor	Hopkins	Salter
Bowler	Hudson	Scalise
Bruce	Hunter	Schneider
Bruneau	Iles	Schwegmann
Chaisson	Jenkins	Shaw
Clarkson	Jetson	Smith, J.D.—50th
Copelin	Johns	Smith, J.R.—30th
Crane	Kennard	Sneed
Curtis	Kenney	Stelly
Damico	Lancaster	Theriot
Daniel	Landrieu	Thompson
Deville	LeBlanc	Thornhill
DeWitt	Long	Toomy
Diez	Marionneau	Travis
Doerge	Martiny	Triche
Donelon	McCain	Waddell
Dupre	McCallum	Walsworth
Durand	McDonald	Warner
Farve	McMains	Welch
Faucheux	Michot	Wiggins
Flavin	Montgomery	Wilkerson
Fontenot	Morrell	Willard
Frith	Murray	Windhorst
Fruge	Nevers	Winston
Gautreaux	Odinet	Wooton
Glover	Perkins	Wright
Green	Pierre	
Guillory	Pinac	
Total—97		

NAYS

Total—0

ABSENT

Mr. Speaker	Mitchell	Strain
Carter	Morrish	Weston
Total—6		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 2262 (Substitute for House Bill No. 1584 by Representative Damico)—
BY REPRESENTATIVES DAMICO, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE, AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 30:2050.8, relative to the Department of Environmental Quality; to provide relative to enforcement; to provide relative to cease and desist orders; to provide for requirements for cease and desist orders; to provide for termination of cease and desist orders; and to provide for related matters.

Read by title.

Motion

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

HOUSE BILL NO. 364—
BY REPRESENTATIVE CRANE

AN ACT

To amend and reenact Code of Evidence Article 404(B)(1) and to enact Code of Evidence Article 412.2, relative to evidence; to provide for the admissibility of past sex offenses in certain cases; and to provide for related matters.

Read by title.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Crane to Engrossed House Bill No. 364 by Representative Crane

AMENDMENT NO. 1

On page 2, line 15, after "substance" and before "of any" delete the comma

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Glover	Romero
Alario	Hammett	Salter
Alexander	Heaton	Scalise

Ansardi	Hebert	Schneider
Barton	Hill	Schwegmann
Baudoin	Hopkins	Shaw
Bowler	Iles	Smith, J.D.—50th
Bruce	Johns	Smith, J.R.—30th
Bruneau	Kennard	Stelly
Chaisson	Kenney	Theriot
Crane	Lancaster	Thompson
Damico	Landrieu	Thornhill
Daniel	LeBlanc	Toomy
Deville	Long	Travis
DeWitt	Martiny	Triche
Diez	McCallum	Waddell
Doerge	McDonald	Walsworth
Donelon	McMains	Warner
Dupre	Michot	Wiggins
Durand	Montgomery	Wilkerson
Farve	Morrish	Willard
Fauchoux	Nevers	Windhorst
Flavin	Odinet	Winston
Fontenot	Perkins	Wooton
Frith	Pinac	Wright
Fruge	Powell	
Gautreaux	Riddle	
Total—79		

NAYS

Copelin	Hunter	Pratt
Curtis	McCain	Quezair
Green	Murray	Welch
Guillory	Pierre	Weston
Total—12		

ABSENT

Baylor	Hudson	Mitchell
Carter	Jenkins	Morrell
Clarkson	Jetson	Sneed
Holden	Marionneaux	Strain
Total—12		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. Crane 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. 397—
BY REPRESENTATIVE ILES
AN ACT

To amend and reenact R.S. 15:538(C)(1) and (3)(b), relative to conditions of probation, parole, and suspension of sentence for certain sexual offenders; to provide changes to provisions regarding sexual offender treatment plan and use of medroxyprogesterone acetate or a chemically equivalent treatment; and to provide for related matters.

Read by title.

Motion

Rep. Iles moved that House Bill No. 397 be designated as a duplicate of Senate Bill No. 180.

Which motion was agreed to.

Rep. Iles moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Heaton	Pratt
Alexander	Hebert	Quezaire
Ansardi	Hill	Riddle
Barton	Holden	Romero
Baudoin	Hopkins	Salter
Baylor	Hudson	Scalise
Bowler	Iles	Schneider
Bruneau	Jenkins	Schwegmann
Chaisson	Johns	Shaw
Copelin	Kennard	Smith, J.D.—50th
Crane	Kenney	Smith, J.R.—30th
Damico	Lancaster	Sneed
Daniel	Landrieu	Stelly
Deville	LeBlanc	Theriot
DeWitt	Long	Thompson
Diez	Marionneaux	Thornhill
Doerge	Martiny	Toomy
Donelon	McCain	Travis
Dupre	McCallum	Triche
Durand	McDonald	Waddell
Farve	McMains	Walsworth
Faucheux	Michot	Warner
Flavin	Montgomery	Welch
Fontenot	Morrell	Weston
Frith	Morrish	Wiggins
Fruge	Nevers	Wilkerson
Gautreaux	Odinet	Willard
Glover	Perkins	Windhorst
Green	Pierre	Winston
Guillory	Pinac	Wooton
Hammett	Powell	Wright
Total—93		

NAYS

Curtis	Hunter	Murray
Total—3		

ABSENT

Mr. Speaker	Clarkson	Strain
Bruce	Jetson	
Carter	Mitchell	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

HOUSE BILL NO. 490—
BY REPRESENTATIVE JOHN SMITH
AN ACT

To enact R.S. 49:191(11)(g) and to repeal R.S. 49:191(10)(a), relative to the Department of Natural Resources, including provisions to provide for the re-creation of the Department of Natural Resources and the statutory entities made a part of the department by law; to provide for the effective termination date for all statutory authority for the existence of such statutory entities; and to provide for related matters.

Read by title.

Rep. John Smith moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Hammett	Pratt
Alexander	Heaton	Quezaire
Ansardi	Hebert	Riddle
Barton	Hill	Romero
Baudoin	Holden	Salter
Baylor	Hudson	Scalise
Bowler	Hunter	Schneider
Bruce	Iles	Schwegmann
Bruneau	Jenkins	Shaw
Chaisson	Johns	Smith, J.D.—50th
Clarkson	Kenney	Smith, J.R.—30th
Copelin	Lancaster	Sneed
Crane	Landrieu	Stelly
Curtis	LeBlanc	Theriot
Damico	Long	Thompson
Daniel	Marionneaux	Thornhill
DeWitt	Martiny	Toomy
Diez	McCain	Travis
Doerge	McCallum	Triche
Donelon	McDonald	Waddell
Dupre	McMains	Walsworth
Durand	Michot	Warner
Farve	Montgomery	Welch
Faucheux	Morrell	Weston
Flavin	Morrish	Wiggins
Fontenot	Murray	Wilkerson
Frith	Nevers	Willard
Fruge	Odinet	Windhorst
Gautreaux	Perkins	Winston
Glover	Pierre	Wooton
Green	Pinac	Wright
Guillory	Powell	
Total—95		

NAYS

Total—0

ABSENT

Mr. Speaker	Hopkins	Mitchell
Carter	Jetson	Strain
Deville	Kennard	
Total—8		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

Rep. John Smith 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. 684—
BY REPRESENTATIVE COPELIN
AN ACT

To enact Code of Criminal Procedure Article 814(A)(59), relative to responsive verdicts; to provide for responsive verdicts for solicitation of crime against nature; and to provide for related matters.

Read by title.

Rep. Copelin moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Alario	Guillory	Pierre
Alexander	Hammett	Pinac
Ansardi	Heaton	Powell
Barton	Hebert	Pratt
Baudoin	Hill	Quezaire
Baylor	Holden	Riddle
Bowler	Hopkins	Romero
Bruce	Hudson	Salter
Bruneau	Hunter	Scalise
Carter	Iles	Schneider
Chaisson	Jenkins	Schwegmann
Clarkson	Johns	Shaw
Copelin	Kennard	Smith, J.D.—50th
Crane	Kenney	Smith, J.R.—30th
Damico	Lancaster	Stelly
Daniel	Landrieu	Theriot
Deville	LeBlanc	Thompson
DeWitt	Long	Thornhill
Diez	Marionneaux	Toomy
Doerge	Martiny	Travis
Donelon	McCain	Waddell
Dupre	McCallum	Walsworth
Durand	McDonald	Warner
Farve	McMains	Welch
Faucheux	Michot	Weston
Flavin	Montgomery	Wiggins
Fontenot	Morrell	Wilkerson
Frith	Morrish	Willard
Fruge	Murray	Windhorst
Gautreaux	Nevers	Winston
Glover	Odinet	Wooton
Green	Perkins	Wright
Total—96		

NAYS

Total—0

ABSENT

Mr. Speaker	Mitchell	Triche
Curtis	Sneed	
Jetson	Strain	
Total—7		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Suspension of the Rules

On motion of Rep. Downer, 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. 640—

BY REPRESENTATIVES DOWNER, LEBLANC, LONG, ALARIO, COPELIN, GUILLORY, HOPKINS, MCMAINS, RIDDLE, AND STELLY AND SENATORS EWING AND HAINKEL

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.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Salter on behalf of the Legislative Bureau to Engrossed House Bill No. 640 by Representative Downer

AMENDMENT NO. 1

On page 3, lines 1, 8, 11 and 23, following "the" and before "Fund" delete "Louisiana"

AMENDMENT NO. 2

On page 4, line 16, following "and the" delete "Louisiana"

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

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Downer to Reengrossed House Bill No. 640 by Representatives Downer, et al.

AMENDMENT NO. 1

On page 1, line 17, after "the" and before "Trust", delete "Tobacco Settlement" and insert "TOPS"

AMENDMENT NO. 2

On page 2, line 14, after "Louisiana Fund;" and before the period ";", delete "; hereinafter referred to as the Fund"

AMENDMENT NO. 3

On page 2, line 17, after "the" and before "Fund", insert "Louisiana"

AMENDMENT NO. 4

On page 2, line 19, after "the" and before "Fund", insert "Louisiana"

AMENDMENT NO. 5

On page 3, delete line 19, and insert "to the following purposes, with no annual appropriation for any"

AMENDMENT NO. 6

On page 3, line 22, after "the" and before "Fund", insert "Louisiana"

AMENDMENT NO. 7

On page 3, at the end of line 22, delete the period "." and insert a colon ":"

AMENDMENT NO. 8

On page 4, line 2, after "care" and before "pursuit", delete ", to include" and insert "through"

AMENDMENT NO. 9

On page 4, delete line 3, and insert "sciences, provision of"

AMENDMENT NO. 10

On page 4, line 4, after "services," and before "and", insert "early childhood intervention programs to reduce infant mortality and child abuse."

AMENDMENT NO. 11

On page 4, between lines 5 and 6, insert the following:

"(c) Provision of direct health care services for tobacco-related illnesses. Appropriations for the purpose enumerated in this Subsubparagraph shall be limited as follows:

(i) For Fiscal Year 2001-2002, the appropriation may not exceed thirty-five percent of the total amount of monies appropriated from the Fund in that fiscal year.

(ii) For Fiscal Year 2002-2003, and for all fiscal years thereafter, the appropriation may not exceed twenty percent of the total amount of monies appropriated from the Louisiana Fund in each fiscal year."

AMENDMENT NO. 12

On page 4, at the beginning of line 6, change "(c)" to "(d)"

AMENDMENT NO. 13

On page 4, at the beginning of line 10, change "(d)" to "(e)"

AMENDMENT NO. 14

On page 5, delete line 6, and insert "the increase of the amount deposited in the TOPS Trust by specific legislative"

AMENDMENT NO. 15

On page 5, line 9, after "of" and before "fifty", insert "no more than"

AMENDMENT NO. 16

On page 5, line 19, after "services," and before "and", insert "provision of health care for tobacco-related illnesses, early childhood intervention programs to reduce infant mortality and child abuse,"

AMENDMENT NO. 17

On page 5, at the end of line 21, insert "to limit amounts which may be appropriated for direct health care;"

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

Speaker Pro Tempore Bruneau in the Chair

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Farve to Reengrossed House Bill No. 640 by Representative Downer, et al.

AMENDMENT NO. 1

On page 1, line 3, after "create the", change "TOPS" to "Education"

AMENDMENT NO. 2

On page 1, line 13, after "§10.8.", change "TOPS" to "Education"

AMENDMENT NO. 3

On page 1, line 14, after "Section 10.8." change "TOPS" to "Education"

AMENDMENT NO. 4

On page 1, line 17, after "fund the", change "Tobacco Settlement" to "Education"

AMENDMENT NO. 5

On page 2, line 1, after "to as", change "TOPS" to "Education"

AMENDMENT NO. 6

On page 2, at the end of line 3, change "TOPS" to "Education"

AMENDMENT NO. 7

On page 2, line 12, after "in the", change "TOPS" to "Education"

AMENDMENT NO. 8

On page 2, at the beginning of line 21, after "the", change "TOPS" to "Education"

AMENDMENT NO. 9

On page 2, line 25, after "to the", change "TOPS" to "Education"

AMENDMENT NO. 10

On page 3, line 2, after "in the", change "TOPS" to "Education"

AMENDMENT NO. 11

On page 3, line 6, after "in the", change "TOPS" to "Education"

AMENDMENT NO. 12

On page 3, line 8, after "from the", change "TOPS" to "Education"

AMENDMENT NO. 13

On page 3, line 15, after "from the", change "TOPS" to "Education"

AMENDMENT NO. 14

On page 3, at the beginning of line 16, after "support of", delete "the" and insert a colon ":", and insert the following:

"(a) The"

AMENDMENT NO. 15

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

"(b) A program of grants for public elementary and secondary schools within the state for acquisition of textbooks, teaching materials, and laboratory equipment, and for capital improvements of schools."

AMENDMENT NO. 16

On page 4, line 10, after "of the", change "TOPS" to "Education"

AMENDMENT NO. 17

On page 4, line 11, after "from the", change "TOPS" to "Education"

AMENDMENT NO. 18

On page 4, line 23, after "establish the", delete the remainder of the line and insert "Education Trust Fund, hereinafter "Education Trust"."

AMENDMENT NO. 19

On page 5, line 4, after "into the", change "TOPS" to "Education"

AMENDMENT NO. 20

On page 5, line 9, after "of the", change "TOPS" to "Education"

AMENDMENT NO. 21

On page 5, line 11, after "of the", change "TOPS" to "Education", and at the end of the line, change "TOPS" to "Education"

AMENDMENT NO. 22

On page 5, line 13, after "of the", change "TOPS" to "Education"

AMENDMENT NO. 23

On page 5, line 21, after "of the", change "TOPS" to "Education"

AMENDMENT NO. 24

On page 5, line 23, after "from the", change "TOPS" to "Education"

Rep. Farve moved the adoption of the amendments.

Rep. Downer objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Baylor	Holden	Pierre
Copelin	Hudson	Pratt
Curtis	Hunter	Quezaire
Farve	Jetson	Schwegmann
Glover	Marionneaux	Welch
Green	Morrell	Weston
Guillory	Murray	Wilkerson
Heaton	Odinet	Willard
Total—24		

NAYS

Mr. Speaker	Gautreaux	Riddle
Alario	Hammett	Romero
Ansardi	Hebert	Salter
Baudoin	Hill	Scalise
Bowler	Hopkins	Shaw
Bruce	Iles	Smith, J.D.—50th
Bruneau	Jenkins	Smith, J.R.—30th
Carter	Johns	Sneed
Chaisson	Kennard	Stelly
Clarkson	Kenney	Theriot
Crane	Lancaster	Thompson
Damico	Landrieu	Thornhill
Daniel	LeBlanc	Toomy
Deville	Long	Travis
DeWitt	Martiny	Triche
Diez	McCain	Waddell
Doerge	McCallum	Walsworth
Donelon	McDonald	Warner
Dupre	McMains	Wiggins
Durand	Michot	Windhorst
Faucheux	Montgomery	Winston
Flavin	Morrish	Wooton
Fontenot	Perkins	Wright
Frith	Pinac	
Fruge	Powell	
Total—73		

ABSENT

Alexander	Mitchell	Schneider
Barton	Nevers	Strain
Total—6		

The amendments were rejected.

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

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representatives Landrieu, Holden, Jetson, and Riddle to Reengrossed House Bill No. 640 by Representative Downer, et al.

AMENDMENT NO. 1

On page 2, line 4, change "thirty-three" to "twenty-five"

AMENDMENT NO. 2

On page 2, line 17, change "sixty-seven" to "seventy-five"

AMENDMENT NO. 3

On page 2, line 21, change "TOPS Trust" to "Louisiana Fund"

AMENDMENT NO. 4

On page 2, line 22, change "Louisiana Fund may be decreased" to "TOPS Fund may be changed"

AMENDMENT NO. 5

On page 2, between lines 24 and 25, insert the following:

"(4) All recurring Settlement Agreement revenues and dividends, interest earnings, and realized capital gains shall be credited to the respective funds as provided in this Paragraph. When

the balance in the Louisiana Fund equals two billion dollars, all future Settlement Agreement revenues allocated to that fund shall be deposited into the state general fund. All earnings on dividends, earning on the investment of monies in the fund, and earnings from realized capital gains from investment of monies in the Louisiana Fund in an amount equal to the annual rate of inflation, as measured by the Consumer Price Index for all Urban Consumers, or its successor, multiplied by the average annual fund balance shall be retained in the Louisiana Fund, and any earnings in excess of this amount shall be credited to the state general fund."

AMENDMENT NO. 6

On page 3, line 2, change "fifty" to "thirty-five"

AMENDMENT NO. 7

On page 3, delete lines 18 through 22 in their entirety and insert in lieu thereof the following:

"(2)(a) Appropriations from the Louisiana Fund shall be limited to an annual amount not to exceed twenty-five percent of the corpus of the fund and all of the estimated aggregate annual earnings from interest on investment monies in the fund as recognized by the Revenue Estimating Conference.

(b) 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 Subdivisions (i) through (iii) of this Subsubparagraph to exceed fifty percent of the total amount of monies available for appropriation from the Louisiana Fund in any fiscal year."

AMENDMENT NO. 8

On page 3, at the beginning of line 23, change "(a)" to "(i)"

AMENDMENT NO. 9

On page 3, delete line 24 in its entirety and insert in lieu thereof the following:

"children through the"

AMENDMENT NO. 10

On page 4, at the beginning of line 1, change "(b) Initiatives" to "(ii) Initiative, including grants."

AMENDMENT NO. 11

On page 4, at the beginning of line 6, change "(c)" to "(iii)"

AMENDMENT NO. 12

On page 4, at the beginning of line 10, change "(d)" to "(iv)"

AMENDMENT NO. 13

On page 4, between lines 10 and 11, insert the following:

"(4) The monies appropriated from the Louisiana Fund shall not displace, replace, or supplant appropriations from the state general fund for any of the purposes or activities set out in this Paragraph."

AMENDMENT NO. 14

On page 5, line 3, change "thirty-three" to "twenty-five"

AMENDMENT NO. 15

On page 5, line 4, change "sixty-seven" to "seventy-five"

AMENDMENT NO. 16

On page 5, delete line 6 in its entirety and insert "an increase in the Louisiana Fund by specific legislative"

AMENDMENT NO. 17

On page 5, line 9, change "fifty" to "thirty-five"

AMENDMENT NO. 18

On page 5, line 15, after "education;" delete the remainder of the line and delete lines 16 and 17 in their entirety and insert in lieu thereof the following:

"to cap the Louisiana Fund at two billion dollars with future settlement revenues being deposited into the state general fund; to allow the Louisiana Fund to grow beyond the two billion dollar cap only by earnings on monies or dividends in the fund equal to an annual inflation rate; to limit annual appropriations on the fund to the estimated annual earnings from interest, dividends, and realized capital gains on monies in the Louisiana Fund; to authorize the legislature to change such spending plans by majority vote of each house of the legislature; to provide for spending subject to a fifty percent cap for each purpose, for initiatives, including grants, for"

AMENDMENT NO. 19

On page 5, at the end of line 21, change "Trust;" to "Trust and Louisiana Fund;"

AMENDMENT NO. 20

On page 5, at the beginning of line 22, delete "and"

AMENDMENT NO. 21

On page 5, line 24, change "Fund." to "Fund; and to prohibit expending monies in the Louisiana Fund to displace, replace, or supplant any appropriations from the state general fund for the same purposes."

Motion

Rep. Deville moved to end consideration of amendments.

As a substitute motion, Rep. Murray moved that the previous question be ordered on the amendments.

Rep. Crane objected.

The vote recurred on the substitute motion.

By a vote of 64 yeas and 30 nays, the House agreed to order the previous question on the amendments.

Rep. Landrieu moved the adoption of the amendments.

Rep. Downer objected.

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

ROLL CALL

The roll was called with the following result:

YEAS

Baudoin	Hunter	Riddle
Clarkson	Iles	Schwegmann
Curtis	Jetson	Thornhill
Faucheux	Landrieu	Toomy
Gautreaux	Murray	Weston
Glover	Pierre	Wilkerson
Green	Pratt	
Holden	Quezaire	
Total—22		

NAYS

Mr. Speaker	Guillory	Pinac
Alario	Hammett	Powell
Ansardi	Heaton	Romero
Barton	Hebert	Salter
Baylor	Hill	Scalise
Bowler	Hopkins	Schneider
Bruce	Hudson	Shaw
Bruneau	Jenkins	Smith, J.D.—50th
Carter	Johns	Smith, J.R.—30th
Chaisson	Kennard	Sneed
Copelin	Kenney	Stelly
Crane	Lancaster	Theriot
Damico	LeBlanc	Thompson
Daniel	Long	Travis
Deville	Marionneaux	Triche
DeWitt	Martiny	Waddell
Diez	McCain	Walsworth
Doerge	McCallum	Warner
Donelon	McDonald	Welch
Dupre	McMains	Wiggins
Durand	Michot	Willard
Farve	Montgomery	Windhorst
Flavin	Morrrell	Winston
Fontenot	Nevers	Wooton
Frith	Odinot	Wright
Fruge	Perkins	
Total—77		

ABSENT

Alexander	Morrish
Mitchell	Strain
Total—4	

The amendments were rejected.

Motion

On motion of Rep. Downer, the bill, as amended, was returned to the calendar.

Motion

On motion of Rep. Downer, House Bill No. 640 was made Special Order of the Day No. 1 for Tuesday, May 25, 1999.

HOUSE BILL NO. 1547—

BY REPRESENTATIVES DOWNER, LEBLANC, LONG, ALARIO, COPELIN, GUILLORY, 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.

Motion

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

Motion

On motion of Rep. Downer, House Bill No. 1547 was made Special Order of the Day No. 2 for Tuesday, May 25, 1999.

Suspension of the Rules

On motion of Rep. Damico, 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:

Regular Calendar

HOUSE BILL NO. 2262 (Substitute for House Bill No. 1584 by Representative Damico)—

BY REPRESENTATIVES DAMICO, DEWITT, DOWNER, MCMAINS, DIEZ, AND CRANE, AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, AND SCHEDLER

AN ACT

To amend and reenact R.S. 30:2050.8, relative to the Department of Environmental Quality; to provide relative to enforcement; to provide relative to cease and desist orders; to provide for requirements for cease and desist orders; to provide for termination of cease and desist orders; and to provide for related matters.

Called from the calendar.

Read by title.

Rep. Damico moved the final passage of the bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. Speaker	Guillory	Pratt
Alario	Hammett	Quezaire
Ansardi	Hebert	Riddle
Barton	Holden	Salter
Baudoin	Hopkins	Scalise
Baylor	Hudson	Schneider
Bowler	Hunter	Schwegmann
Bruce	Iles	Shaw
Bruneau	Jenkins	Smith, J.D.—50th
Carter	Jetson	Smith, J.R.—30th
Chaisson	Johns	Sneed
Clarkson	Kenney	Stelly
Copelin	Lancaster	Theriot
Crane	Landrieu	Thompson

Curtis	LeBlanc	Thornhill
Damico	Long	Toomy
Daniel	Martiny	Travis
Deville	McCain	Triche
DeWitt	McCallum	Waddell
Doerge	McDonald	Walsworth
Donelon	McMains	Warner
Dupre	Michot	Welch
Durand	Montgomery	Weston
Farve	Morrrell	Wiggins
Faucheux	Morrish	Wilkerson
Flavin	Murray	Willard
Fontenot	Nevers	Windhorst
Frith	Odinot	Winston
Fruge	Perkins	Wooton
Gautreaux	Pierre	Wright
Glover	Pinac	
Green	Powell	
Total—94		

NAYS

Total—0

ABSENT

Alexander	Hill	Mitchell
Diez	Kennard	Romero
Heaton	Marionneaux	Strain
Total—9		

The Chair declared the above bill was finally passed.

The title of the above bill was read and adopted.

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

Petitions, Memorials and Communications

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

Message from the Senate

HOUSE BILLS

May 20, 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. 1322
Returned without amendments.

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Message from the Senate

**ASKING CONCURRENCE IN
SENATE CONCURRENT RESOLUTIONS**

May 19, 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. 122 and 130

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

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

Senate Concurrent Resolutions

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

SENATE CONCURRENT RESOLUTION NO. 130—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To designate June 1999 as "Scleroderma Awareness Month".

Read by title.

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

Message from the Senate

SENATE BILLS

May 19, 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. 858, 1047, and 1051

Respectfully submitted,

MICHAEL S. BAER, III
Secretary of the Senate

Suspension of the Rules

On motion of Rep. McMains, 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. 858—

BY SENATORS DARDENNE, EWING, HAINKEL, BARHAM, SCHEDLER, BEAN, DEAN AND ROMERO AND REPRESENTATIVES McMAINS, DEWITT, DOWNER, JOHNS, BOWLER, CRANE, FLAVIN, SCALISE, SHAW AND WIGGINS

AN ACT

To enact R.S. 48:35(F), relative to public liability; to provide for the duty of the Department of Transportation and Development or any political subdivision of the state with respect to highway and bridge construction and maintenance; to provide for the inadmissibility of certain evidence; and to provide for related matters.

Read by title.

SENATE BILL NO. 1047 (Duplicate of House Bill No. 1795)—

BY SENATORS CRAVINS AND REPRESENTATIVE DEVILLE AND COAUTHORED BY SENATORS HINES AND ROMERO AND REPRESENTATIVES HUDSON, MONTGOMERY, DOWNER, BAYLOR AND PIERRE

AN ACT

To enact Chapter 39 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9551, relative to the creation of a special taxing district in St. Landry Parish; to create such district; to provide for the purpose for which such district is created; to provide for the governance of the district; to provide for the powers, duties, and functions of the district; and to provide for related matters.

Read by title.

SENATE BILL NO. 1051 (Duplicate of House Bill No. 1796)—

BY SENATOR MALONE AND REPRESENTATIVE MONTGOMERY AND COAUTHORED BY SENATORS BEAN, CRAVINS, HINES, ROMERO, AND TARVER AND REPRESENTATIVES DOWNER, BARTON, BAYLOR, DEVILLE, GLOVER, HOPKINS AND PIERRE

AN ACT

To enact Chapter 39 of Title 33 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 33:9551, relative to the creation of a special taxing district in Bossier Parish; to create such district; to provide for the purpose for which such district is created; to provide for the governance of the district; to provide for the powers, duties, and functions of the district; and to provide for related matters.

Read by title.

Privileged Report of the Committee on Enrollment

May 20, 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. 58—

BY REPRESENTATIVES QUEZAIRE, TRICHE, AND FAUCHEUX

A RESOLUTION

To commend and congratulate West St. John High School upon winning the 1998 State Championship in Class 2A football.

HOUSE RESOLUTION NO. 59—

BY REPRESENTATIVE GUILLORY

A RESOLUTION

To commend the Lake Charles-Boston 1999 Lady Cougars Track and Field Team for their victories as Class 3A State Champions, Region II - 3A Champions, and District 5-3A Champions.

HOUSE RESOLUTION NO. 61—

BY REPRESENTATIVES MURRAY, BRUNEAU, CLARKSON, COPELIN, FARVE, HEATON, LANDRIEU, MORRELL, ODINET, PRATT, SCALISE, SCHWEGMANN, WILLARD, AND WINDHORST

A RESOLUTION

To proclaim Tuesday, May 25, 1999, as "New Orleans Day" at the Louisiana State Legislature and to provide for suitable observance of such day.

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 20, 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 Bills have been properly enrolled:

HOUSE BILL NO. 1844—

BY REPRESENTATIVES DIEZ, DEWITT, DOWNER, McMAINS, CRANE, BRUCE, AND FRITH AND SENATORS DARDENNE, EWING, HAINKEL, BARHAM, SCHEDLER

AN ACT

To amend and reenact Section 1(A) of Act No. 207 of the 1990 Regular Session of the Legislature, relative to the Departments of Agriculture and Forestry and Transportation and Development; to remove the Department of Transportation and Development from participation in designing and developing a brochure presenting an ecological tour of Louisiana's natural and scenic resources along Interstate 49; to provide for an effective date; and to provide for related matters.

Respectfully submitted,

DONALD RAY KENNARD
Chairman

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

**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. 62—

BY REPRESENTATIVE HUDSON

A RESOLUTION

To commend the Opelousas High School Tigers track team for its capture of the 1999 Class 4-A Track and Field Championship.

Read by title.

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

HOUSE RESOLUTION NO. 63—

BY REPRESENTATIVE MURRAY

A RESOLUTION

To commend Mr. Leroy Brown, Jr. for his faithful and dedicated service to the young people of New Zion Baptist Church.

Read by title.

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

HOUSE RESOLUTION NO. 64—

BY REPRESENTATIVES DOWNER, BRUNEAU, AND LANCASTER

A RESOLUTION

To amend and readopt House Rule 6.8(F) and (G) of the Rules of Order of the House of Representatives to provide relative to the recommittal of legislative instruments with a certain fiscal impact.

Read by title.

Lies over under the rules.

HOUSE CONCURRENT RESOLUTION NO. 225—

BY REPRESENTATIVE GLOVER

A CONCURRENT RESOLUTION

To commend and congratulate Rudy Morton for his efforts and accomplishments as chairman of the Greater Shreveport Human Relations Commission.

Read by title.

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

Ordered to the Senate.

HOUSE CONCURRENT RESOLUTION NO. 226—

BY REPRESENTATIVES GLOVER AND BAYLOR

A CONCURRENT RESOLUTION

To urge and request the commissioner of insurance to make certain information relative to public fire protection classifications and their impact on premiums for homeowner's insurance available to the public in the most cost-effective manner possible.

Read by title.

Lies over under the rules.

Reports of Committees

The following reports of committees were received and read:

Report of the Committee on Administration of Criminal Justice

May 20, 1999

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 40, by DeWitt
Reported favorably. (7-0)

House Concurrent Resolution No. 149, by Wilkerson
Reported favorably. (7-0)

House Bill No. 206, by Thompson
Reported with amendments. (5-4) (Regular)

House Bill No. 1036, by Jack Smith
Reported with amendments. (6-3-1) (Regular)

House Bill No. 1280, by McMains
Reported favorably. (9-0-1) (Regular)

House Bill No. 1359, by Windhorst
Reported with amendments. (7-0) (Regular)

House Bill No. 1485, by Toomy
Reported with amendments. (10-0) (Regular)

House Bill No. 1487, by Toomy
Reported with amendments. (9-1-1) (Regular)

House Bill No. 1785, by Wiggins
Reported by substitute. (4-2-1) (Regular)

House Bill No. 1826, by DeWitt
Reported with amendments. (5-3-1) (Regular)

House Bill No. 2224, by Marionneaux
Reported favorably. (7-2-1) (Regular)

House Bill No. 2226, by Marionneaux
Reported favorably. (10-0) (Regular)

STEPHEN J. WINDHORST
Chairman

Report of the Committee on Education

May 20, 1999

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 204, by Walsworth
Reported favorably. (11-0)

House Concurrent Resolution No. 206, by McDonald
Reported with amendments. (11-1)

House Bill No. 1088, by Marionneaux
Reported with amendments. (9-0) (Regular)

House Bill No. 1863, by Stelly
Reported with amendments. (9-3) (Regular)

Senate Bill No. 605, by Jordan
Reported favorably. (11-1) (Regular)

CHARLES MCDONALD
Chairman

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

Report of the Committee on House and Governmental Affairs

May 20, 1999

To the Speaker and Members of the House of Representatives:

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

House Concurrent Resolution No. 205, by Weston
Reported favorably. (7-0)

House Bill No. 2119, by Waddell
Reported with amendments. (8-0) (Regular)

Senate Bill No. 781, by Lentini
Reported favorably. (7-0) (Regular)

Senate Bill No. 815, by Ewing
Reported favorably. (7-0) (Local and Consent)

CHARLES LANCASTER
Chairman

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

Leave of Absence

Rep. Strain - 1 day

Adjournment

On motion of Rep. Thompson, at 5:55 P.M., the House agreed
to adjourn until Friday, May 21, 1999, at 9:00 A.M.

The Speaker of the House declared the House adjourned until
9:00 A.M., Friday, May 21, 1999.

ALFRED W. SPEER
Clerk of the House

C. Wayne Hays
Journal Clerk, *Emeritus*

