

**OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA**

SEVENTH DAY'S PROCEEDINGS

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

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, April 1, 1998

The Senate was called to order at 1:30 o'clock P.M., by Hon. Randy Ewing, President of the Senate.

ROLL CALL

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

PRESENT

Mr. President	Dyess	Lambert
Bagneris	Ellington	Landry
Bajoie	Fields C	Lentini
Barham	Fields W	Malone
Bean	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Total—39		

ABSENT

Total—0

The President of the Senate announced there were 39 Senators present and a quorum.

Prayer

The prayer was offered by Senator Jones, following which the Senate joined in pledging allegiance to the flag of the United States of America.

Reading of the Journal

On motion of Senator Jones, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

**Privilege Report of the
Legislative Bureau**

April 1, 1998

To the President and Members of the Senate:

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

The following bills are approved as to construction and duplication. We advise and suggest the following amendments to the engrossed bills.

HOUSE BILL NO. 45 (Duplicate of Senate Bill No. 87)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, BRUCE, QUEZAIRE, AND ROUSSELLE AND SENATORS EWING, DARDENNE, AND HAINKEL

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 47 (Duplicate of Senate Bill No. 31)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, BRUCE, QUEZAIRE, AND ROUSSELLE AND SENATORS EWING, DARDENNE, HAINKEL, AND BARHAM

AN ACT

To amend and reenact R.S. 48:252(I)(1), relative to projects of the Department of Transportation and Development; to provide relative to the opening of bids; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 48 (Duplicate of Senate Bill No. 32)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, BRUCE, AND QUEZAIRE AND SENATORS EWING, DARDENNE, HAINKEL, BAGNERIS, AND BARHAM

AN ACT

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

Reported without amendments.

HOUSE BILL NO. 49 (Duplicate of Senate Bill No. 13)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, BRUCE, AND QUEZAIRE AND SENATORS EWING, DARDENNE, HAINKEL, BAGNERIS, AND BARHAM

AN ACT

To amend and reenact R.S. 48:253(A), relative to contracts let for bid by the Department of Transportation and Development; to provide relative to which such contracts shall require a form of surety; to provide for the amount of the required form of surety; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 51 (Duplicate of Senate Bill No. 85)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, BRUCE, AND QUEZAIRE AND SENATORS EWING, DARDENNE, HAINKEL, AND BAGNERIS

AN ACT

To amend and reenact R.S. 2:1(15), relative to the regulation of aeronautics; to provide for definitions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 52 (Duplicate of Senate Bill No. 86)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, BRUCE, AND QUEZAIRE AND SENATORS EWING, DARDENNE, HAINKEL, AND BARHAM

AN ACT

To amend and reenact R.S. 38:2(A), relative to the administrative functions of the Department of Public Works; to delete the administrative functions of the department regarding landing fields and other aeronautical facilities; and to provide for related matters.

Reported without amendments.

April 1, 1998

HOUSE BILL NO. 77—
BY REPRESENTATIVES THORNHILL AND BRUCE AND SENATOR SHORT
AN ACT

To enact R.S. 38:291(O), relative to the St. Tammany Levee District; to require the transfer of funds and assets belonging to the district to the parish governing authority; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 82 (Duplicate of Senate Bill No. 47)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND COAUTHORED
BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, BRUCE, AND
QUEZAIRE AND SENATORS EWING, DARDENNE, HAINKEL, BAGNERIS,
BARHAM, AND ROMERO

AN ACT

To amend and reenact R.S. 48:286(B)(1), (2), and (4) and 292(B), relative to the retention of consultants by the Department of Transportation and Development; to authorize retention of consultants at the recommendation of the assistant secretary for public works and intermodal transportation; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 83 (Duplicate of Senate Bill No. 45)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND COAUTHORED
BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, BRUCE, AND
QUEZAIRE AND SENATORS EWING, DARDENNE, HAINKEL, BAGNERIS,
BARHAM, AND ROMERO

AN ACT

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

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 83 by Representative Diez

AMENDMENT NO. 1

On page 1, line 3, following "Development" delete "projects"

HOUSE BILL NO. 84 (Duplicate of Senate Bill No. 43)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND COAUTHORED
BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, BRUCE, AND
QUEZAIRE AND SENATORS EWING, DARDENNE, HAINKEL, BARHAM,
AND ROMERO

AN ACT

To repeal R.S. 36:509(P) and Chapter 35 of Title 51 of the Louisiana Revised Statutes of 1950, comprised of R.S. 51:2161, relative to the Red River Valley Area Council; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 86 (Duplicate of Senate Bill No. 99)—
BY REPRESENTATIVE DIEZ AND SENATOR BEAN AND COAUTHORED
BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, BRUCE, AND
QUEZAIRE AND SENATORS LANDRY, EWING, DARDENNE, HAINKEL,
BARHAM, AND ROMERO

AN ACT

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

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Reengrossed House Bill No. 86 by Representative Diez

AMENDMENT NO. 1

In Senate Floor Amendment No. 2, proposed by Senator Bean to Reengrossed House Bill No. 86, adopted by the Senate on March 31, 1998, on line 7, change "19 and 20" to "18 and 19"

HOUSE BILL NO. 87 (Duplicate of Senate Bill No. 15)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND COAUTHORED
BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, HUDSON,
QUEZAIRE, AND ROUSSELLE AND SENATORS EWING, DARDENNE,
HAINKEL, AND BARHAM

AN ACT

To amend and reenact R.S. 51:781(4) and 784.1, relative to petroleum products; to transfer the inspection and regulation of petroleum and petroleum products from the Department of Transportation and Development to the Department of Agriculture and Forestry; and to provide for related matters.

Reported with amendments.

LEGISLATIVE BUREAU AMENDMENTS

Amendments proposed by Legislative Bureau to Engrossed House Bill No. 87 by Representative Diez

AMENDMENT NO. 1

In Senate Floor Amendment No. 2, proposed by Senator Landry to Engrossed House Bill No. 87 and adopted by the Senate on March 31, 1998, on line 18 of page 1, following "All" and before ", fees" change "assessment" to "assessments"

AMENDMENT NO. 2

In Senate Floor Amendment No. 2, proposed by Senator Landry to Engrossed House Bill No. 87 and adopted by the Senate on March 31, 1998, on line 12 of page 2, following "regulation" and before "and" insert a comma ","

AMENDMENT NO. 3

In Senate Floor Amendment No. 2, proposed by Senator Landry to Engrossed House Bill No. 87 and adopted by the Senate on March 31, 1998, on line 13 of page 2, following "measure" and before "or" insert a comma ","

AMENDMENT NO. 4

In Senate Floor Amendment No. 11, proposed by Senator Landry to Engrossed House Bill No. 87 and adopted by the Senate on March 31, 1998, on line 2, of page 3, following "line" and before "change" change "10," to "3,"

AMENDMENT NO. 5

On page 3, line 1, following "perform" and before "duties" insert "the"

Respectfully submitted,
DENNIS BAGNERIS
Chairman

Adoption of Legislative Bureau Report

On motion of Senator Bagneris, the Legislative Bureau amendments were adopted and the Bills and Joint Resolutions were read by title and passed to a third reading.

Introduction of Senate Bills and Joint Resolutions

Senator Bagneris asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

SENATE BILL NO. 165—
BY SENATOR SMITH

AN ACT

To amend and reenact R.S. 36:801.1(D) and to enact R.S. 36:511, relative to the Department of Transportation and Development; to require that contract and procurement laws applicable to the department shall apply to agencies within the department; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

SENATE BILL NO. 166—
BY SENATOR SIRACUSA

AN ACT

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

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Judiciary A.

Introduction of Senate Concurrent Resolutions

Senator Bagneris asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Concurrent Resolutions a first and second time and acting upon them as follows:

SENATE CONCURRENT RESOLUTION NO. 28—
BY SENATOR SHORT

A CONCURRENT RESOLUTION

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

On motion of Senator Bagneris, the resolution was read by title and referred to the Committee on Senate and Governmental Affairs.

SENATE CONCURRENT RESOLUTION NO. 29—
BY SENATOR JORDAN

A CONCURRENT RESOLUTION

To order and direct the Louisiana Gaming Control Board to renegotiate the casino operating contract to include a requirement that such contract not take effect or be binding on any of the parties unless and until the contract is approved by a majority of the members of the legislature.

On motion of Senator Bagneris, the resolution was read by title and referred to the Committee on Judiciary B.

SENATE CONCURRENT RESOLUTION NO. 30—
BY SENATOR JORDAN

A CONCURRENT RESOLUTION

To revoke any and all casino operating contracts executed or approved by the Louisiana Economic Development and Gaming Corporation or the Louisiana Gaming Control Board, or their successors.

On motion of Senator Bagneris, the resolution was read by title and referred to the Committee on Judiciary B.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE BILLS AND JOINT RESOLUTIONS

April 1, 1998

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Bills and Joint Resolutions:

HOUSE BILL NO. 1—

BY REPRESENTATIVES ALARIO, BRUNEAU, CLARKSON, AND MURRAY
AN ACT

To provide relative to certain courts of appeal judgeships established by Act No. 3 of the 1981 Regular Session of the Legislature; to specify the date of the end of the term of and the date of the election of the successors to certain judges; and to provide for related matters.

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

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

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

HOUSE BILL NO. 5—

BY REPRESENTATIVE DAMICO
AN ACT

To enact R.S. 33:9124(E), relative to the Jefferson Parish Communication District; to authorize the district to enter into contracts to fund certain fire dispatching services in Jefferson Parish; to provide that pursuant to such a contract the functions and duties of the district shall include providing for and paying for such services; and to provide for related matters.

HOUSE BILL NO. 6—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 11:2214(A)(2)(b) and (c), 2225(A)(11)(a), 2252(9) and (10), and 2253(A)(1)(b), relative to the Baton Rouge City Parish Employees' Retirement System; to provide for the merger of the police officers and firefighters who are members thereof into the Municipal Police Employees' Retirement System and the Firefighters' Retirement System respectively; and to provide with respect to membership; to further provide with respect to approval of the merger by the respective systems, local governing authority, and Joint Legislative Committee on Retirement; to provide an effective date; and to provide for related matters.

April 1, 1998

HOUSE BILL NO. 19—

BY REPRESENTATIVE GAUTREAUX
AN ACT

To enact R.S. 11:3569, relative to the Policemen's Pension and Relief Funds; to increase survivor benefits for widows of former Morgan City police officers; and to provide for related matters.

HOUSE BILL NO. 24—

BY REPRESENTATIVE LONG
AN ACT

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

HOUSE BILL NO. 38—

BY REPRESENTATIVE THOMPSON
AN ACT

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

HOUSE BILL NO. 160—

BY REPRESENTATIVES ROUSSELLE AND CLARKSON
AN ACT

To enact R.S. 33:4715.2, relative to Plaquemines Parish; to create a special district to acquire or construct a new courthouse or renovate the existing courthouse and to operate and maintain the courthouse; to provide for governance of the district; to provide relative to the authority of the district in relationship to the parish governing authority; to provide for the district's powers and duties, including provisions relative to financing the activities of the district through the levy of taxes or the incurring of debt; and to provide for related matters.

HOUSE BILL NO. 39—

BY REPRESENTATIVE THOMPSON
AN ACT

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

HOUSE BILL NO. 40—

BY REPRESENTATIVE THOMPSON
AN ACT

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

HOUSE BILL NO. 55—

BY REPRESENTATIVE LEBLANC
AN ACT

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

HOUSE BILL NO. 71—

BY REPRESENTATIVES THOMPSON, BAUDOIN, CURTIS, DOERGE, LONG, MCDONALD, AND WINSTON
AN ACT

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

HOUSE BILL NO. 67 (Duplicate of Senate Bill No. 143)—

BY REPRESENTATIVE JOHNS AND SENATOR COX
AN ACT

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

HOUSE BILL NO. 4—

BY REPRESENTATIVES BRUNEAU, ALARIO, MORRELL, MURRAY, SCHNEIDER, TOOMY, CLARKSON, AND PRATT AND SENATORS IRONS, BAGNERIS, AND HAINKEL
AN ACT

To amend and reenact Section 1(A) of Act No. 569 of the 1989 Regular Session of the Legislature of Louisiana and Sections 4(B) and 8 of Act No. 865 of the 1982 Regular Session of the Legislature of Louisiana, relative to the management and administration of City Park; to provide relative to the power and authority of the New Orleans City Park Improvement Association to contract for the operation, care, control, and management of the park and its facilities; to provide relative to the applicability of certain laws and the association's insurance plan to certain park contracts and contractors; to provide for the expenditure of funds received by, allocated to, or otherwise available to City Park or the New Orleans City Park Improvement Association or its board of directors without the necessity of a legislative appropriation or deposit thereof in the state treasury; and to provide for related matters.

HOUSE BILL NO. 21—

BY REPRESENTATIVE ILES
AN ACT

To amend and reenact R.S. 11:1316, R.S. 23:1233, and R.S. 42:851.7, relative to the continuation of benefits payable to a spouse of a state police officer killed in the line of duty; to provide with respect to the continuation of certain death benefits provided by the State Police Pension and Retirement System as an accessory retirement benefit; to further provide with respect to the continuation of workers' compensation benefits and group health insurance benefits provided by the State Employees Group Benefits Program; to specifically provide that such benefits continue until death of the surviving spouse; and to provide for related matters.

HOUSE BILL NO. 27—

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

To enact R.S. 17:7.6, relative to state funds; to provide for the creation of the Alternative Schools Fund within the state treasury; to provide for deposit of monies into the fund; to provide for uses and investment of monies in the fund; to provide for the development of a grant program for distribution of monies from the fund; and to provide for related matters.

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

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

HOUSE BILL NO. 37—
BY REPRESENTATIVE STELLY
AN ACT

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

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

To amend and reenact R.S. 23:76(C)(9), relative to the Occupational Forecasting Conference; to provide with respect to comprehensive labor market information system; to change the projection date for occupational forecasting; and to provide for related matters.

HOUSE BILL NO. 54—
BY REPRESENTATIVES FRUGE AND BRUCE
AN ACT

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

HOUSE BILL NO. 133—
BY REPRESENTATIVES MCCAIN AND WELCH
AN ACT

To enact R.S. 40:1322 and 1322.1, relative to the authorization of credit, charge, and debit card transactions with the Department of Public Safety and Corrections; to provide for the procedures for such transactions; to provide for suspension of any license, permit, or registration or revocation of any certificate of title by the department if payment by a credit, charge, or debit card is refused, denied, dishonored, or reversed by the issuing company or bank; to provide for the department to conduct administrative hearings following a suspension or revocation; to provide for rules; to provide criminal penalties for transferring or assigning a certificate of title for a motor vehicle that has been recalled or revoked; and to provide for related matters.

HOUSE BILL NO. 171—
BY REPRESENTATIVES DOWNER, CRANE, DEWITT, MCDONALD,
MCMAINS, STELLY, WALKSWORTH, CURTIS, DANIEL, DURAND, FLAVIN,
JOHNS, SHAW, WILKERSON, ALARIO, R. ALEXANDER, ANSARDI,
BARTON, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUNEAU, CARTER,
CLARKSON, COPELIN, DAMICO, DEVILLE, DIEZ, DOERGE, DONELON,
DUPRE, FAUCHEUX, FONTENOT, FRITH, FRUGE, GAUTREAUX, GLOVER,
GULLORY, HEATON, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES,
KENNARD, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LONG,
MARTINY, MCCAIN, MCCALLUM, MICHOT, MONTGOMERY, MORRELL,
MORRISH, MURRAY, PIERRE, PINAC, POWELL, RIDDLE, ROMERO,
ROUSSELLE, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, JACK
SMITH, JOHN SMITH, STRAIN, THOMAS, THOMPSON, THORNHILL,
TOOMY, TRAVIS, TRICHE, VITTER, WADDELL, WARNER, WELCH,
WESTON, WIGGINS, WILLARD, WINDHORST, AND WRIGHT
AN ACT

To amend and reenact R.S. 11:791(A)(2), to enact R.S. 17:16, and to repeal R.S. 11:739 and 791(A)(3), (4), and (5), relative to the reemployment of teachers who have retired from the Teachers' Retirement System of Louisiana; to provide for the adoption of rules by the State Board of Elementary and Secondary Education to establish guidelines and procedures for the hiring of retired teachers; to encourage the use of certain funds provided by the state in furtherance of hiring retired teachers; to provide an effective date; and to provide for related matters.

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Bills and Joint Resolutions

Senator Bagneris asked for and obtained a suspension of the rules to take up at this time the following House Bills and Joint Resolutions just received from the House of Representatives with the view of acting on the same:

HOUSE BILL NO. 1—
BY REPRESENTATIVES ALARIO, BRUNEAU, CLARKSON, AND MURRAY
AN ACT

To provide relative to certain courts of appeal judgeships established by Act No. 3 of the 1981 Regular Session of the Legislature; to specify the date of the end of the term of and the date of the election of the successors to certain judges; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 4—
BY REPRESENTATIVES BRUNEAU, ALARIO, MORRELL, MURRAY,
SCHNEIDER, TOOMY, CLARKSON, AND PRATT AND SENATORS IRONS,
BAGNERIS, AND HAINKEL
AN ACT

To amend and reenact Section 1(A) of Act No. 569 of the 1989 Regular Session of the Legislature of Louisiana and Sections 4(B) and 8 of Act No. 865 of the 1982 Regular Session of the Legislature of Louisiana, relative to the management and administration of City Park; to provide relative to the power and authority of the New Orleans City Park Improvement Association to contract for the operation, care, control, and management of the park and its facilities; to provide relative to the applicability of certain laws and the association's insurance plan to certain park contracts and contractors; to provide for the expenditure of funds received by, allocated to, or otherwise available to City Park or the New Orleans City Park Improvement Association or its board of directors without the necessity of a legislative appropriation or deposit thereof in the state treasury; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 5—
BY REPRESENTATIVE DAMICO
AN ACT

To enact R.S. 33:9124(E), relative to the Jefferson Parish Communication District; to authorize the district to enter into contracts to fund certain fire dispatching services in Jefferson Parish; to provide that pursuant to such a contract the functions and duties of the district shall include providing for and paying for such services; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 6—

BY REPRESENTATIVE DANIEL
AN ACT

To amend and reenact R.S. 11:2214(A)(2)(b) and (c), 2225(A)(11)(a), 2252(9) and (10), and 2253(A)(1)(b), relative to the Baton Rouge City Parish Employees' Retirement System; to provide for the merger of the police officers and firefighters who are members thereof into the Municipal Police Employees' Retirement System and the Firefighters' Retirement System respectively; and to provide with respect to membership; to further provide with respect to approval of the merger by the respective systems, local governing authority, and Joint Legislative Committee on Retirement; to provide an effective date; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 19—

BY REPRESENTATIVE GAUTREAUX
AN ACT

To enact R.S. 11:3569, relative to the Policemen's Pension and Relief Funds; to increase survivor benefits for widows of former Morgan City police officers; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 21—

BY REPRESENTATIVE ILES
AN ACT

To amend and reenact R.S. 11:1316, R.S. 23:1233, and R.S. 42:851.7, relative to the continuation of benefits payable to a spouse of a state police officer killed in the line of duty; to provide with respect to the continuation of certain death benefits provided by the State Police Pension and Retirement System as an accessory retirement benefit; to further provide with respect to the continuation of workers' compensation benefits and group health insurance benefits provided by the State Employees Group Benefits Program; to specifically provide that such benefits continue until death of the surviving spouse; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 24—

BY REPRESENTATIVE LONG
AN ACT

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

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 27—

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

AN ACT

To enact R.S. 17:7.6, relative to state funds; to provide for the creation of the Alternative Schools Fund within the state treasury; to provide for deposit of monies into the fund; to provide for uses and investment of monies in the fund; to provide for the development of a grant program for distribution of monies from the fund; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Education.

HOUSE BILL NO. 36—

BY REPRESENTATIVES STELLY AND THOMPSON
AN ACT

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

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 37—

BY REPRESENTATIVE STELLY
AN ACT

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

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Retirement.

HOUSE BILL NO. 38—

BY REPRESENTATIVE THOMPSON
AN ACT

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

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 39—

BY REPRESENTATIVE THOMPSON
AN ACT

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

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 40—

BY REPRESENTATIVE THOMPSON
AN ACT

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

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Finance.

HOUSE BILL NO. 54—

BY REPRESENTATIVES FRUGE AND BRUCE
AN ACT

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

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

HOUSE BILL NO. 55—

BY REPRESENTATIVE LEBLANC
AN ACT

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

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Judiciary A.

HOUSE BILL NO. 67 (Duplicate of Senate Bill No. 143)—

BY REPRESENTATIVE JOHNS AND SENATOR COX
AN ACT

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

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 71—

BY REPRESENTATIVES THOMPSON, BAUDOIN, CURTIS, DOERGE, LONG, MCDONALD, AND WINSTON
AN ACT

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

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Education.

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

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

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

disqualifies an individual for unemployment compensation; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 104 (Duplicate of Senate Bill No. 77)—

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

To amend and reenact R.S. 23:76(C)(9), relative to the Occupational Forecasting Conference; to provide with respect to comprehensive labor market information system; to change the projection date for occupational forecasting; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Labor and Industrial Relations.

HOUSE BILL NO. 133—

BY REPRESENTATIVES MCCAIN AND WELCH
AN ACT

To enact R.S. 40:1322 and 1322.1, relative to the authorization of credit, charge, and debit card transactions with the Department of Public Safety and Corrections; to provide for the procedures for such transactions; to provide for suspension of any license, permit, or registration or revocation of any certificate of title by the department if payment by a credit, charge, or debit card is refused, denied, dishonored, or reversed by the issuing company or bank; to provide for the department to conduct administrative hearings following a suspension or revocation; to provide for rules; to provide criminal penalties for transferring or assigning a certificate of title for a motor vehicle that has been recalled or revoked; and to provide for related matters.

On motion of Senator Bagneris, the bill which is a duplicate of Senate Bill No. 147 was read by title and lies over under the rules.

HOUSE BILL NO. 160—

BY REPRESENTATIVES ROUSSELLE AND CLARKSON
AN ACT

To enact R.S. 33:4715.2, relative to Plaquemines Parish; to create a special district to acquire or construct a new courthouse or renovate the existing courthouse and to operate and maintain the courthouse; to provide for governance of the district; to provide relative to the authority of the district in relationship to the parish governing authority; to provide for the district's powers and duties, including provisions relative to financing the activities of the district through the levy of taxes or the incurring of debt; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Local and Municipal Affairs.

HOUSE BILL NO. 171—

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

To amend and reenact R.S. 11:791(A)(2), to enact R.S. 17:16, and to repeal R.S. 11:739 and 791(A)(3), (4), and (5), relative to the reemployment of teachers who have retired from the Teachers' Retirement System of Louisiana; to provide for the adoption of rules by the State Board of Elementary and Secondary Education to establish guidelines and procedures for the hiring of retired

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teachers; to encourage the use of certain funds provided by the state in furtherance of hiring retired teachers; to provide an effective date; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Education.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

April 1, 1998

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 51—
BY REPRESENTATIVE MCCALLUM
A CONCURRENT RESOLUTION

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

Respectfully submitted,
ALFRED W. SPEER
Clerk of the House of Representatives

House Concurrent Resolutions

Senator Bagneris asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 51—
BY REPRESENTATIVE MCCALLUM
A CONCURRENT RESOLUTION

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

The resolution was read by title. Senator Jones moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Bagneris	Ellington	Lentini
Bajoie	Fields C	Malone
Barham	Fields W	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler

Campbell	Hines	Short
Casanova	Hollis	Siracusa
Cox	Jones	Smith
Dardenne	Jordan	Tarver
Dean	Lambert	Theunissen
Dyess	Landry	Ullo
Total—33		

NAYS

Total—0

ABSENT

Mr. President	Cravins	Irons
Bean	Greene	Johnson
Total—6		

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

House Bills and Joint Resolutions on Second Reading

The following House Bills and Joint Resolutions were taken up and acted upon as follows:

HOUSE BILL NO. 177—
BY REPRESENTATIVES DANIEL, JOHN SMITH, FLAVIN, BRUNEAU, AND JETSON AND SENATORS ROMERO AND MALONE
AN ACT

To amend and reenact R.S. 33:1423(B)(1) and R.S. 56:6(21), 8(12)(a)(ii) and (60.1), 103(B) and (D), 104(A)(introductory paragraph) and (1)(a), 251(A)(1), 302.4(A), 302.5, 302.6, and 642(A), to enact R.S. 56:30.1, 302.4(D), and 641.1, and to repeal R.S. 56:302.4(B), all relative to the issuance of hunting and recreational fishing licenses by the Department of Wildlife and Fisheries; to authorize the issuance of such licenses through electronic means; to authorize the contracting with and payment of special issuing agents for services related to the issuance of such licenses; to repeal the requirements for license booklets, issuance of licenses by tax collectors, the deduction of commissions by said collectors, and the collection and submission of fees by said tax collectors; and to provide for related matters.

Under the provisions of Joint Rule No. 5, the duplicate bill was read by title and referred to the Legislative Bureau.

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON SENATE AND GOVERNMENTAL AFFAIRS

Senator Dardenne, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 1, 1998

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 13—
BY SENATOR HAINKEL
A CONCURRENT RESOLUTION

To name the Department of Wildlife and Fisheries building, located at 400 Royal Street in New Orleans, the Judge Fred J. Cassibry Building.

Reported with amendments.

SENATE BILL NO. 34—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 18:1484, relative to election campaign finance; to mandate the electronic filing of campaign finance disclosure reports for candidates for legislative and statewide elective offices; to provide for monetary limits; to provide for penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 58—
BY SENATORS DARDENNE, EWING, HAINKEL, BARHAM AND ROMERO
AND REPRESENTATIVES DOWNER, DEWITT AND MCMAINS

AN ACT

To enact R.S. 42:1123(27), relative to governmental ethics; to provide for an exception to the Code of Governmental Ethics for members of higher education boards to serve on the board of or own stock in any state or national bank; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 102—
BY SENATOR DARDENNE

AN ACT

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

Reported favorably.

SENATE BILL NO. 108—
BY SENATOR HEITMEIER

AN ACT

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

Reported with amendments.

SENATE BILL NO. 129—
BY SENATOR DARDENNE

AN ACT

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

Reported favorably.

SENATE BILL NO. 130—
BY SENATOR DARDENNE

AN ACT

To amend Section 2 of Act No. 1493 of the 1997 Regular Session of the Legislature, relative to the proposed constitutional amendment prohibiting a state court from exercising the power to tax; to change the date on which the proposed amendment involving

Article VII, Section 1 of the Constitution of Louisiana will be submitted to the electorate; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 131—
BY SENATOR DARDENNE

AN ACT

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

Reported favorably.

SENATE BILL NO. 132—
BY SENATOR DARDENNE

AN ACT

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

Reported favorably.

SENATE BILL NO. 133—
BY SENATOR DARDENNE

AN ACT

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

Reported favorably.

SENATE BILL NO. 134—
BY SENATOR DARDENNE

AN ACT

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

Reported favorably.

SENATE BILL NO. 154—
BY SENATOR DARDENNE

AN ACT

To amend Section 6 of Act No. 1489 of the 1997 Regular Session of the Legislature, relative to the proposed constitutional amendment removing limitations on multi-year budgets; to change the date on which the proposed amendment will be submitted to the electorate; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JAY DARDENNE
Chairman

Senate Bills and Joint Resolutions on Second Reading Reported by Committees

Senator Dardenne asked for and obtained a suspension of the rules to take up at this time the following Senate Bills and Joint Resolutions just reported by Committees.

SENATE BILL NO. 34— BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 18:1484, relative to election campaign finance; to mandate the electronic filing of campaign finance disclosure reports for candidates for legislative and statewide elective offices; to provide for monetary limits; to provide for penalties; and to provide for related matters.

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 34 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 4, after "candidates for" delete "legislative and"

AMENDMENT NO. 2

On page 2, delete lines 7 through 19 and insert the following:

"B.(1) Each candidate for statewide office and each principal campaign committee of a candidate for statewide office that makes expenditures or receives contributions in excess of fifty thousand dollars in the aggregate during the aggregating period shall electronically file such reports of contributions and expenditures with the supervisory committee through the Board of Ethics Computerized Data Management System as provided in R.S. 42:1158.

(2) The committee shall adopt such rules and regulations as are necessary for the implementation of the electronic filing of contributions pursuant to this Subsection and shall promulgate such rules and regulations prior to the effective date of this Act."

AMENDMENT NO. 3

On page 2, line 21, after "R.S. 18:1505.4" insert a "." and delete the remainder of the line and delete line 22 in its entirety

AMENDMENT NO. 4

On page 2, after line 22, insert the following:

"Section 2. This Act shall be effective January 1, 1999."

On motion of Senator Dardenne, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 58—

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

AN ACT

To enact R.S. 42:1123(27), relative to governmental ethics; to provide for an exception to the Code of Governmental Ethics for members of higher education boards to serve on the board of or own stock in any state or national bank; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. On motion of Senator Dardenne, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 102—

BY SENATOR DARDENNE

AN ACT

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

Reported favorably by the Committee on Senate and Governmental Affairs. On motion of Senator Dardenne, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 108—

BY SENATOR HEITMEIER

AN ACT

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

Reported with amendments by the Committee on Senate and Governmental Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Senate and Governmental Affairs to Original Senate Bill No. 108 by Senator Heitmeier

AMENDMENT NO. 1

On page 6, line 12, change "25:1031-1034" to "25:1011-1016"

On motion of Senator Dardenne, the committee amendment was adopted. The amended bill was read by title and ordered reengrossed and passed to a third reading.

SENATE BILL NO. 129—

BY SENATOR DARDENNE

AN ACT

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

Reported favorably by the Committee on Senate and Governmental Affairs. On motion of Senator Dardenne, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 130—

BY SENATOR DARDENNE

AN ACT

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

Reported favorably by the Committee on Senate and Governmental Affairs. On motion of Senator Dardenne, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 131—
BY SENATOR DARDENNE

AN ACT

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

Reported favorably by the Committee on Senate and Governmental Affairs. On motion of Senator Dardenne, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 132—
BY SENATOR DARDENNE

AN ACT

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

Reported favorably by the Committee on Senate and Governmental Affairs. On motion of Senator Dardenne, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 133—
BY SENATOR DARDENNE

AN ACT

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

Reported favorably by the Committee on Senate and Governmental Affairs. On motion of Senator Dardenne, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 134—
BY SENATOR DARDENNE

AN ACT

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

Reported favorably by the Committee on Senate and Governmental Affairs. On motion of Senator Dardenne, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 154—
BY SENATOR DARDENNE

AN ACT

To amend Section 6 of Act No. 1489 of the 1997 Regular Session of the Legislature, relative to the proposed constitutional amendment removing limitations on multi-year budgets; to change the date on which the proposed amendment will be submitted to the electorate; and to provide for related matters.

Reported favorably by the Committee on Senate and Governmental Affairs. On motion of Senator Dardenne, the bill was read by title, ordered engrossed and passed to a third reading.

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 1, was taken up and acted upon as follows:

SENATE BILL NO. 1—

BY SENATORS DARDENNE, EWING, HAINKEL, BARHAM, ROMERO, BRANCH, CASANOVA, GREENE, SHORT AND THEUNISSEN AND REPRESENTATIVES DOWNER, DEWITT, LEBLANC, MCMAINS, AND MACDONALD

A JOINT RESOLUTION

Proposing to amend Article VII, Section 10.1(C)(2) and (3), the introductory paragraph of (D)(1), (D)(1)(c), the introductory paragraph of (D)(2), and (D)(2)(a) and (c), and Article VIII, Section 3(A), 5(A), the introductory paragraph of (D), (D)(3), (4), and (5), and (E) and 8(B) and to add Article VIII, Section 7.1, all of the Constitution of Louisiana, relative to providing for the governance and management of education; to create and provide for the Louisiana Technical and Community College System; to create and provide for the Board of Supervisors of Technical and Community Colleges as a fifteen member management board for the system subject to the planning, coordinating, and budgeting responsibility of the Board of Regents; to provide for fifteen members to be appointed by the governor; to provide relative to the consent of the Senate and the terms of members; to authorize the selection of members of certain education boards as provided by law; to provide for student membership on the board; to empower the board with supervision and management of all public postsecondary vocational-technical education programs and institutions of higher education awarding certain types of degrees as assigned by law; to require divisions within the Louisiana Technical and Community College System; to revise the powers and duties of the Board of Regents to extend its authority over postsecondary education; to revise certain references; to provide with regard to the requirements to create a new institution of postsecondary education, transfer an institution of higher education from one management board to another, merge any postsecondary institution into any other postsecondary institution, or establish a new management board; to temporarily require certain minimum funding for postsecondary institutions; to provide relative to the authorization to allocate money appropriated out of the Louisiana Quality Education Support Fund for postsecondary educational purposes; to provide for the effectiveness of the proposal if approved by the electorate; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 1 by Senator Dardenne

AMENDMENT NO. 1

On page 11, line 16, following "VIII," and before "7.1" change "Sec." to "Section"

On motion of Senator Bagneris, the amendments were adopted.

Floor Amendments Sent Up

Senator Campbell sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Campbell to Engrossed Senate Bill No. 1 by Senators Dardenne, et al.

AMENDMENT NO. 1

On page 1, line 2, after "Section 10.1" delete the remainder of the line

AMENDMENT NO. 2

On page 1, at the beginning of line 3, delete "paragraph of (D)(1), (D)(1)(c),"

AMENDMENT NO. 3

On page 1, line 4, after "3(A)" delete the remainder of the line and delete line 5

AMENDMENT NO. 4

On page 1, line 6, after "Article" insert "VII, Section 10.1(D)(3) and Article"

AMENDMENT NO. 5

On page 1, line 8, after "to" delete the remainder of the line

AMENDMENT NO. 6

On page 1, at the beginning of line 9, delete "Community College System; to"

AMENDMENT NO. 7

On page 1, at the beginning of line 10, change "Supervisors of" to "Vocational-" after "Technical" change "and Community Colleges" to "Education" and change "a fifteen" to "an eleven"

AMENDMENT NO. 8

On page 1, line 13, change "fifteen" to "selection of the"

AMENDMENT NO. 9

On page 1, line 14, after "members;" delete the remainder of the line and delete line 15, in its entirety

AMENDMENT NO. 10

On page 2, line 1, after "with" insert "policy making," and after "supervision" insert a comma ","

AMENDMENT NO. 11

On page 2, line 2, after "programs" delete the remainder of the line, delete lines 3 through 12, and insert "; to provide relative to"

AMENDMENT NO. 12

On page 2, line 21, after "Section 10.1" delete the remainder of the line

AMENDMENT NO. 13

On page 2, at the beginning of line 22, delete "the introductory paragraph of (D)(1), (D)(1)(c),"

AMENDMENT NO. 14

On page 2, line 23, after "(D)(2)" and before "(D)(2)(a) delete the comma "," and after "Section 3(A)" delete the remainder of the line

AMENDMENT NO. 15

On page 2, delete line 24, and insert "and to add Article VII, Section 10.1(D)(3) and Article"

AMENDMENT NO. 16

On page 3, delete lines 3 through 21

AMENDMENT NO. 17

On page 3, line 22, after "Disbursement;" insert "higher," delete "postsecondary", and delete "and"

AMENDMENT NO. 18

On page 3, line 23, after "education" insert ", and vocational-technical education."

AMENDMENT NO. 19

On page 3, delete lines 24 through 27, and on page 4, delete lines 1 through 6

AMENDMENT NO. 20

On page 4, line 8, after "than" change "fifty" to "forty-four"

AMENDMENT NO. 21

On page 4, between lines 21 and 22, insert the following:

"(3) The treasurer shall disburse not more than six percent of the monies in the Support Fund as that money is appropriated by the legislature and allocated by the State Board of Elementary and Secondary Education for any or all of the following purposes:

(a) To provide compensation to city or parish school board professional instructional employees.

(b) To fund exemplary programs in vocational-technical institutions designed to improve the academic or vocational-technical skill of the student."

AMENDMENT NO. 22

On page 5, delete lines 8 through 27, delete pages 6 and 7, in their entirety, and on page 8, delete lines 1 through 18 and insert the following:

"§7.1. Board of Vocational-Technical Education
Article VIII, Section 7.1 is all proposed new law.

Section 7.1. (A) Creation; Powers. The Board of Vocational-Technical Education is created as a body corporate to establish policy with regard to, supervise, and manage all programs of postsecondary vocational-technical education. All public institutions which exclusively or predominately provide programs of postsecondary vocational-technical education shall be under the jurisdiction of the Board of Vocational-Technical Education. Such institutions may not be transferred from the jurisdiction of the board. The provision of any program subject to the jurisdiction of the board which is not a degree program shall require no approval beyond that of the Board of Vocational-Technical Education.

(B) Membership; Terms; Initial Membership and Terms. The board shall be composed of eleven members. Six members shall be appointed by the governor with consent of the Senate, not more than one from any congressional district. Five members shall be selected by the legislature and appointed by the governor in the manner provided by law, one from each Public Service Commission District. Members shall serve six year overlapping terms following initial terms as provided by law."

AMENDMENT NO. 23

On page 8, line 24, after "(D)" delete "Transitional" and after "Funding" insert "(1)" and delete the remainder of the line and delete lines 25 through 27 and on page 9 delete lines 1 through 5 and on line 6, delete "in Fiscal Year 1998-1999."

AMENDMENT NO. 24

On page 9, line 6, delete "Total appropriations" and insert "Appropriations" and on line 8, after "for" insert "each" and after "education" insert "institution"

AMENDMENT NO. 25

On page 9, delete line 9 and insert the following:

"such appropriations from the state general fund"

AMENDMENT NO. 26

On page 9, between line 10 and 11, insert the following:

"(2) In any year in the event of a mid-year budget reduction affecting postsecondary education, no such reduction shall disproportionately reduce the total budgeted funding for any postsecondary education institution."

AMENDMENT NO. 27

On page 9, delete lines 21 through 25

AMENDMENT NO. 28

On page 9, line 26, change "Section 3." to "Section 2."

AMENDMENT NO. 29

On page 10, line 2, change "Section 4." to "Section 3."

AMENDMENT NO. 30

On page 10, line 6, after "create the" delete the remainder of the line

AMENDMENT NO. 31

On page 10, at the beginning of 7, delete "System and the" and after "Board of" change "Supervisors of" to "Vocational-" and at the end of the line, change "and" to "Education"

AMENDMENT NO. 32

On page 10, delete line 8, and insert "; to provide for the"

AMENDMENT NO. 33

On page 10, line 9, change "a fifteen" to "an eleven" and after "member" insert "policy, supervision and" and after "board" delete the remainder of the line

AMENDMENT NO. 34

On page 10, delete line 10, and at the beginning of line 11, delete "Board of Regents"

AMENDMENT NO. 35

On page 10, line 12, after "governor" insert "and the legislature"

AMENDMENT NO. 36

On page 10, line 13, after "terms;" delete the remainder of the line, delete line 14, and at the beginning of line 15, delete "law;"

AMENDMENT NO. 37

On page 10, line 17, after "law;" delete the remainder of the line and delete lines 18 through 27

AMENDMENT NO. 38

On page 11, delete lines 1 through 3

AMENDMENT NO. 39

On page 11, line 4, delete "such system;"

AMENDMENT NO. 40

On page 11, line 8, after "purposes" insert a semicolon ";" and delete the remainder of the line

AMENDMENT NO. 41

On page 11, delete lines 9 through 11, and insert "and, to"

AMENDMENT NO. 42

On page 11, line 15, after "1999." delete the remainder of the line and delete lines 16 through 20 and insert "(Adds Article VII, Section 10.1(D)(3) and Article VIII, Section 7.1; amends Article VII, Section 10.1 the introductory paragraph of (D)(2) and (D)(2)(a) and (c) and Article VIII, Section 3(A))"

AMENDMENT NO. 43

On page 11, line 21, change "Section 5." to "Section 4."

Motion

Senator Greene moved the previous question on the amendment.

Without objection, so ordered.

Senator Campbell moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Campbell	Fields C	Hollis
Cox	Fields W	Landry
Cravins	Hines	Malone
Total—9		

NAYS

Mr. President	Dyess	Romero
Bagneris	Ellington	Schedler
Bajoie	Greene	Short
Barham	Hainkel	Siracusa
Bean	Heitmeier	Smith
Branch	Jones	Tarver
Cain	Jordan	Theunissen
Casanova	Lambert	Ullo
Dardenne	Lentini	
Dean	Robichaux	
Total—28		

ABSENT

Irons	Johnson
Total—2	

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator W. Fields sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator W. Fields to Engrossed Senate Bill No. 1 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 15 after "of education boards" insert "and by nomination of other entities"

AMENDMENT NO. 2

On page 8, line 9, after "Members" insert "may be appointed by the governor from among nominees of certain organizations and members"

AMENDMENT NO. 3

On page 8, line 11 after "that" insert "such" and after "by" delete the remainder of the line and insert "other entities and"

AMENDMENT NO. 4

On page 8, line 12 after "number" delete "and" and insert ". Members selected from among members of educational boards created by the Article"

AMENDMENT NO. 5

On page 8, line 13, after "board." insert "Members selected by other entities shall serve six-year terms overlapping with those of other members as provided by law."

AMENDMENT NO. 6

On page 10, line 14, after "boards" insert " and other entities"

Senator W. Fields moved adoption of the amendments.

Senator Dardenne objected.

April 1, 1998

ROLL CALL

The roll was called with the following result:

YEAS		
Bajoie	Ellington	Irons
Campbell	Fields C	Jones
Cox	Fields W	Jordan
Cravins	Hines	Landry
Total—12		
NAYS		
Mr. President	Dyess	Romero
Bagneris	Greene	Schedler
Barham	Hainkel	Short
Bean	Heitmeier	Siracusa
Branch	Hollis	Smith
Cain	Johnson	Tarver
Casanova	Lambert	Theunissen
Dardenne	Lentini	Ullo
Dean	Malone	
Total—26		
ABSENT		
Robichaux		
Total—1		

The Chair declared the amendments were rejected.

Floor Amendments Sent Up

Senator C. Fields sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Fields to Engrossed Senate Bill No. 1 by Senator Dardenne

- AMENDMENT NO. 1
On page 8, line 10, after "may" and before "serve" insert "not"
- AMENDMENT NO. 2
On page 8, line 10, after "board" delete the remainder of the line and insert a period "."
- AMENDMENT NO. 3
On page 8, delete lines 11, 12, and 13 and insert in lieu thereof "Of those members selected"

Senator C. Fields moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS		
Bagneris	Fields C	Jordan
Bajoie	Fields W	Landry
Bean	Greene	Lentini
Cain	Hainkel	Malone
Campbell	Heitmeier	Robichaux
Casanova	Hines	Schedler
Cox	Hollis	Short
Cravins	Irons	Tarver
Dyess	Johnson	
Ellington	Jones	

Total—28

NAYS

Mr. President	Dean	Smith
Barham	Lambert	Theunissen
Branch	Romero	Ullo
Dardenne	Siracusa	
Total—11		

ABSENT

Total—0

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator C. Fields sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Fields to Engrossed Senate Bill No. 1 by Senator Dardenne

AMENDMENT NO. 1
On page 1, line 4, after "3(A)," insert "and"

AMENDMENT NO. 2
On page 1, line 5, delete "and 8(B)"

AMENDMENT NO. 3
On page 2, line 23, after "3(A)," insert "and"

AMENDMENT NO. 4
On page 2, line 24, delete "and 8(B)"

AMENDMENT NO. 5
On page 8, line 5, after "governor" insert "and one student member"

AMENDMENT NO. 6
On page 9, delete lines 12 through 20

On motion of Senator C. Fields, the amendments were adopted.

Floor Amendments Sent Up

Senator Jones sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jones to Engrossed Senate Bill No. 1 by Senator Dardenne and others

AMENDMENT NO. 1
On page 8, line 15, between "district." and "The" insert "The board should be representative of the state's population by race and gender to ensure diversity."

On motion of Senator Jones, the amendments were adopted.

Floor Amendments Sent Up

Senator Jordan sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Jordan to Engrossed Senate Bill No. 1 by Senator Dardenne

AMENDMENT NO. 1

On page 8, line 7, change "nine" to "six"

Senator Jordan moved adoption of the amendments.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Campbell	Fields W	Malone
Cox	Jordan	Robichaux
Fields C	Landry	
Total—8		

NAYS

Mr. President	Dean	Lentini
Bagneris	Dyess	Romero
Bajoie	Ellington	Schedler
Barham	Greene	Short
Bean	Hainkel	Siracusa
Branch	Heitmeier	Smith
Cain	Hines	Tarver
Casanova	Hollis	Theunissen
Cravins	Johnson	Ullo
Dardenne	Jones	
Total—29		

ABSENT

Irons	Lambert
Total—2	

The Chair declared the amendments were rejected.

Personal Privilege

Senator Lambert asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on the amendment by Senator Jordan to Senate Bill No. 1. He had intended to vote nay on the amendment. He asked that the Official Journal so state.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 1 by Senator Dardenne

AMENDMENT NO. 1

On page 8, line 24 after "(D)" delete "Transitional" and after "Funding" insert:
"(1)"

AMENDMENT NO. 2

On page 9, line 6, delete "Total appropriations" and insert "Appropriations" and on line 8, after "for" insert "each" and after "education" insert "institution"

AMENDMENT NO. 3

On page 9, delete line 9 and insert the following:
"such appropriations from the state general fund"

AMENDMENT NO. 4

On page 9, between lines 10 and 11, insert the following:

"(2) In any year in the event of a mid-year budget reduction affecting postsecondary education, no such reduction shall disproportionately reduce the total budgeted funding for any postsecondary education institution."

Motion

Senator Landry moved for a division of the question on the above floor amendments.

Without objection, the division of the question was ordered.

Senator Landry moved the adoption of Amendments No. 1 and 4.

Senator Hainkel objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bagneris	Fields C	Landry
Cain	Fields W	Robichaux
Campbell	Irons	Romero
Cox	Jones	
Dardenne	Jordan	
Total—13		

NAYS

Mr. President	Greene	Schedler
Bajoie	Hainkel	Short
Barham	Heitmeier	Siracusa
Bean	Hines	Smith
Branch	Hollis	Tarver
Casanova	Johnson	Theunissen
Dean	Lambert	Ullo
Dyess	Lentini	
Ellington	Malone	
Total—25		

ABSENT

Cravins
Total—1

The Chair declared Amendments No. 1 and 4 were rejected.

Senator Landry moved the adoption of Amendments No. 2 and 3.

Senator Dardenne objected.

ROLL CALL

The roll was called with the following result:

YEAS

Campbell	Fields W	Robichaux
Cox	Jordan	
Fields C	Landry	
Total—7		

NAYS

Mr. President	Dyess	Lentini
Bagneris	Ellington	Malone
Bajoie	Greene	Romero
Barham	Hainkel	Schedler
Bean	Heitmeier	Short
Branch	Hines	Siracusa
Cain	Hollis	Smith

April 1, 1998

Casanova
Dardenne
Dean
Total—30

Irons
Johnson
Lambert

ABSENT

Tarver
Theunissen
Ullo

Cravins
Total—2

Jones

The Chair declared Amendments No. 2 and 3 were rejected.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 1 by Senator Dardenne

AMENDMENT NO. 1

On page 4, line 3, after "academic," insert "vocational-technical skill training,"

On motion of Senator Landry, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 1 by Senator Dardenne

AMENDMENT NO. 1

Delete Senate Floor Amendment Nos. 1, 2, and 3 comprised of amendments no. 1 through 3 proposed by Senator C. Fields and adopted by the Senate on April 1, 1998.

AMENDMENT NO. 2

Delete Senate Floor Amendment No. 5 in the set of amendments comprised of amendments 1 through 6 proposed by the Senator C. Fields and adopted by the Senate on April 1, 1998

AMENDMENT NO. 3

On page 1, line 14, after "members;" delete the remainder of the line and delete line 15

AMENDMENT NO. 4

On page 8, delete lines 5 through 15 and insert the following:

"board shall be composed of two members from each congressional district and one member from the state at large appointed by the governor with consent of the Senate, and one student as provided by law. The"

AMENDMENT NO. 5

On page 8, line 16, delete "selected and"

AMENDMENT NO. 6

On page 10, delete lines 13 and 14 and on line 15, delete "law; to"

Motion

Senator Greene moved the previous question on the entire subject matter.

Senator Jordan objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bajoie
Cain
Dardenne
Dean
Total—12

Ellington
Greene
Hainkel
Hollis

Jones
Short
Theunissen
Ullo

NAYS

Bagneris
Barham
Bean
Branch
Campbell
Casanova
Cox
Cravins
Dyess
Total—25

Fields C
Fields W
Heitmeier
Hines
Irons
Johnson
Jordan
Lambert
Landry

Lentini
Malone
Robichaux
Schedler
Siracusa
Smith
Tarver

ABSENT

Mr. President
Total—2

Romero

The Chair declared the Senate refused to call the previous question on the entire subject matter.

Senator Dardenne moved adoption of the amendments.

Senator Jordan objected.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President
Bagneris
Bajoie
Barham
Bean
Branch
Cain
Casanova
Dardenne
Dean
Total—28

Dyess
Ellington
Greene
Hainkel
Heitmeier
Hines
Hollis
Johnson
Lambert
Lentini

Romero
Schedler
Short
Siracusa
Smith
Tarver
Theunissen
Ullo

NAYS

Campbell
Cox
Fields C
Total—9

Fields W
Irons
Jordan

Landry
Malone
Robichaux

ABSENT

Cravins
Total—2

Jones

The Chair declared the amendments were adopted.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed Senate Bill No. 1 by Senator Dardenne

AMENDMENT NO. 1

On page 9, line 10, after "99" insert ", provided that in any such fiscal year state general fund revenues are not less than the state general fund revenues of fiscal year 1998-1999 as determined by the Revenue Estimating Conference"

On motion of Senator Hines, the amendments were adopted.

Motion

Senator Hollis moved the previous question on the entire subject matter.

Senator Cox objected.

ROLL CALL

The roll was called with the following result:

YEAS

Bagneris	Greene	Schedler
Bean	Hainkel	Short
Cain	Hines	Siracusa
Dardenne	Hollis	Smith
Dean	Johnson	Tarver
Dyess	Malone	Theunissen
Ellington	Romero	
Total—20		

NAYS

Barham	Fields W	Landry
Branch	Heitmeier	Lentini
Campbell	Irons	Robichaux
Cox	Jones	Ullo
Cravins	Jordan	
Fields C	Lambert	
Total—16		

ABSENT

Mr. President	Bajoie	Casanova
Total—3		

The Chair declared the previous question was called on the entire subject matter.

The bill was read by title. Senator Dardenne moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Malone
Bagneris	Greene	Robichaux
Bajoie	Hainkel	Romero
Barham	Heitmeier	Schedler
Bean	Hines	Short
Branch	Hollis	Siracusa
Cain	Irons	Smith
Casanova	Johnson	Tarver
Cravins	Jones	Theunissen
Dardenne	Jordan	Ullo

Dean	Lambert
Dyess	Lentini
Total—34	

NAYS

Campbell	Fields W
Cox	Landry
Total—4	

ABSENT

Ellington
Total—1

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Personal Privilege

Senator Ellington asked for and obtained the floor of the Senate on a point of personal privilege, and stated he appeared as absent on the vote on Senate Bill No. 1. He had intended to vote yea on the bill. He asked that the Official Journal so state.

Special Order of the Day

The following Senate Bill on Third Reading and Final Passage, which was made Special Order of the Day No. 2, was taken up and acted upon as follows:

SENATE BILL NO. 2—

BY SENATORS DARDENNE, EWING, HAINKEL, BARHAM, ROMERO, SHORT, GREENE, BRANCH, CASANOVA AND THEUNISSEN AND REPRESENTATIVES DOWNER, DEWITT, LEBLANC, MCMAINS, AND MACDONALD

AN ACT

To amend and reenact R.S. 17:4, 6(A)(4), (5), (6) and (7), 7(7) and (9), 540(1) and (3), 541(A)(2), 1806(A) and (E), 1808(B)(1), 1821(B), 1822(B), 1825(A) and (B), 1835, 1991, 1994, 1994.1, 1996(A) and (B), 2004(A) and (B)(2), 2005(A), 2009(B) and (D)(2), 2033, 2034, 2035, 2036, 2046(A) and (B), 2048(A), 2049.1, the introductory paragraph of 2049.2, 2049.4, 2050(C) and (D), 2054(A), 3022(A)(1), 3129.2(A)(1)(e) and (i) and (B), 3130, 3141.2(8), (9) and (11), 3141.3(A), (B), the introductory paragraph of (D)(2), (D)(2)(b), and (F), 3141.4(A) and (D)(2)(a), 3141.5(A), (C), (D), (F)(1) and (2), and (G), 3141.6(A) and (B), 3141.7, the introductory paragraph of 3141.8(A), (A)(11), (B), and (C), 3141.9(A) and (B), 3141.11, 3141.14(D), 3141.15(A)(1), (B)(1)(a), and (C)(1), 3141.16(A), (B)(7) and (8), (C)(1), (3)(e), (4), (5), (6), and (10), (E), and (F), 3141.17, 3141.18(A), (B), (C), (D), and (E), 3201, 3217, 3218, 3219, 3220(A), 3222(B), 3223(A), the introductory paragraph of (B), (B)(2), (C), and (D), 3224(C), 3225, 3226, 3301(A), 3302(A)(1) and (B), 3351(A), 3351.1(A)(1), 3381(A), 3387(A) and (C), and R.S. 49:1101(B)(2), and to enact Chapter 5B of Title 17 of the Louisiana Revised Statutes of 1950, comprised of R.S. 17:1871 through 1873, R.S. 17:2049.3(C), 3026(C), 3129.1, 3141.19, 3217.1, and 3217.2, and to repeal R.S. 17:7(10), (13), and (17), 1992, 2005.2, 2006, 2007, 2010, 2011, 2012, 2013, 3141.2(7), and 3301(D), to establish the Louisiana Technical and Community College System; to create and provide for the Board of Supervisors of Technical and Community Colleges to manage the system subject to the powers of the Board of Regents; to provide terms for the initial members of the board; to provide for the selection of a student member to serve on the board; to include representation from the board on all boards and commissions created in this Title which have representatives of other higher education management boards; to transfer all powers, duties, and responsibilities regarding postsecondary vocational-technical schools from the State Board of Elementary and Secondary Education to the Board of Supervisors of Technical and Community Colleges; to provide for

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

Floor Amendments Sent Up

Senator Bagneris sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bagneris on behalf of the Legislative Bureau to Engrossed Senate Bill No. 2 by Senator Dardenne

AMENDMENT NO. 1

On page 1, line 3, following "and (3), 541" and before "(2), 1806(A)" change "(A)" to "(B)"

AMENDMENT NO. 2

On page 1, line 3, and on page 3, line 10, following "1806(A)" and before the comma ",", delete "and (E)"

AMENDMENT NO. 3

On page 1, line 4, following "1825(A) and (B)" and before the comma ",", insert "(1)"

AMENDMENT NO. 4

On page 1, line 5, following "(B)(2)," and before "2005(A)", insert "the introductory paragraph of"

AMENDMENT NO. 5

On page 1, line 10, and on page 3, line 16, following "(D)(2)(a)," and before "3141.5(A)" insert "the introductory paragraph of"

AMENDMENT NO. 6

On page 1, line 14, following "(C)(1)," and before "(3)(e)" insert "(D)"

AMENDMENT NO. 7

On page 1, line 15, following "3201," and before "3217" insert "3202,"

AMENDMENT NO. 8

On page 1, line 15, and page 3, line 21, following "3217," and before "3218" insert "3217.1"

AMENDMENT NO. 9

On page 1, line 15, and page 3, line 21, following "3220" and before the comma ",", delete "(A)"

AMENDMENT NO. 10

On page 2, line 1, following "(B)," and before "3351(A)" insert "the introductory paragraph of"

AMENDMENT NO. 11

On page 2, line 2, and page 65, line 26, following "49:1101(B)(2)" insert "(a)"

AMENDMENT NO. 12

On page 2, line 3, following "enact" and before "Chapter" insert "R.S.17:1806(E),"

AMENDMENT NO. 13

On page 2, line 3, and page 3, line 24, following "Chapter" and before "of" change "5B" to "5-B"

AMENDMENT NO. 14

On page 2, line 5, before "(C)" change "3026" to "3126"

AMENDMENT NO. 15

On page 2, line 5, and on page 3, line 26, following "3141.19," and before "and" delete "3217.1"

AMENDMENT NO. 16

On page 3, line 10, following "(3), 541" and before "(2), 1806(A)" change "(A)" to "(B)"

AMENDMENT NO. 17

On page 3, line 11, following "(B)" and before ", 1835" insert "(1)"

AMENDMENT NO. 18

On page 3, line 12, before "2005(A)" insert "the introductory paragraph of"

AMENDMENT NO. 19

On page 3, line 19, following "(C)(1)," and before "(3)(e)," insert "(D)"

AMENDMENT NO. 20

On page 3, line 20, following "3201," insert "3202,"

AMENDMENT NO. 21

On page 3, line 23, before "3351(A)" insert "the introductory paragraph of"

AMENDMENT NO. 22

On page 3, line 24, following "and" and before "Chapter" insert "R.S. 17:1806(E),"

AMENDMENT NO. 23

On page 3, line 26, following "17:2049.3(C)," and before "(C)," change "3026" to "3126"

AMENDMENT NO. 24

On page 9, between lines 14 and 15, insert three asterisks "****"

AMENDMENT NO. 25

On page 9, line 15, change "(A)" to "(B)"

AMENDMENT NO. 26

On page 11, line 11, change "institutions" to "institution"

AMENDMENT NO. 27

On page 13, line 25, following "Subparagraph" and before "of" change "2(d)" to "2(c)"

AMENDMENT NO. 28

On page 15, line 4, following "or" and before "provide" change "predominately" to "predominantly"

AMENDMENT NO. 29

On page 27, line 19, delete the asterisks "****" and insert "(1) the student member of the Board of Trustees for State Colleges and Universities"

AMENDMENT NO. 30

On page 27, line 20, following "student" and before "of" change "members" to "member"

AMENDMENT NO. 31

On page 44, between lines 22 and 23, insert "D. ***"

AMENDMENT NO. 32

On page 51, line 13, following "of" and before "Board" insert "the"

AMENDMENT NO. 33

On page 62, line 11, following "a" and before "of" change "consortia" to "consortium"

On motion of Senator Bagneris, the amendments were adopted.

Floor Amendments Sent Up

Senator Dardenne sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Engrossed Senate Bill No. 2 by Senator Dardenne

AMENDMENT NO. 1

On page 2, line 12, after "board;" delete the remainder of the line and delete lines 13 and 14 and insert "to"

AMENDMENT NO. 2

On page 13, delete line 12 and insert "of two members from each congressional district and one member from the state at large appointed by the governor with consent of the Senate, and one student as provided by R.S. 17:1806."

AMENDMENT NO. 3

On page 13, delete lines 13 through 27 and on page 14 delete lines 1 through 9

AMENDMENT NO. 4

On page 14, line 12, change "four" to "five"

AMENDMENT NO. 5

On page 14, line 13, change "three" to "five"

AMENDMENT NO. 6

On page 14, line 14, change "three" to "five"

AMENDMENT NO. 7

On page 14, delete lines 16 through 24 and insert the following:

"(c) The board should be representative of the state's population by race and gender to ensure diversity."

AMENDMENT NO. 8

On page 14, line 25, change "(3)" to "(2)"

On motion of Senator Dardenne, the amendments were adopted.

Floor Amendments Sent Up

Senator Ullo sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senators Ullo and Hollis to Engrossed Senate Bill No. 2 by Senator Dardenne

AMENDMENT NO. 1

On page 62, at the beginning of line 10, insert "A" and between lines 18 and 19 insert the following:

"B. The Board of Trustees for State Colleges and Universities or the Board of Supervisors of Technical and Community Colleges, in

cooperation with the Board of Regents, shall take such action as necessary to establish a means of awarding certificates and academic and occupational degrees in Jefferson Parish using the instructional resources of existing institutions. Courses which lead to such certificates and academic or occupational degrees shall be offered no later than the Fall semester of 1998."

On motion of Senator Ullo, the amendments were adopted.

Floor Amendments Sent Up

Senator W. Fields sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator W. Fields to Engrossed Senate Bill No. 2 by Senator Dardenne

AMENDMENT NO. 1

In Senate Floor Amendments proposed by Senator Dardenne and adopted by the Senate on April 1, 1998, comprised of Amendment Nos. 1 through 8, in Amendment No. 7, after "diversity" insert "and one member shall be appointed by the governor from among three persons nominated by the Louisiana AFL-CIO, and one member shall be appointed by the governor from among three persons nominated by the Louisiana Association of Business and Industry."

On motion of Senator W. Fields, the amendments were adopted.

Floor Amendments Sent Up

Senator Heitmeier sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Heitmeier to Engrossed Senate Bill No. 2 by Senator Dardenne

AMENDMENT NO. 1

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

"(5) Continue development of articulation agreements between institutions under the management of the board and institutions managed by other post-secondary management boards."

AMENDMENT NO. 2

On page 29, line 3, after "institution" and before the period "." insert the following:

", taking into consideration the accreditation criteria of the institution receiving the credit"

AMENDMENT NO. 3

On page 29, line 7, after "programs" and before the period "." insert the following:

", taking into consideration the accreditation criteria of the institution receiving the credit"

AMENDMENT NO. 4

On page 31, between lines 13 and 14, insert the following:

"(3) The Board of Regents shall determine during the next Master Plan revision process the appropriate role of universities in offering associate degree programs in view of the creation of the Board of Supervisors of Technical and Community Colleges whose authority is limited to the management of institutions offering less than baccalaureate level certificates and degrees."

AMENDMENT NO. 5

April 1, 1998

On page 51, line 6, after "B." and before "Except" insert "(1)" and between lines 17 and 18, insert the following:

"B.(2) A student, faculty member, or other employees of an institution of higher education transferred from another management board to the Board of Supervisors of Technical and Community Colleges shall retain and continue all previously earned benefits provided by law, rule, or regulation."

AMENDMENT NO. 6

On page 53, at the beginning of line 13, insert "A." and on page 54, between lines 2 and 3, insert the following:

"B. The mission of institutions of higher education transferred to the Board of Supervisors of Technical and Community Colleges should not be changed as a result of this transfer."

On motion of Senator Heitmeier, the amendments were adopted.

The bill was read by title. Senator Dardenne moved final passage of the amended bill.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing names of senators under the YEAS section, including Mr. President, Bagneris, Bajoie, Barham, Bean, Branch, Cain, Casanova, Cravins, Dardenne, Dean, Dyess, Ellington, Fields C, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Lentini, Malone, Robichaux, Romero, Schedler, Short, Siracusa, Smith, Tarver, Theunissen, and Ullo.

NAYS

Table listing names of senators under the NAYS section: Campbell, Cox, Fields W, Landry.

ABSENT

Total—0

The Chair declared the amended bill was passed. The title was read and adopted. Senator Dardenne moved to reconsider the vote by which the bill was passed and laid the motion on the table.

Rules Suspended

Senator Hainkel asked for and obtained a suspension of the rules for the purpose of reverting to the Morning Hour.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

CONCURRING IN SENATE CONCURRENT RESOLUTIONS

April 1, 1998

To the Honorable President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 23— BY SENATOR JORDAN

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Sally Lawrence McKissack, and to commend her life and public service.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 26— BY SENATORS ROMERO AND ELLINGTON

A CONCURRENT RESOLUTION

To declare April 15 as Louisiana Catfish Day.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 27— BY SENATOR ROMERO

A CONCURRENT RESOLUTION

To commend and congratulate Sheriff Charles A. Fuselier for receiving accreditation by the Commission on Accreditation for Law Enforcement Agencies, Inc.

Reported without amendments.

Respectfully submitted, ALFRED W. SPEER Clerk of the House of Representatives

Introduction of Senate Bills and Joint Resolutions

Senator Bagneris asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Bills and Joint Resolutions a first and second time and referring them to committee.

SENATE BILL NO. 167— BY SENATOR BAJOIE

AN ACT

To amend and reenact R.S. 22:669(A), (C), and (D) and to enact R.S. 22:669 (E) and (F), relative to payment for mental health treatment; to provide for payment of certain costs involving mental health treatment; to provide for applicability of certain policies of health insurance; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Insurance.

SENATE BILL NO. 168— BY SENATOR THEUNISSEN

AN ACT

To enact Chapter 8 of Title 2 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 2:901 through 904, relative to the reorganization and recreation of the Department of Transportation and Development; to provide for the creation of the General Aviation and Reliever Airport Maintenance Grant Program within the department; to provide for grant eligibility; to provide relative

to grant authority of the program; to require the promulgation of rules and regulations; to provide for the creation of the General Aviation and Reliever Airport Maintenance Grant Program Fund within the treasury; to provide for deposit of monies into the fund; to provide for use and distribution of monies in the fund; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and referred to the Committee on Transportation, Highways, and Public Works.

Introduction of Senate Concurrent Resolutions

Senator Bagneris asked for and obtained a suspension of the rules for the purpose of introducing and reading the following Senate Concurrent Resolutions a first and second time and acting upon them as follows:

SENATE CONCURRENT RESOLUTION NO. 31—
BY SENATOR DYESS

A CONCURRENT RESOLUTION

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

The resolution was read by title. Senator Dyess moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bagneris	Ellington	Lentini
Bajoie	Fields C	Malone
Barham	Fields W	Robichaux
Bean	Greene	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Short
Campbell	Hines	Siracusa
Casanova	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jones	Ullo
Dean	Jordan	
Total—38		

NAYS

Total—0

ABSENT

Landry
Total—1

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 32—
BY SENATOR ROBICHAUX

A CONCURRENT RESOLUTION

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

The resolution was read by title. Senator Robichaux moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bagneris	Ellington	Landry
Bajoie	Fields C	Lentini
Barham	Fields W	Malone
Bean	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Total—39		

NAYS

Total—0

ABSENT

Total—0

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 33—
BY SENATOR ROBICHAUX

A CONCURRENT RESOLUTION

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

The resolution was read by title. Senator Robichaux moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bagneris	Ellington	Landry
Bajoie	Fields C	Lentini
Barham	Fields W	Malone
Bean	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo
Total—39		

NAYS

Total—0

ABSENT

Total—0

April 1, 1998

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

SENATE CONCURRENT RESOLUTION NO. 34— BY SENATORS BAJOIE, LAMBERT AND IRONS A CONCURRENT RESOLUTION To designate April 1998 as Cancer Awareness Month.

The resolution was read by title. Senator Bajoie moved to adopt the Senate Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dyess Lambert Bagneris Ellington Landry Bajoie Fields C Lentini Barham Fields W Malone Bean Greene Robichaux Branch Hainkel Romero Cain Heitmeier Schedler Campbell Hines Short Casanova Hollis Siracusa Cox Irons Smith Cravins Johnson Tarver Dardenne Jones Theunissen Dean Jordan Ullo Total—39

NAYS

Total—0

ABSENT

Total—0

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it sent to the House.

Messages from the House

The following Messages from the House were received and read as follows:

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

April 1, 1998

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the House of Representatives has finally passed and asks your concurrence in the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 55— BY REPRESENTATIVE BAYLOR A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 52— BY REPRESENTATIVE GUILLORY A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 54— BY REPRESENTATIVE CURTIS A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 29— BY REPRESENTATIVE ROUSSELLE A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources and Governor's Office of Coastal Activities to prevent salinity fluctuations harmful to oyster production by including in coastal restoration projects the rebuilding and restoration of barrier islands within that coastal restoration zone.

Respectfully submitted, ALFRED W. SPEER Clerk of the House of Representatives

House Concurrent Resolutions

Senator Bagneris asked for and obtained a suspension of the rules to take up at this time the following House Concurrent Resolutions just received from the House which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 29— BY REPRESENTATIVE ROUSSELLE A CONCURRENT RESOLUTION

To urge and request the Department of Natural Resources and Governor's Office of Coastal Activities to prevent salinity fluctuations harmful to oyster production by including in coastal restoration projects the rebuilding and restoration of barrier islands within that coastal restoration zone.

On motion of Senator Bagneris, the resolution was read by title and referred to the Committee on Natural Resources.

HOUSE CONCURRENT RESOLUTION NO. 52— BY REPRESENTATIVE GUILLORY A CONCURRENT RESOLUTION

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

The resolution was read by title. Senator Casanova moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dyess Lambert Bagneris Ellington Landry Bajoie Fields C Lentini Barham Fields W Malone Bean Greene Robichaux Branch Hainkel Romero Cain Heitmeier Schedler Campbell Hines Short Casanova Hollis Siracusa Cox Irons Smith Cravins Johnson Tarver Theunissen

Dardenne Jones Ullo
 Dean Jordan
 Total—38

NAYS

Total—0

ABSENT

Siracusa
 Total—1

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 54—
 BY REPRESENTATIVE CURTIS
A CONCURRENT RESOLUTION
 To express the sincere condolences of the Louisiana Legislature upon the death of Mr. Paul Nash, Sr.

The resolution was read by title. Senator Dyess moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bagneris	Ellington	Landry
Bajoie	Fields C	Lentini
Barham	Fields W	Malone
Bean	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo

Total—39

NAYS

Total—0

ABSENT

Total—0

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

HOUSE CONCURRENT RESOLUTION NO. 55—
 BY REPRESENTATIVE BAYLOR
A CONCURRENT RESOLUTION
 To commend Mrs. Donna Baker of Eden Gardens Fundamental Magnet School in Shreveport for her dedication to the public school system and its students and to congratulate her upon being named Caddo Elementary Principal of the Year, Region I Elementary Principal of the Year, and Louisiana Elementary Principal of the Year this year.

The resolution was read by title. Senator Bean moved to concur in the House Concurrent Resolution.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lambert
Bagneris	Ellington	Landry
Bajoie	Fields C	Lentini
Barham	Fields W	Malone
Bean	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Short
Casanova	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dean	Jordan	Ullo

Total—39

NAYS

Total—0

ABSENT

Total—0

The Chair declared the Senate had concurred in the House Concurrent Resolution and ordered it returned to the House.

Reports of Committees

The following reports of committees were received and read:

**REPORT OF COMMITTEE ON
 LOCAL AND MUNICIPAL AFFAIRS**

Senator Bajoie, Chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

April 1, 1998

To the President and Members of the Senate:

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

SENATE BILL NO. 112—
 BY SENATOR SCHEDLER
 AN ACT
 To amend and reenact R.S. 47:322.37(B)(1); to remove certain restrictions on use of funds available to the St. Tammany Parish Tourist Commission; to authorize the use of research money provided by the commission to event center districts within the parish to be expended for certain purposes; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 115—
 BY SENATOR HAINKEL
 AN ACT
 To enact R.S. 33:1243(D), relative to maximum penalties imposed by parishes; to provide for a civil penalty for tree preservation violations; and to provide for related matters.

Reported with amendments.

April 1, 1998

SENATE BILL NO. 117—
BY SENATOR HAINKEL

AN ACT

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

Reported with amendments.

SENATE BILL NO. 135—
BY SENATOR SMITH

AN ACT

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

Reported favorably.

SENATE BILL NO. 136—
BY SENATOR SMITH

AN ACT

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

Reported favorably.

SENATE BILL NO. 163—
BY SENATOR JOHNSON

AN ACT

To enact R.S. 33:2740.38, relative to special districts; to create and provide for the Lake Willow Subdivision Improvement District; to provide for its jurisdiction, governance, functions, and powers; to provide for the levy of an ad valorem tax and fees; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DIANA E. BAJOIE
Chairman

REPORT OF COMMITTEE ON

JUDICIARY B

Senator Cravins, Chairman on behalf of the Committee on Judiciary B, submitted the following report:

April 1, 1998

To the President and Members of the Senate:

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

SENATE BILL NO. 162—
BY SENATOR CRAVINS AND REPRESENTATIVE MONTGOMERY
AN ACT

To amend and reenact R.S. 27:361(B)(introductory paragraph) and (4) and to enact R.S. 27:353(13) and Part IV of Chapter 7 of Title 27 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 27:391 and 392, relative to the conduct of slot machine gaming at

certain live horse race tracks as provided in Act 721 of the 1997 Regular Session of the Legislature; to provide for the definition of "taxable net slot machine proceeds"; to provide for the dedication of a fixed percentage of net slot machine proceeds to supplement purses for races run at the live meetings at an eligible facility, and to the Louisiana Thoroughbred Breeders' Association and the Louisiana Quarter Horse Breeders' Association for use as awards for breeders of accredited Louisiana-bred horses, and for promotion of the Louisiana horse breeding industry; to authorize certain local governing authorities to impose certain taxes; to provide for the collection and disposition of fees and taxes; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
DONALD R. CRAVINS
Chairman

Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees

The following Senate Bills and Joint Resolutions reported by Committees were taken up and acted upon as follows:

SENATE BILL NO. 112—
BY SENATOR SCHEDLER

AN ACT

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

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 112 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 6, change "4575.11" to "4579" and change "4575.16" to "4579.5"

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 115—
BY SENATOR HAINKEL

AN ACT

To enact R.S. 33:1243(D), relative to maximum penalties imposed by parishes; to provide for a civil penalty for tree preservation violations; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 115 by Senator Hainkel

AMENDMENT NO. 1

On page 1, at the end of line 3, after "violations," insert "to exclude tree trimming for utility reliability purposes;"

AMENDMENT NO. 2

On page 1, at the end of line 13, between "preservation" and the period "." insert "excluding tree trimming for utility reliability purposes"

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 117—
BY SENATOR HAINKEL

AN ACT

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

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 117 by Senator Hainkel

AMENDMENT NO. 1

On page 1, line 3, after "to" delete the remainder of the line and delete lines 4 through 5 in their entirety and insert in lieu thereof the following:

"authorize the governing authority of the parish to create a special district for the purposes of enhancing the security of residents of the Old Metairie Neighborhood; to provide for the creation and governance of the district; to authorize the governing"

AMENDMENT NO. 2

On page 1, line 6, between "authority" and the comma "," insert "of the district"

AMENDMENT NO. 3

On page 1, line 11, change "Neighborhood Crime Prevention" to "Security Enhancement" and after "District" insert "; creation, composition and powers"

AMENDMENT NO. 4

On page 1, delete lines 13 through 16 in their entirety and insert in lieu thereof the following:

"A. In addition to all authority granted to the governing authority of Jefferson Parish by the parish home rule charter but otherwise in accordance with such charter, the parish governing authority may create a special district for the Old Metairie Neighborhood, hereinafter referred to as the "district". The "

AMENDMENT NO. 5

On page 2, line 2, delete "aid in" and delete line 3 in its entirety and insert in lieu thereof "perform functions which will add to the security of district residents by"

AMENDMENT NO. 6

On page 2, delete lines 7 through 27 in their entirety and delete page 3 in its entirety.

AMENDMENT NO. 7

On page 4, delete lines 1 thru 8 and insert in lieu thereof the following:

"specified by Jefferson Parish ordinances."

AMENDMENT NO. 8

On page 4, line 14, before the period "." insert the following:

"and in order for the orderly development and effectuation of the services to be furnished by the district and to provide for the representation in the affairs of the district of those persons and interests immediately concerned with and affected by the purposes and development of the area, the governing authority of the district may enter into a cooperative endeavor agreement with a non-profit entity for the management of the district. The initial agreement shall be with the Old Metairie Neighborhood Conservation District."

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

SENATE BILL NO. 135—
BY SENATOR SMITH

AN ACT

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

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Bajoie, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 136—
BY SENATOR SMITH

AN ACT

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

Reported favorably by the Committee on Local and Municipal Affairs. On motion of Senator Bajoie, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 162—
BY SENATOR CRAVINS AND REPRESENTATIVE MONTGOMERY

AN ACT

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

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary B to Original Senate Bill No. 162 by Senator Cravins.

AMENDMENT NO. 1

On page 4, line 27, after "all," insert "state"

AMENDMENT NO. 2

April 1, 1998

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

"(iii) Notwithstanding (i) of this Subparagraph, in St. Landry Parish at least five percent of monies so appropriated shall be deposited in the St. Landry Parish Excellence Fund if such fund is provided by law."

On motion of Senator Cravins, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

**SENATE BILL NO. 163—
BY SENATOR JOHNSON**

AN ACT

To enact R.S. 33:2740.38, relative to special districts; to create and provide for the Lake Willow Subdivision Improvement District; to provide for its jurisdiction, governance, functions, and powers; to provide for the levy of an ad valorem tax and fees; and to provide for related matters.

Reported with amendments by the Committee on Local and Municipal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Local and Municipal Affairs to Original Senate Bill No. 163 by Senator Johnson.

AMENDMENT NO. 1

On page 1, line 2, after "33:2740.38" delete the remainder of the line and insert in lieu thereof the following:

"and 2740.39, relative to the creation of special taxing districts in the parish of Orleans to promote and encourage the beautification, security, and overall betterment of the parish; to create such special taxing districts in the subdivisions of Lake Willow and Spring Lake; to provide for a board of directors of each special taxing district; to provide for the jurisdiction, powers, duties, functions, and responsibilities of each district;"

AMENDMENT NO. 2

On page 1, delete line 3 in its entirety and on line 4, delete the following:

"its jurisdiction, governance, functions, and powers;"

AMENDMENT NO. 3

On page 1, line 5, between "fees" and the semicolon ";" insert "in each district"

AMENDMENT NO. 4

On page 1, at the end of line 9, delete "preparation of plans;"

AMENDMENT NO. 5

On page 1, line 14, change "parish. the" to "Parish. The"

AMENDMENT NO. 6

On page 1, line 16, between "west" and "the" insert a comma ","

AMENDMENT NO. 7

On page 2, at the beginning of line 1, delete "Westhaven Road on the east" and insert in lieu thereof the following:

"that area bounded on the east by a line approximately two hundred feet (200) wide, west of the west line of Crowder Road, excluding Lots 1B, 1C, and 1D shown on said plan, which said plan of subdivision is registered in COB692, folio202, Orleans Parish"

AMENDMENT NO. 8

On page 2, line 3, between "district" and "established" insert "is"

AMENDMENT NO. 9

On page 2, line 10, between "area" and "the" insert a comma ","

AMENDMENT NO. 10

On page 2, line 18, after "board." change "the" to "The"

AMENDMENT NO. 11

On page 2, line 20, change "by laws" to "bylaws"

AMENDMENT NO. 12

On page 3, line 3, between "D." and "The" insert "(1)"

AMENDMENT NO. 13

On page 3, line 5, between "improvements" and "facilities" insert a comma ","

AMENDMENT NO. 14

On page 3, at the end of line 6, between "district" and "and" insert a comma ","

AMENDMENT NO. 15

On page 3, line 9, between "advisable" and the period "." insert "and in the public interest" and delete "Encourage"

AMENDMENT NO. 16

On page 3, delete lines 10 through 27 in their entirety

AMENDMENT NO. 17

On page 4, delete lines 1 through 16 in their entirety and insert in lieu thereof

"(2) Any plan shall include:"

AMENDMENT NO. 18

On page 4, at the end of line 17, insert a comma ","

AMENDMENT NO. 19

On page 4, line 18, between "constructing" and "providing" change "of" to ", or" and after "providing" change "and" to "the"

AMENDMENT NO. 20

On page 4, line 20, between "the" and "fees" insert "taxes or"

AMENDMENT NO. 21

On page 4, line 24, between "service" and "or" insert a comma ","

AMENDMENT NO. 22

On page 4, at the beginning of line 25, insert "E."

AMENDMENT NO. 23

On page 4, line 27, between "District" and "as" insert a comma ","

AMENDMENT NO. 24

On page 5, line 1, between "years" and "from" insert ", which may be renewed in subsequent elections,"

AMENDMENT NO. 25

On page 5, line 2, between "tax" and "is" insert "or fee"

AMENDMENT NO. 26

On page 5, line 5, change "\$350.00" to "three hundred fifty dollars"

AMENDMENT NO. 27

On page 5, line 9, after "subject to the" delete the remainder of the line

AMENDMENT NO. 28

On page 5, at the beginning of line 10, delete "authority and subject to the"

AMENDMENT NO. 29

On page 5, line 11, change "fees" to "fee"

AMENDMENT NO. 30

On page 5, line 13, between "district" and "voting" insert ", who are owners of real property located within the Lake Willow Subdivision,"

AMENDMENT NO. 31

On page 5, at the beginning of line 16, insert "F."

AMENDMENT NO. 32

On page 5, at the end of line 21, insert the following:

"The city of New Orleans shall remit to the district all amounts collected not more than thirty days after collection. However, the city may retain one percent of the amount collected as a collection fee.

G. The district shall have the power, acting through its board, to enter into contracts with individuals or entities, public or private, for the provision of security patrols in the district. The district will perform or have performed any other function or activity necessary for the achievement of its primary objective of encouraging the beautification, security, and overall betterment of the Lake Willow Subdivision Improvement District.

H. It is the purpose and intent of this Section that the additional security patrols, public or private, as provided through these taxes or fees authorized herein shall be supplemental to and not in lieu of personnel and services provided in the district by the New Orleans Police Department.

Section 2. R.S. 33:2740.39 is hereby enacted to read as follows:

§2740.39. Spring Lake Subdivision Improvement District; creation, composition and powers; preparation of plans; levy of ad valorem taxes and fees

R.S. 33:2740.39 is all proposed new law.

A. The Spring Lake Subdivision Improvement District, hereinafter referred to as the "district", is hereby created as a special taxing district in the parish of Orleans. The district shall be comprised of the area of Orleans Parish located between Morrison Road on the north, the Lawrence Drainage Canal on the east, the I-10 service road on the south, and the St. Charles Drainage Canal on the west, comprising all of the Spring Lake Subdivision.

B. The district is established for the primary objective and purpose of promoting and encouraging the beautification, security, and overall betterment of Spring Lake Subdivision.

C. In order for the orderly development and effectuation of the services to be furnished by the district and to provide for the representation in the affairs of the district of those persons and interests immediately concerned with and affected by the purposes and development of the area, the affairs of the district shall be managed by the board of directors of the Spring Lake Neighborhood Association, Inc., hereinafter referred to as the "board".

D.(1) The minute books and archives of the district shall be maintained by the board's secretary. The monies, funds, and accounts of the district shall be in the official custody of the board.

(2) The duties of the officers of the district shall be fixed in by-laws adopted by the board. The board shall adopt such rules and regulations as it deems necessary or advisable for conducting its business affairs. The board shall hold regular meetings as shall be provided in the by-laws and may hold special meetings at such times and places within the district as may be prescribed in the by-laws.

(3) A majority of the members of the board shall constitute a quorum for the transaction of business by the board. The board shall keep and maintain minutes of all meetings and shall make a copy of such minutes available through the board's secretary to members of the district.

(4) The members of the board shall serve without payment or receipt of any compensation.

E.(1) The board shall prepare or cause to be prepared, a plan or plans, which plan or plans together with the plan provided for in Subsection F of this Section shall be referred to, collectively, as the "plan". The plan shall specify the public improvements, facilities, and services proposed to be furnished, constructed, or acquired for the district. The board shall conduct such hearings, publish such notice with respect thereto, and disseminate such information as the board, in its discretion, may deem appropriate or advisable and in the public interest.

(2) Any plan shall include the following:

(a) An estimate of the annual and aggregate cost of acquiring, constructing, or providing the services, improvements, or facilities set forth in such plan.

(b) An estimate of the aggregate millage or fees required to be levied in each year on the taxable real property within the district in order to provide the funds required for the implementation or effectuation of the plan for furnishing the services specified and for funding capital improvements or debt service, or both.

F. The city council of the city of New Orleans is hereby authorized to levy and collect the special taxes or fees, as authorized by the Spring Lake Subdivision Improvement District, as hereinafter specifically provided for a term not to exceed five years from and after the date the first tax is levied pursuant to the provisions of this Section, in the same manner and at the same time as all other ad valorem taxes on property subject to taxation by the city are levied and collected, a special ad valorem tax not to exceed five mills or fees not to exceed two hundred dollars upon all taxable real property situated within the boundaries of the Spring Lake Subdivision Improvement District. The tax or fees herein authorized shall be levied and collected only after the question of its imposition has been submitted to and approved by a simple majority of the registered voters of the district voting on the question at a regularly scheduled primary or general election to be conducted in accordance with the provisions of the Louisiana Election Code. No such tax or fee shall be levied until a plan requiring or requesting the levy of a tax or fee is finally and conclusively adopted in accordance with the procedures prescribed in this Section. The proceeds of said tax or fee shall be used solely and exclusively for the purposes and benefit of the district. The proceeds shall be paid over to the Board of Liquidation, City Debt, day by day as the same are collected and received by the appropriate officials of the city of New Orleans and maintained in a separate account. The Spring Lake Subdivision Improvement District shall provide the Board of Liquidation, City Debt, the approved annual budget against which a quarterly advance disbursement will be provided based on projected expenditures. All such disbursements to the district and subsequent expenditures by the district shall be reconciled quarterly. The proceeds shall be paid out by the Board of Liquidation, City Debt, upon warrants or drafts drawn on the Board of Liquidation, City Debt, by the appropriate officials of the city and the treasurer of the district and shall be used by the district solely for the purposes provided in this Section.

G. Notwithstanding any other provision in this Section to the contrary, no tax or fee authorized in this Section shall be levied until the maximum amount of the tax has been approved by a simple majority of the registered voters of the district voting on the question at a regularly scheduled primary or general election conducted in accordance with the Louisiana Election Code.

H. The district shall have the power to acquire, to lease, to insure, and to sell real property located within the geographical boundaries of the district in accordance with the plan of the district."

April 1, 1998

AMENDMENT NO. 33

On page 5, line 22, change "Section 2." to "Section 3."

On motion of Senator Bajoie, the committee amendment was adopted. The amended bill was read by title and ordered engrossed and passed to a third reading.

Motion to Recommit

Senator Dardenne asked for and obtained a suspension of the rules and recommitted Senate Bill No. 153 from the Committee on Senate and Governmental Affairs to the Committee on Education.

Motion to Recommit

Senator Heitmeier asked for and obtained a suspension of the rules and recommitted Senate Bill No. 171 from the Committee on Education to the Committee on Retirement.

Rules Suspended

Senator Ullo asked for and obtained a suspension of the rules for the purpose of hearing Senate Bill Nos. 142 and 166 in the Committee on Judiciary A without the required 24 hour notice.

Motion to Make Special Order

Senator Dardenne asked for and obtained a suspension of the rules for the purpose of making Senate Bill No. 41, which was Special Order of the Day No.3 on today, Special Order of the Day No. 1 on Thursday, April 2, 1998 immediately following the Morning Hour.

Message to the Secretary of State

SIGNED SENATE CONCURRENT RESOLUTIONS

April 1, 1998

To the Honorable Secretary of State:

The President of the Senate and the Speaker of the House of Representatives have signed the following Senate Concurrent Resolution:

SENATE CONCURRENT RESOLUTION NO. 15—
BY SENATOR SHORT AND REPRESENTATIVES STRAIN, THOMAS AND WINSTON

A CONCURRENT RESOLUTION

To express the condolences of the Senate of the Legislature of Louisiana upon the death of Chief Judge France W. Watts.

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

Privilege Report of the Committee on Senate and Governmental Affairs

ENROLLMENTS

Senator Dardenne, Chairman on behalf of the Committee on Senate and Governmental Affairs, submitted the following report:

April 1, 1998

To the President and Members of the Senate:

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

The following Senate Concurrent Resolutions have been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 12—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To commend Colonel A.E. Voigt, Jr., U.S. Army, Retired for outstanding service, both civilian and military, to his community, state and country.

SENATE CONCURRENT RESOLUTION NO. 21—

BY SENATOR EWING

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Guy Coates, Sr., veteran, business owner, farmer, father, grandfather, and friend.

SENATE CONCURRENT RESOLUTION NO. 22—

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

A CONCURRENT RESOLUTION

To designate April 18, 1998 as Lions Club Worldwide Induction Day in Louisiana.

Respectfully submitted,
JAY DARDENNE
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President of the Senate.

Adjournment

Senator Bagneris moved that the Senate adjourn until Thursday, April 2, 1998 at 1:30 o'clock P.M.

The President of the Senate declared the Senate adjourned until 1:30 o'clock P.M. on Thursday, April 2, 1998.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk