

OFFICIAL JOURNAL
OF THE
SENATE
OF THE
STATE OF LOUISIANA

TENTH 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

Tuesday, April 7, 1998

The Senate was called to order at 4:00 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	Fields C	Lentini
Bagneris	Fields W	Malone
Barham	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
Dyess	Lambert	
Ellington	Landry	
Total—37		

ABSENT

Bajoie Bean
Total—2

The President of the Senate announced there were 37 Senators present and a quorum.

Prayer

The prayer was offered by Senator Dyess, 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 Dyess, the reading of the Journal was dispensed with and the Journal of yesterday was adopted.

Morning Hour

Messages from the House

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

Message from the House

**PASSED SENATE BILLS AND
JOINT RESOLUTIONS**

April 7, 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 the following Senate Bills and Joint Resolutions:

SENATE BILL NO. 107—
BY SENATOR HEITMEIER

AN ACT

To amend and reenact R.S. 11:791(A)(2) and (3), to enact R.S. 17:16, and to repeal R.S. 11:739 and 791(A)(4) and (5), relative to the Teachers' Retirement System of Louisiana; to provide for the reemployment of members who participated in the Deferred Retirement Option Plan and who have been retired for twenty-four consecutive months; to provide relative to rules; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 72—

BY SENATORS EWING, DARDENNE, HAINKEL, BARHAM, ROMERO, BAJOIE, CASANOVA, DYESS, HINES, IRONS, LANDRY AND SCHEDLER AND REPRESENTATIVES DOWNER, DEWITT AND MCMAINS

AN ACT

To amend and reenact R.S. 36:4(B)(8), to enact Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 46:2601 through 2606, and to repeal Chapter 45 of Title 46 of the Louisiana Revised Statutes of 1950, as enacted by Acts 1992, No. 971, as amended by Acts 1993, No. 424, Acts 1995, No. 945 and No. 1232, Acts 1997, No. 883 and No. 1172, relative to the Children's Cabinet; to provide for the establishment of the cabinet and the Children's Cabinet Advisory Board; to provide for the powers, duties, and functions of the cabinet and the advisory board; to provide for actions taken by the cabinet and board; to provide for termination of the cabinet; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 11—

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

AN ACT

To amend and reenact R.S. 11:2178(D)(III)(1) and (1)(b)(i) and (E)(1) and (2) and to enact R.S. 11:2178(E)(6), relative to the Sheriffs' Pension and Relief Fund; to provide for eligibility for certain survivor benefits; to increase the amount payable to dependents in certain cases; to provide relative to the type of act warranting death benefits; to provide for an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 116—

BY SENATOR HAINKEL AND REPRESENTATIVES SCALISE AND DEWITT

AN ACT

To amend and reenact R.S. 39:1536 and to enact R.S. 39:1543(C), relative to the office of risk management; to authorize the office of risk management to perform loss prevention audits of its insured agencies of state government; to provide for credits to premiums; to provide for penalties; and to provide for related matters.

Reported with amendments.

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

Message from the House

CONCURRING IN
SENATE CONCURRENT RESOLUTIONS

April 7, 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. 35—
BY SENATOR JONES

A CONCURRENT RESOLUTION

To commemorate April 4, 1998 as the 30th anniversary of the assassination of Dr. Martin Luther King, Jr.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 36—
BY SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To recognize and commend Mayor Bennet L. Broussard for over twenty years of distinguished public service and for his dedication to serving the best interests of the citizens of Kaplan, Louisiana, and to congratulate him on the occasion of his retirement.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 37—
BY SENATORS BARHAM AND EWING

A CONCURRENT RESOLUTION

To commend and congratulate each member of the Louisiana Tech University women's basketball team on their remarkable and successful 1997-1998 basketball season that culminated in an outstanding performance in the championship game of the National Collegiate Athletic Association.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 25—
BY SENATOR JONES

A CONCURRENT RESOLUTION

To urge and request the Louisiana Housing Finance Authority and other housing agencies or authorities to target the economically depressed area of Northeast Louisiana for assistance.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 38—
BY SENATOR DARDENNE

A CONCURRENT RESOLUTION

To express the condolences of the Louisiana Legislature to the family of Hugh H. Hyman, Jr.

Reported without amendments.

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

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. 39—
BY SENATOR BARHAM

A CONCURRENT RESOLUTION

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Bagneris	Fields C	Lentini
Bajoie	Fields W	Malone
Barham	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
Dyess	Lambert	
Total—38		

NAYS

Total—0

ABSENT

Bean
Total—1

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

SENATE CONCURRENT RESOLUTION NO. 40—
BY SENATOR IRONS

A CONCURRENT RESOLUTION

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Bagneris	Fields C	Lentini
Bajoie	Fields W	Malone
Barham	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
Dyess	Lambert	
Total—38		

NAYS

Total—0

ABSENT

Bean
Total—1

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

SENATE CONCURRENT RESOLUTION NO. 41—
BY SENATOR IRONS

A CONCURRENT RESOLUTION

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Bagneris	Fields C	Lentini
Bajoie	Fields W	Malone
Barham	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
Dyess	Lambert	
Total—38		

NAYS

Total—0

ABSENT

Bean
Total—1

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

SENATE CONCURRENT RESOLUTION NO. 42—
BY SENATOR CAMPBELL

A CONCURRENT RESOLUTION

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields W	Malone
Bagneris	Hainkel	Romero
Bajoie	Heitmeier	Schedler
Barham	Hines	Short
Cain	Hollis	Siracusa
Campbell	Irons	Smith
Cox	Johnson	Tarver
Cravins	Jones	Theunissen
Dyess	Jordan	Ullo
Ellington	Lambert	
Fields C	Lentini	
Total—31		

NAYS

Branch	Dardenne	Greene
Casanova	Dean	
Total—5		

ABSENT

Bean	Landry	Robichaux
Total—3		

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 BILLS AND JOINT RESOLUTIONS

April 7, 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. 191—
BY REPRESENTATIVE TOOMY AND SENATOR HEITMEIER
AN ACT

To amend and reenact R.S. 26:326 and 359 and to repeal R.S. 14:93.20, relative to the sale and shipment of beverage alcohol in Louisiana; to provide for the lawful sale and shipment of certain wines to Louisiana consumers; to provide for registration and payment of fees and taxes on authorized shipments; to provide for certain penalties and exceptions; to allow for the sale of wine by native wineries; to repeal certain provisions of law relating to the unlawful sale and shipment of beverage alcohol in Louisiana; and to provide for related matters.

HOUSE BILL NO. 112—
BY REPRESENTATIVES WIGGINS AND FLAVIN
AN ACT

To amend and reenact R.S. 27:319, relative to gaming; to provide that twenty-one years shall be the minimum age for playing video poker; to provide for definitions; to provide penalties; to provide exceptions; and to provide for related matters.

HOUSE BILL NO. 188—

BY REPRESENTATIVE FONTENOT
AN ACT

To enact R.S. 13:961(F)(1)(i), relative to court reporters for the Twenty-first Judicial District Court; to authorize a majority of the judges of the judicial district to determine certain fees to be paid to court reporters; and to provide for related matters.

HOUSE BILL NO. 156—

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

To amend Act No. 28 of the 1997 Regular Session of the Legislature, relative to the comprehensive capital construction budget, by adding thereto a new Section, to add a project for the Earl K. Long Medical Center; and to provide for related matters.

HOUSE BILL NO. 202—

BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact R.S. 47:302.23(B), relative to the proceeds of the state sales tax on hotel occupancy in Vermilion Parish; to provide for the dedication and allocation of certain monies in the Vermilion Parish Visitor Enterprise Fund; and to provide for related matters.

HOUSE BILL NO. 117—

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

To enact R.S. 17:24.10 and to repeal R.S. 17:24.7, relative to prekindergarten programs and early childhood development projects; to provide for the development of prekindergarten programs for at-risk children; to provide for program procedures, guidelines, and participation; to provide relative to funding for the program and review and evaluation; to provide for rules and regulations; to remove provisions relative to early childhood development projects; and to provide for related matters.

HOUSE BILL NO. 134—

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

To amend and reenact R.S. 14:32.8(A)(2)(b), 39.1(A)(2), and 98(A)(1)(b), R.S. 29:211(2), and R.S. 32:378.2(A)(2)(a)(iv), 661(C)(1)(c), 661.1(C)(1)(c), 662(A)(1)(b) and (c), 667(A)(introductory paragraph) and (3) and (B)(1), 668(A)(4) and (B)(1)(b), and 853(A)(1)(c)(i), all relative to levels of blood alcohol for purposes of certain driving offenses, driver's license sanctions, implied consent law provisions, and certain driving records; to provide that a blood alcohol concentration of 0.08 or more is the applicable measure for purposes of the offenses of DWI, third degree feticide, and vehicular negligent injuring and for purposes of related driver's license sanctions, implied consent law provisions, ignition interlock device provisions, and certain driving records; to make corresponding changes to the blood alcohol level used to determine intoxication with regard to military court martial; to condition the effective date upon congressional action; and to provide for related matters.

HOUSE BILL NO. 164—

BY REPRESENTATIVES WINDHORST AND HEATON
AN ACT

To enact R.S. 14:90.4, relative to offenses affecting general morality; to create the crime of unlawful play of certain gaming devices by persons under the age of twenty-one; to provide definitions; to provide penalties; and to provide for related matters.

HOUSE BILL NO. 174—

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

To amend and reenact R.S. 27:25(E) and to enact R.S. 27:15(D) and (E), relative to the Louisiana Gaming Control Board; to provide for assessment of fines for riverboat gaming violations; to provide that the board may adopt a schedule of fines by rule; and to provide for related matters.

HOUSE BILL NO. 192—

BY REPRESENTATIVES BRUNEAU, COPELIN, AND RIDDLE
AN ACT

To amend and reenact R.S. 18:465(A), 481, 511(A) and (B), 512(B), and 551(C)(1) and to enact R.S. 18:1275.1, relative to elections; to provide the manner in which candidates for congress qualify for the general election; to allow a candidate to qualify for the general election by nominating petition under certain circumstances; to provide for the form, time, and manner of filing and certifying such petitions; to provide with respect to challenging such candidates nominated by petition; to provide for the printing of a candidate's name on the ballot; to provide for the election of candidates to office; and to provide for related matters.

HOUSE BILL NO. 204—

BY REPRESENTATIVES WIGGINS AND WRIGHT
AN ACT

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

HOUSE BILL NO. 201—

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

To amend and reenact R.S. 17:3042.1(A), 3048.1, and 3048.2 and R.S. 47:1508(B)(17), relative to the Tuition Opportunity Program for Students; to provide for program awards and payments; to provide for student eligibility; to provide conditions and limitations; to provide for program administration; to provide for certain rules; to provide for implementation; to provide for confidentiality and release of certain tax records; to provide for effectiveness; and to provide for related matters.

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

House Bills and Joint Resolutions

Senator Theunissen 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 which were taken up, read a first and second time by their titles and acted upon as follows:

HOUSE BILL NO. 112—

BY REPRESENTATIVES WIGGINS AND FLAVIN
AN ACT

To amend and reenact R.S. 27:319, relative to gaming; to provide that twenty-one years shall be the minimum age for playing video poker; to provide for definitions; to provide penalties; to provide exceptions; and to provide for related matters.

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

HOUSE BILL NO. 117—

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

To enact R.S. 17:24.10 and to repeal R.S. 17:24.7, relative to prekindergarten programs and early childhood development projects; to provide for the development of prekindergarten programs for at-risk children; to provide for program procedures, guidelines, and participation; to provide relative to funding for the program and review and evaluation; to provide for rules and regulations; to remove provisions relative to early childhood development projects; 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. 134—

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

To amend and reenact R.S. 14:32.8(A)(2)(b), 39.1(A)(2), and 98(A)(1)(b), R.S. 29:211(2), and R.S. 32:378.2(A)(2)(a)(iv), 661(C)(1)(c), 661.1(C)(1)(c), 662(A)(1)(b) and (c), 667(A)(introductory paragraph) and (3) and (B)(1), 668(A)(4) and (B)(1)(b), and 853(A)(1)(c)(i), all relative to levels of blood alcohol for purposes of certain driving offenses, driver's license sanctions, implied consent law provisions, and certain driving records; to provide that a blood alcohol concentration of 0.08 or more is the applicable measure for purposes of the offenses of DWI, third degree feticide, and vehicular negligent injuring and for purposes of related driver's license sanctions, implied consent law provisions, ignition interlock device provisions, and certain driving records; to make corresponding changes to the blood alcohol level used to determine intoxication with regard to military court martial; to condition the effective date upon congressional action; and to provide for related matters.

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

HOUSE BILL NO. 156—

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

To amend Act No. 28 of the 1997 Regular Session of the Legislature, relative to the comprehensive capital construction budget, by adding thereto a new Section, to add a project for the Earl K. Long Medical Center; and to provide for related matters.

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

HOUSE BILL NO. 164—

BY REPRESENTATIVES WINDHORST AND HEATON
AN ACT

To enact R.S. 14:90.4, relative to offenses affecting general morality; to create the crime of unlawful play of certain gaming devices by persons under the age of twenty-one; to provide definitions; to provide penalties; and to provide for related matters.

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

HOUSE BILL NO. 174—

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

To amend and reenact R.S. 27:25(E) and to enact R.S. 27:15(D) and (E), relative to the Louisiana Gaming Control Board; to provide for assessment of fines for riverboat gaming violations; to provide that the board may adopt a schedule of fines by rule; and to provide for related matters.

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

HOUSE BILL NO. 188—

BY REPRESENTATIVE FONTENOT
AN ACT

To enact R.S. 13:961(F)(1)(i), relative to court reporters for the Twenty-first Judicial District Court; to authorize a majority of the judges of the judicial district to determine certain fees to be paid to court reporters; 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. 191—

BY REPRESENTATIVE TOOMY AND SENATOR HEITMEIER
AN ACT

To amend and reenact R.S. 26:326 and 359 and to repeal R.S. 14:93.20, relative to the sale and shipment of beverage alcohol in Louisiana; to provide for the lawful sale and shipment of certain wines to Louisiana consumers; to provide for registration and payment of fees and taxes on authorized shipments; to provide for certain penalties and exceptions; to allow for the sale of wine by native wineries; to repeal certain provisions of law relating to the unlawful sale and shipment of beverage alcohol in Louisiana; and to provide for related matters.

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

HOUSE BILL NO. 192—

BY REPRESENTATIVES BRUNEAU, COPELIN, AND RIDDLE
AN ACT

To amend and reenact R.S. 18:465(A), 481, 511(A) and (B), 512(B), and 551(C)(1) and to enact R.S. 18:1275.1, relative to elections; to provide the manner in which candidates for congress qualify for the general election; to allow a candidate to qualify for the general election by nominating petition under certain circumstances; to provide for the form, time, and manner of filing and certifying such petitions; to provide with respect to challenging such candidates nominated by petition; to provide for the printing of a candidate's name on the ballot; to provide for the election of candidates to office; and to provide for related matters.

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

HOUSE BILL NO. 201—

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

To amend and reenact R.S. 17:3042.1(A), 3048.1, and 3048.2 and R.S. 47:1508(B)(17), relative to the Tuition Opportunity Program for Students; to provide for program awards and payments; to provide for student eligibility; to provide conditions and limitations; to provide for program administration; to provide for certain rules; to provide for implementation; to provide for confidentiality and release of certain tax records; to provide for effectiveness; 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. 202—

BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact R.S. 47:302.23(B), relative to the proceeds of the state sales tax on hotel occupancy in Vermilion Parish; to provide for the dedication and allocation of certain monies in the Vermilion Parish Visitor Enterprise Fund; and to provide for related matters.

April 4, 1998

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

HOUSE BILL NO. 204—
BY REPRESENTATIVES WIGGINS AND WRIGHT
AN ACT

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

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 7, 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. 61—
BY REPRESENTATIVES FLAVIN, JOHNS, STELLY, GUILLORY, HILL, ILES, AND MORRISH AND SENATORS HINES, COX, CASANOVA, CAIN, AND THEUNISSEN

A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 60—
BY REPRESENTATIVE MCCALLUM

A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 59—
BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

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

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. 59—

BY REPRESENTATIVE HOLDEN
A CONCURRENT RESOLUTION

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fields C, Lentini; Bajoie, Fields W, Malone; Barham, Hainkel, Robichaux; Branch, Heitmeier, Romero; Cain, Hines, Schedler; Campbell, Hollis, Short; Casanova, Irons, Siracusa; Cox, Johnson, Smith; Dardenne, Jones, Tarver; Dean, Jordan, Ullo; Dyess, Lambert; Ellington, Landry; Total—34

NAYS

Total—0

ABSENT

Table with 3 columns: Bagneris, Cravins, Theunissen; Bean, Greene; Total—5

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

HOUSE CONCURRENT RESOLUTION NO. 60—

BY REPRESENTATIVE MCCALLUM
A CONCURRENT RESOLUTION

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Mr. President, Fields C, Lentini; Bagneris, Fields W, Malone; Bajoie, Greene, Robichaux; Barham, Hainkel, Romero; Branch, Heitmeier, Schedler; Cain, Hines, Short; Campbell, Hollis, Siracusa; Casanova, Irons, Smith; Cox, Johnson, Tarver; Dardenne, Jones, Theunissen; Dean, Jordan, Ullo; Dyess, Lambert; Ellington, Landry; Total—37

NAYS

April 4, 1998

SENATE BILL NO. 161—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 11:153(A)(2) and to enact R.S. 11:1310(B), relative to the State Police Pension and Retirement System; to provide with respect to military service credit; and to provide for related matters.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 19—
BY REPRESENTATIVE GAUTREAU

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.

Reported favorably.

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.

Reported with amendments.

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.

Reported favorably.

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.

Reported favorably.

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 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.

Reported with amendments.

Respectfully submitted,
FRANCIS C. HEITMEIER
Chairman

**REPORT OF COMMITTEE ON
FINANCE**

Senator Hainkel, Chairman on behalf of the Committee on Finance, submitted the following report:

April 7, 1998

To the President and Members of the Senate:

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

SENATE BILL NO. 21—
BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 32:172, relative to railroad crossings; to require the determination of dangerous railroad crossings; to require the erection of stop signs at such crossings; to require promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 155—
BY SENATOR DARDENNE

AN ACT

To enact Subpart D of Part II-A of Chapter 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:97.1 through 97.5, relative to the Louisiana Asbestos Detection and Abatement Fund; to provide for the creation, use, and administration of the fund; to provide for sources of monies for the

fund; to provide for legal representation; and to provide for related matters.

Reported with amendments.

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.

Reported favorably.

HOUSE BILL NO. 168—
BY REPRESENTATIVES DOWNER, CRANE, DEVILLE, LEBLANC, MCCALLUM, STELLY, THOMPSON, THORNHILL, TRICHE, AND WELCH
AN ACT

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

Reported with amendments.

HOUSE BILL NO. 193—
BY REPRESENTATIVE LEBLANC
AN ACT

To amend and reenact R.S. 39:31(A), 32(I), and 33(A)(1) and to enact R.S. 39:28(C), 32(K), and 32.1, relative to the state budget; to provide for budgeting and planning requirements for certain higher education agencies; to authorize the Board of Regents to prescribe the content and format of certain budget documents; to require the preparation and submission of certain budget documents by certain higher education agencies; to provide relative to the contents of certain budget documents; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JOHN HAINKEL
Chairman

**REPORT OF COMMITTEE ON
NATURAL RESOURCES**

Senator Romero, Chairman on behalf of the Committee on Natural Resources, submitted the following report:

April 7, 1998

To the President and Members of the Senate:

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

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.

Reported favorably.

HOUSE BILL NO. 114—
BY REPRESENTATIVES GAUTREAUX, DANIEL, FRITH, ODINET, PIERRE, TRICHE, AND MARIONNEAUX

AN ACT

To enact Chapter 17 of Subtitle I of Title 30 of the Louisiana Revised Statutes of 1950, consisting of R.S. 30:2000.1 through 2000.8, inclusive; to provide relative to natural resources; to create the Atchafalaya Basin Program in the Department of Natural Resources and provide for duties and powers thereof; to create the Atchafalaya Basin Promotion and Research Board within the Atchafalaya Basin Program and provide for membership and powers thereof; to create the Atchafalaya Basin Advisory Committee within the Atchafalaya Basin Program and provide for membership and powers thereof; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
CRAIG F. ROMERO
Chairman

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

Senator Hainkel 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. 21—
BY SENATOR LENTINI
AN ACT

To amend and reenact R.S. 32:172, relative to railroad crossings; to require the determination of dangerous railroad crossings; to require the erection of stop signs at such crossings; to require promulgation of rules and regulations; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Engrossed Senate Bill No. 21 by Senator Lentini

AMENDMENT NO. 1
On page 1, at the beginning of line 10, add "A."

AMENDMENT NO. 2
On page 2, after line 6, add the following:

"R.S. 32:172(B) is all proposed new law.

B. The data, information, materials, surveys, reports, rules and regulations and opinions of the department gathered, compiled, promulgated or published pursuant to this Section shall not be subject to any discovery or production nor be admissible evidence in any judicial proceeding in this State.

R.S. 32:172(C) is all proposed new law.

C. The duties and responsibilities imposed upon the department or the state by this Section shall be remedial duties and responsibilities which duties and responsibilities shall not, if breached in any manner, be considered or deemed to be a cause-in-fact or any negligence upon which any liability in tort may be imposed upon the department or the state. The undertaking of these duties and responsibilities by the department or the state shall not in any manner, including full compliance herewith or the failure to perform these duties and responsibilities, impose or cause the impositions of liability upon the department or the state."

April 4, 1998

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

SENATE BILL NO. 155—
BY SENATOR DAR DENNE

AN ACT

To enact Subpart D of Part II-A of Chapter 1 of Title 39 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 39:97.1 through 97.5, relative to the Louisiana Asbestos Detection and Abatement Fund; to provide for the creation, use, and administration of the fund; to provide for sources of monies for the fund; to provide for legal representation; and to provide for related matters.

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Finance to Original Senate Bill No. 155 by Senator Dardenne

AMENDMENT NO. 1

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

AMENDMENT NO. 2

On page 2, line 14, after the word "encapsulation," insert " repair,"

AMENDMENT NO. 3

On page 2, line 23, delete the words "equal to or"

AMENDMENT NO. 4

On page 3, delete lines 6 and 7 and insert "leased by the state of Louisiana, including but not limited to, those encompassed within the statewide land and"

AMENDMENT NO. 5

On page 3, between lines 8 and 9, insert the following:

"B. The definitions contained in this Section are not intended to apply to pending litigation."

AMENDMENT NO. 6

On page 4, line 19, after "buildings" insert a period "." and delete the remainder of the line

AMENDMENT NO. 7

On page 4, delete line 20

AMENDMENT NO. 8

On page 5, line 6, after the word "with" insert "applicable law." and delete the remainder of the line

AMENDMENT NO. 9

On page 5, delete lines 7 through 9

AMENDMENT NO. 10

On page 5, line 10, after the word "be" insert "appropriated by the legislature and shall be"

AMENDMENT NO. 11

On page 6, delete line 27 and insert "action to which this Section applies and which was filed on or before April 1, 1998, shall be paid from any"

AMENDMENT NO. 12

On page 7, line 2, after the word "action," delete the remainder of the line and insert the following:

"The attorney general, the commissioner of administration, and the attorneys providing legal services under contract in connection with the action shall endeavor to reach an agreement regarding the amount of

attorneys fees and costs to be awarded to the attorneys who provided such legal services. Such negotiated attorneys fees, excluding costs, shall not exceed fifteen percent of the total awarded from recovery. Prior to payment, the negotiated agreement on the attorneys fees and costs shall be approved by the Joint Legislative Committee on the Budget. If a negotiated agreement on the attorneys fees and costs for an attorney entitled to attorneys fees and costs cannot be reached, the court"

AMENDMENT NO. 13

On page 7, line 4, after "costs" delete the remainder of the line and insert the following:

"following a contradictory hearing with the attorney or attorneys entitled to attorneys fees and costs, the attorney general and the commissioner of administration. The amount of negotiated attorneys fees, excluding costs, set by the court shall not exceed fifteen percent of the total awarded from recovery. The court shall consider the following factors in"

AMENDMENT NO. 14

On page 8, delete lines 9 through 15 and insert the following:

"E. Nothing in this Section shall or shall be construed to create, extinguish, revive, transfer, or otherwise affect any existing or future claim or cause of action or any objections, exceptions, or defenses thereto.

Section 2. Notwithstanding any final judgment by a court in a case or proceeding pending on or prior to the effective date of this Act involving a claim by or on behalf of the state or a state agency for recovery of reimbursement or damages resulting from the presence of asbestos or asbestos-containing materials in state buildings that any contract or contracts for employment of attorneys, representing the state or state agencies in the action is invalid or unconstitutional, the legislature hereby ratifies and approves of all acts or actions taken by the attorneys pursuant to the contract or contracts of employment prior to the determination of their validity. This Act is not designed to affect the holding in Meredith v. Ieyoub, 700 So 2d 478 (LA 1997). Further, this Act is not to be considered as a legislative precedent for approval of contingent fees in the absence of a specific statutory authorization for such fee."

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

SENATE BILL NO. 161—
BY SENATOR CRAVINS

AN ACT

To amend and reenact R.S. 11:153(A)(2) and to enact R.S. 11:1310(B), relative to the State Police Pension and Retirement System; to provide with respect to military service credit; and to provide for related matters.

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

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.

Reported with amendments by the Committee on Judiciary A.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Judiciary A to Original Senate Bill No. 166 by Senator Siracusa

AMENDMENT NO. 1

On page 1, line 2, after "R.S. 13:477(15)" delete the remainder of the line and insert ",621.15 and 621.32, relative to judgeships" and on line 3, delete "Judicial District"

AMENDMENT NO. 2

On page 1, line 4, after "Court;" insert "to add one additional judgeship to the Thirty-Second Judicial District Court;"

AMENDMENT NO. 3

On page 4, between lines 19 and 20, insert the following:

"Section 4. R.S. 13:621.32 is hereby amended and reenacted to read as follows:
§621.32. Thirty-second Judicial District

The Thirty-second Judicial District Court shall have ~~five~~ six judges.

* * *

Section 5. There is hereby created an additional district judgeship for the Thirty-second Judicial District for the parish of Terrebonne. The additional judge herein provided for and his successors shall preside over Division F, which is hereby created for purposes of nomination and election only. The additional judge and his successors shall be elected at large and shall have jurisdiction throughout the district, and shall receive the same compensation and expense allowances, payable from the same sources and in the same manner, as are now or may hereafter be provided for other judges of the district.

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

AMENDMENT NO. 4

On page 4, at the beginning of line 20, change "4" to "6"

AMENDMENT NO. 5

On page 4, after line 25, insert the following:

" Section 7. If in the event either instrument which originated as Senate Bill 142 or House Bill 55 of the 1998 First Extraordinary Session is enacted into law then Sections 1,2 and 3 of this Act shall be null and of no effect."

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

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

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

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.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

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.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

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.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 21 by Representative Iles

AMENDMENT NO. 1

On page 3, at the end of line 2, add "**The provisions of this Paragraph shall apply both prospectively and retroactively from the date of its enactment without regard to the date of the officer's death.**"

On motion of Senator Heitmeier the committee amendment was adopted. The amended bill was read by title and recommitted to the Committee on Finance.

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.

April 4, 1998

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

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.

Reported favorably by the Committee on Retirement. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

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.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

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.

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 61—
BY REPRESENTATIVE DEVILLE
AN ACT

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

Reported favorably by the Committee on Judiciary A. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 114—
BY REPRESENTATIVES GAUTREUX, DANIEL, FRITH, ODINET, PIERRE, TRICHE, AND MARIONNEAUX
AN ACT

To enact Chapter 17 of Subtitle I of Title 30 of the Louisiana Revised Statutes of 1950, consisting of R.S. 30:2000.1 through 2000.8, inclusive; to provide relative to natural resources; to create the Atchafalaya Basin Program in the Department of Natural Resources and provide for duties and powers thereof; to create the Atchafalaya Basin Promotion and Research Board within the

Atchafalaya Basin Program and provide for membership and powers thereof; to create the Atchafalaya Basin Advisory Committee within the Atchafalaya Basin Program and provide for membership and powers thereof; and to provide for related matters.

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Reengrossed House Bill No. 114 by Representative Gautreaux

AMENDMENT NO. 1

On page 1, line 3, after "inclusive" and before the semicolon insert

", and R.S. 36:359(J)"

AMENDMENT NO. 2

On page 2, line 10, after "levees" and before the period "." insert "bounded on the North by U.S. Highway 190 and on the South by Morgan City, and as defined in the Atchafalaya Basin Floodway System, Louisiana Project "

AMENDMENT NO. 3

On page 2, line 19, delete the period at the end of the line and insert

" , pursuant to federal law, including the Supplemental Appropriations Act of 1985, Public Law 99-88, and the Water Resources Development Act of 1986, Public Law 99-662."

AMENDMENT NO. 4

On page 3, line 22, between "fish" and "production" insert "and wildlife"

AMENDMENT NO. 5

On page 6, line 2, change "ten" to "fourteen"

AMENDMENT NO. 6

On page 6, between lines 22 and 23, insert the following:

"(11) Two representatives to serve as ex-officio members chosen by the Louisiana Police Jury Association from a list of names submitted by the parishes which lie, all or part thereof, within the boundaries of the Atchafalaya Basin west of the Atchafalaya River.

(12) Two representatives to serve as ex-officio members chosen by the Louisiana Police Jury Association from a list of names submitted by the parishes which lie, all or part thereof, within the boundaries of the Atchafalaya Basin east of the Atchafalaya River."

AMENDMENT NO. 7

On page 8, between lines 19 and 20, insert

"Section 2. R.S. 36:359(J) is hereby enacted to read as follows:

§359. Transfer of agencies and functions to Department of Natural Resources

* * *

J. The Atchafalaya Basin Program is placed within the Department of Natural Resources and shall perform its powers, duties, functions, and responsibilities in the manner provided by law."

AMENDMENT NO. 8

On page 8, line 20, change "Section 2." to "Section 3."

On motion of Senator Romero the committee amendment was adopted. The amended bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 168—
 BY REPRESENTATIVES DOWNER, CRANE, DEVILLE, LEBLANC, MCCALLUM, STELLY, THOMPSON, THORNHILL, TRICHE, AND WELCH
 AN ACT

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

Reported with amendments by the Committee on Finance.

SENATE COMMITTEE AMENDMENTS

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

AMENDMENT NO. 1

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

On motion of Senator Hainkel, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

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, 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.

Reported with amendments by the Committee on Retirement.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Retirement to Reengrossed House Bill No. 171 by Representative Downer

AMENDMENT NO. 1

On page 1, line 2, change "R.S. 11:791(A)(2)" to "R.S. 11:737(A) and 791(A)(2)"

AMENDMENT NO. 2

On page 2, line 1, change "R.S. 11:791(A)(2)" to "R.S. 11:737(A) and 791(A)(2) are"

AMENDMENT NO. 3

On page 2, between line 2 and 3, insert the following:

"§737. Return to active service; suspension of benefits; termination and resumption of benefits

A. (1) Whenever a retiree from this system returns to active service covered by the provisions of this Chapter, his retirement benefits from this system shall be suspended for the duration of such active service, but no further contributions by the individual or by the state on his behalf shall be made to the system. Upon termination of such active service, payment of the retirement benefits shall resume in the same amount as was payable at the time of return to active service, without recomputation but with the inclusion of any cost-of-living or any increase which may have been granted to retirees of the system during the time the benefits were suspended, but these increases shall not be retroactive.

(2)(a) The provisions of Paragraph (1) of this Subsection shall not apply to any retiree who returns to active service as an employee of the Department of Public Safety and Corrections in the capacity of an unclassified teacher, provided such employment is funded primarily by federal funds applied to the literacy program known as "Project Metamorphosis".

(b) During the period of the retiree's return to active service, the retiree and his employer shall make contributions to the retirement system but the retiree shall receive no additional service credit nor accrue any additional retirement benefits in the retirement system. Upon termination of such active service, the member shall, upon application, be refunded the employee contributions paid since reemployment. The refund shall be without interest. The retirement system shall retain the employer contributions.

AMENDMENT NO. 4

On page 3, at the end of line 2, delete "if the" and delete lines 3 through 6 in their entirety and insert in lieu thereof the following:

"; however, if the teacher retired with a minimum of thirty years of service credit, that teacher need only have terminated such employment for at least twelve consecutive months. Neither the twenty-four month nor the twelve month provision of this"

On motion of Senator Heitmeier, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 193—
 BY REPRESENTATIVE LEBLANC
 AN ACT

To amend and reenact R.S. 39:31(A), 32(I), and 33(A)(1) and to enact R.S. 39:28(C), 32(K), and 32.1, relative to the state budget; to provide for budgeting and planning requirements for certain higher education agencies; to authorize the Board of Regents to prescribe the content and format of certain budget documents; to require the preparation and submission of certain budget documents by certain higher education agencies; to provide relative to the contents of certain budget documents; and to provide for related matters.

Reported favorably by the Committee on Finance. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

Motion to Recommit

Senator Hainkel asked for and obtained a suspension of the rules and recommitted House Bill No. 177, which was on Third Reading and Final Passage, to the Committee on Finance.

April 4, 1998

**Senate Bills and Joint Resolutions
Returned from the House
of Representatives with Amendments**

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

**SENATE BILL NO. 52—
BY SENATOR DARDENNE**

AN ACT

To amend and reenact R.S. 14:98(C)(introductory paragraph), relative to the crime of operating a vehicle while intoxicated; to clarify that the total sentence of imprisonment for a conviction of a second such offense shall not exceed six months; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Dupre to Engrossed Senate Bill No. 52 by Senator Dardenne (Duplicate of H.B. No. 13)

AMENDMENT NO. 1

On page 1, line 5, after "six months;" insert "to provide that sentence of home incarceration may be ordered if otherwise allowed by law;"

AMENDMENT NO. 2

On page 2, line 4, after "sentence." insert "Nothing herein shall prohibit a court from sentencing a defendant to home incarceration, if otherwise allowed under the provisions of Article 894.2 of the Code of Criminal Procedure."

Senator Dardenne moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Fields C	Lentini
Bagneris	Fields W	Malone
Barham	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
Dyess	Lambert	
Ellington	Landry	
Total—37		
	NAYS	
Total—0		
	ABSENT	
Bajoie	Bean	
Total—2		

The Chair declared the amendments proposed by the House were concurred in. Senator Dardenne moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

**SENATE BILL NO. 53—
BY SENATOR DARDENNE**

AN ACT

To amend and reenact R.S. 24:802(B)(4), (5), (6), and (7), and (D), relative to the Advisory Commission on Intergovernmental Relations; to provide for the membership and quorum of the commission; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE FLOOR AMENDMENTS

Conforming Amendments proposed by Representative Dupre to Engrossed Senate Bill No. 53 by Senator Dardenne (Duplicate of H.B. No. 108)

AMENDMENT NO. 1

On page 1, line 2, after "(7)," delete "and (D)."

AMENDMENT NO. 2

On page 1, at the end of line 3, delete "to provide" and on line 4, delete "for the membership and quorum of the commission;" and insert "to allow for the appointment of certain designees to the commission;"

AMENDMENT NO. 3

On page 1, line 7, after "(7)," delete "and (D)."

AMENDMENT NO. 4

On page 2, delete lines 6 and 7 in their entirety

Senator Dardenne moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

	YEAS	
Mr. President	Fields C	Lentini
Bagneris	Fields W	Malone
Barham	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
Dyess	Lambert	
Ellington	Landry	
Total—37		
	NAYS	
Total—0		
	ABSENT	
Bajoie	Bean	
Total—2		

The Chair declared the amendments proposed by the House were concurred in. Senator Dardenne moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 73—

BY SENATORS EWING, HINES, DARDENNE, HAINKEL, BARHAM, ROMERO, SCHEDLER, ULLO AND BAGNERIS AND REPRESENTATIVES DOWNER, DEWITT AND MCMAINS

AN ACT

To amend and reenact R.S. 9:392 and 396(A) and R.S. 40:46.1(B)(1)(c), (B)(2), and (F)(3), relative to paternity; to require notice of consequences of signing acknowledgment of paternity prior to signing of notarial act; to require genetic testing of parties upon request of a party in a contested paternity case in a court-based proceeding; to require that such request be accompanied by sworn affidavit either alleging or denying paternity; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and returned to the Calendar, subject to call.

SENATE BILL NO. 74—

BY SENATORS EWING, HINES, DARDENNE, HAINKEL, BARHAM, ROMERO, SCHEDLER, ULLO AND LANDRY AND REPRESENTATIVES DOWNER, DEWITT AND MCMAINS

AN ACT

To amend and reenact R.S. 46:236.3(E)(4) and (I) and to enact R.S. 46:236.3(O), relative to enforcement of child support by income assignment; to provide for the effect of income assignments; to provide that notice to withhold shall operate as an assignment; to provide for the amount of processing fees; to provide for an employer's immunity from civil liability; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 74 by Senator Ewing

AMENDMENT NO. 1

On page 1, line 3, after "of" and before "support" delete "child"

AMENDMENT NO. 2

On page 2, at the beginning of line 12, delete "child"

Senator Ewing moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lambert
Bagneris	Fields C	Landry
Barham	Fields W	Lentini
Branch	Greene	Malone
Cain	Hainkel	Robichaux
Campbell	Heitmeier	Romero
Casanova	Hines	Schedler
Cox	Hollis	Short
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones	Theunissen
Dyess	Jordan	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Bean	Siracusa
Total—3		

The Chair declared the amendments proposed by the House were concurred in. Senator Ewing moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

SENATE BILL NO. 75—

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

AN ACT

To amend and reenact R.S. 9:251, R.S. 32:409.1(A)(2)(d)(viii), 410(A)(3)(a)(viii), and R.S. 40:34(B)(2)(a) and (C) and to enact R.S. 9:224(A)(6), 313, and 395, R.S. 32:409.1(A)(2)(d)(vi), and R.S. 37:23, relative to provision of information; to require inclusion of social security numbers in certain vital statistics records, certain license applications, and divorce proceedings; to require a party in paternity or child support proceedings to file and update certain identifying information including employment; to provide for notice requirements in subsequent proceedings; to provide for confidentiality; and to provide for related matters.

The bill was read by title. Returned from the House of Representatives with the following amendments:

HOUSE COMMITTEE AMENDMENTS

Amendments proposed by House Committee on Civil Law and Procedure to Reengrossed Senate Bill No. 75 by Senator Ewing

AMENDMENT NO. 1

On page 3, line 6, delete the period "." and insert "or at any time thereafter."

AMENDMENT NO. 2

On page 4, line 5, after "recent" and before "address" insert "residence and employment"

AMENDMENT NO. 3

On page 4, line 6, delete the period "." and insert "and at any current address of the absentee known by the moving party."

HOUSE FLOOR AMENDMENTS

Amendments proposed by Representative Murray to Reengrossed Senate Bill No. 75 by Senator Ewing

AMENDMENT NO. 1

On page 1, line 2, delete "R.S. 9:251,"

AMENDMENT NO. 2

On page 1, line 4, after "9:224(A)(6)" insert "and (D)"

AMENDMENT NO. 3

On page 1, line 13, after "Section 1." delete the remainder of the line and insert in lieu thereof "R.S."

AMENDMENT NO. 4

On page 1, line 14, after "9:224(A)(6)" insert "and (D)"

AMENDMENT NO. 5

On page 2, delete lines 12 through 17 and on line 18, change "B." to "D."

Senator Ewing moved to concur in the amendments proposed by the House.

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Bagneris	Fields C	Lentini
Barham	Fields W	Malone
Branch	Greene	Robichaux
Cain	Hainkel	Romero
Campbell	Heitmeier	Schedler
Casanova	Hines	Short
Cox	Hollis	Siracusa
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones	Theunissen
Dyess	Lambert	Ulló
Total—36		

NAYS

Jordan
Total—1

ABSENT

Bajoie
Total—2

The Chair declared the amendments proposed by the House were concurred in. Senator Ewing moved to reconsider the vote by which the amendments were concurred in and laid the motion on the table.

Senate and Concurrent Resolutions to be Adopted, Subject to Call

The following Senate and Concurrent Resolutions to be adopted, subject to call, were taken up and acted upon as follows:

Called from the Calendar

Senator Short asked that Senate Concurrent Resolution No. 17 be called from the Calendar at this time.

SENATE CONCURRENT RESOLUTION NO. 17— BY SENATOR SHORT

A CONCURRENT RESOLUTION

To direct the Department of Transportation and Development to redesignate the new Louisiana Highway 25 bridge in Franklinton, Louisiana as the Chess Richardson Bridge and to include a pedestrian path within the construction of the future twin span of such bridge.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Concurrent Resolution No. 17 by Senator Short

AMENDMENT NO. 1

On page 1, line 2, after "To" change "urge and request" to "direct"

AMENDMENT NO. 2

On page 1, line 4, after "to" change "include" to "urge and request the inclusion of"

AMENDMENT NO. 3

On page 2, line 9, after "hereby" change "urge and request" to "direct"

On motion of Senator Landry, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Lentini
Bagneris	Fields W	Malone
Barham	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	Ulló
Dyess	Lambert	
Ellington	Landry	
Total—37		

NAYS

Total—0

ABSENT

Bajoie
Total—2

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

Senate Bills and Joint Resolutions on Third Reading and Final Passage

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

SENATE BILL NO. 156—

BY SENATORS EWING, DARDENNE, HAINKEL, BARHAM, ROMERO, JONES, LANDRY, LENTINI, AND SMITH AND REPRESENTATIVES DOWNER, DEWITT, MCMAINS AND MICHOT

AN ACT

To amend and reenact R.S. 3:4274.1, R.S. 13:2586(C)(2) and (D) and 2587.1, R.S. 30:2522(3), 2531, 2532(A), 2544(A) and (D), R.S. 32:414(A)(3)(a) and (b), R.S. 33:1236(54), R.S. 48:347(D), R.S. 49:121(A)(2), and R.S. 56:55.2(B) and 70.3(C)(2), and Code of Criminal Procedure Art. 211.3(A), to enact R.S. 30:2531.1 through 2531.6, and to repeal R.S. 13:2589(B), R.S. 32:289, and R.S. 36:208(H) relative to litter; to define terms; to provide for certain violations; to provide civil fines; to provide criminal penalties; to provide for enforcement; and to provide for related matters.

On motion of Senator Bagneris, the bill was read by title and returned to the Calendar, subject to call.

Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

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

Called from the Calendar

Senator Short asked that Senate Bill No. 4 be called from the Calendar at this time.

SENATE BILL NO. 4—
BY SENATOR SHORT

AN ACT

To amend and reenact R.S. 17:52(D), relative to parish school boards; to provide relative to qualifications of school board members; to add certain requirements; to provide for applicability; and to provide for related matters.

On motion of Senator Short, the bill was read by title and withdrawn from the files of the Senate.

**House Concurrent Resolutions
on Second Reading
Reported by Committees**

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

HOUSE CONCURRENT RESOLUTION NO. 2—
BY REPRESENTATIVE RIDDLE

A CONCURRENT RESOLUTION

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

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

On motion of Senator Bagneris, the resolution was read by title and returned to the Calendar, subject to call.

HOUSE CONCURRENT RESOLUTION NO. 9—
BY REPRESENTATIVES WILKERSON AND BRUCE

A CONCURRENT RESOLUTION

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Lentini
Bagneris	Fields W	Malone
Barham	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
Dyess	Lambert	
Ellington	Landry	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Bean
Total—2	

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

HOUSE CONCURRENT RESOLUTION NO. 19—
BY REPRESENTATIVE ODINET

A CONCURRENT RESOLUTION

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

Reported favorably by the Committee on Natural Resources.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Lentini
Bagneris	Fields W	Malone
Barham	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
Dyess	Lambert	
Ellington	Landry	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Bean
Total—2	

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

HOUSE CONCURRENT RESOLUTION NO. 22—
BY REPRESENTATIVE SCHNEIDER AND SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To nominate Bayou Liberty in St. Tammany Parish for inclusion in the Louisiana Natural and Scenic Rivers System and provide for study and recommendations to the legislature on such nomination by the system administrator.

Reported favorably by the Committee on Natural Resources.

April 4, 1998

On motion of Senator Bagneris, the resolution was read by title and returned to the Calendar, subject to call.

HOUSE CONCURRENT RESOLUTION NO. 24—
BY REPRESENTATIVES ANSARDI AND MARTINY
A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to reduce the speed limit from seventy miles per hour to sixty miles per hour on Interstate Highway 10 through the city of Kenner, Louisiana, and to post appropriate signs indicating the lower speed limit.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original House Concurrent Resolution No. 24 by Representative Ansardi

AMENDMENT NO. 1

On page 1, at the beginning of line 3, change "reduce" to "conduct a study to consider the reduction of"

AMENDMENT NO. 2

On page 2, line 3, after "Development" change "to lower" to "to conduct a study to consider the lowering of"

AMENDMENT NO. 3

On page 1, between lines 5 and 6, add the following:

"BE IT FURTHER RESOLVED that the requested study shall be completed not later than September 15, 1998."

On motion of Senator Landry, the committee amendment was adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Lentini
Bagneris	Fields W	Malone
Barham	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
Dyess	Lambert	
Ellington	Landry	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Bean
Total—2	

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

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

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

Reported favorably by the Committee on Natural Resources.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Lentini
Bagneris	Fields W	Malone
Barham	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
Dyess	Lambert	
Ellington	Landry	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Bean
Total—2	

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

HOUSE CONCURRENT RESOLUTION NO. 35—
BY REPRESENTATIVES DUPRE, GAUTREAU, ROUSSELLE, FLAVIN, FRITH, HAMMETT, ODINET, PIERRE, JACK SMITH, JOHN SMITH, AND TRICHE AND SENATOR ROBICHAUX

A CONCURRENT RESOLUTION

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

Reported with amendments by the Committee on Natural Resources.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Natural Resources to Engrossed House Concurrent Resolution No. 35 by Representative Dupre

AMENDMENT NO. 1

On page 2, line 25, after "Representatives," delete "and"

AMENDMENT NO. 2

On page 2, line 26, between "delegation" and the period "." insert "and to the Energy Council" located in Dallas, Texas"

On motion of Senator Romero, the committee amendment was adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Lentini
Bagneris	Fields W	Malone
Barham	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
Dyess	Lambert	
Ellington	Landry	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Bean
Total—2	

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

HOUSE CONCURRENT RESOLUTION NO. 42—
BY REPRESENTATIVE DIEZ
A CONCURRENT RESOLUTION

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

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original House Concurrent Resolution No. 42 by Representative Diez

AMENDMENT NO. 1

On page 2, between lines 14 and 15 add the following:

"BE IT FURTHER RESOLVED that a duly attested copy of this Resolution be immediately transmitted to the president of the United States, to the secretary of the United States Senate, to the clerk of the United States House of Representatives, and to each member of the Louisiana delegation to the United States Congress."

On motion of Senator Landry, the committee amendment was adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Lentini
Bagneris	Fields W	Malone
Barham	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
Dyess	Lambert	
Ellington	Landry	
Total—37		

NAYS

Total—0

ABSENT

Bajoie	Bean
Total—2	

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

**House Bills and Joint Resolutions on
Third Reading
and Final Passage**

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

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Lentini
Bagneris	Fields W	Malone
Barham	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
Dyess	Lambert	
Ellington	Landry	

Cox	Hollis	Siracusa
Cravins	Irons	Smith
Dardenne	Johnson	Tarver
Dean	Jones	Theunissen
Dyess	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Bean	Jordan
Total—3		

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

HOUSE BILL NO. 50 (Duplicate of Senate Bill No. 46)—
 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. 48:256.1(A), relative to contracts for the construction, improvement, maintenance, or repair of highways, roads, or bridges; to provide relative to the final payment of retained amounts; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Bagneris	Fields C	Lentini
Barham	Fields W	Malone
Branch	Greene	Robichaux
Cain	Hainkel	Romero
Campbell	Heitmeier	Schedler
Casanova	Hines	Short
Cox	Hollis	Siracusa
Cravins	Johnson	Smith
Dardenne	Jones	Tarver
Dean	Jordan	Theunissen
Dyess	Lambert	Ullo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Bean	Irons
Total—3		

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

HOUSE BILL NO. 53 (Duplicate of Senate Bill No. 50)—
 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. 2:805, R.S. 34:3455, and R.S. 38:90.7, relative to the Department of Transportation and Development; to provide for the authorization of and use by the secretary of projects

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Lentini
Bagneris	Fields W	Malone
Barham	Greene	Robichaux
Branch	Hainkel	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Short
Casanova	Hollis	Siracusa
Cox	Johnson	Smith
Cravins	Jones	Tarver
Dardenne	Jordan	Theunissen
Dyess	Lambert	Ullo
Ellington	Landry	
Total—35		

NAYS

Dean	Irons
Total—2	

ABSENT

Bajoie	Bean
Total—2	

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

HOUSE BILL NO. 57—
 BY REPRESENTATIVE MCMAINS AND SENATOR DARDENNE

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

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Dyess Lambert Ullo
Total—36

NAYS

Total—0
ABSENT

Bajoie Bean Hollis
Total—3

The Chair declared the 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.

HOUSE BILL NO. 60—
BY REPRESENTATIVE DANIEL
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fields C Lentini
Bagneris Fields W Malone
Barham 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
Dyess Lambert
Ellington Landry
Total—37

NAYS

Total—0
ABSENT

Bajoie Bean
Total—2

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

HOUSE BILL NO. 74—
BY REPRESENTATIVE HAMMETT
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Landry
Bagneris Fields C Lentini
Barham Fields W Malone
Branch Hainkel Robichaux
Cain Heitmeier Romero
Campbell Hines Schedler
Casanova Hollis Short
Cox Irons Siracusa
Cravins Johnson Smith
Dardenne Jones Tarver
Dean Jordan Theunissen
Dyess Lambert Ullo
Total—36

NAYS

Total—0
ABSENT

Bajoie Bean Greene
Total—3

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

HOUSE BILL NO. 76—
BY REPRESENTATIVES MCDONALD AND DIMOS AND SENATOR
BARHAM
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Fields C Lentini
Bagneris Fields W Malone
Barham 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
Dyess Lambert
Ellington Landry
Total—37

NAYS

Total—0
 ABESENT

Bajoie Bean
 Total—2

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

HOUSE BILL NO. 92—
 BY REPRESENTATIVE MARIONNEAUX
 AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Lentini
Bagneris	Fields W	Malone
Barham	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
Dyess	Lambert	
Ellington	Landry	
Total—37		

NAYS

Total—0
 ABESENT

Bajoie Bean
 Total—2

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

HOUSE BILL NO. 97—
 BY REPRESENTATIVE ALARIO
 AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Lambert
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Bagneris	Fields C	Lentini
Barham	Fields W	Malone
Branch	Greene	Romero
Cain	Hainkel	Schedler
Campbell	Heitmeier	Short
Casanova	Hines	Siracusa
Cox	Hollis	Smith
Cravins	Johnson	Tarver
Dardenne	Jones	Theunissen
Dyess	Jordan	Ullo
Total—33		

NAYS

Dean	Landry	Robichaux
Total—3		

ABSENT

Bajoie	Bean	Irons
Total—3		

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

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 returned to the Calendar, subject to call.

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

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Dyess	Lambert	Ullo
Total—36	NAYS	
Total—0	ABSENT	
Bajoie	Bean	Irons
Total—3		

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

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.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Landry
Bagneris	Fields W	Lentini
Barham	Greene	Malone
Branch	Hainkel	Robichaux
Cain	Heitmeier	Romero
Campbell	Hines	Schedler
Casanova	Hollis	Short
Cox	Irons	Siracusa
Cravins	Johnson	Smith
Dardenne	Jones	Tarver
Dean	Jordan	Theunissen
Ellington	Lambert	Ullo
Total—36		

NAYS

Dyess	
Total—1	ABSENT

Bajoie	Bean
Total—2	

The Chair declared the 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 Dyess asked for and obtained the floor of the Senate on a point of personal privilege, and stated he had voted in error on House

Bill No. 133. He voted nay on the bill and had intended to vote yea. He asked that the Official Journal so state.

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

AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Lentini
Bagneris	Fields W	Malone
Barham	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
Dyess	Lambert	
Ellington	Landry	
Total—37		

NAYS

Total—0	ABSENT
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Bajoie	Bean
Total—2	

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

HOUSE BILL NO. 176—
BY REPRESENTATIVE DANIEL
AN ACT

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Lentini
Bagneris	Fields W	Malone
Barham	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
Dyess	Lambert	
Ellington	Landry	

Total—37

NAYS

Total—0

ABSENT

Bajoie
Total—2

Bean

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

HOUSE BILL NO. 194—

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

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

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—33

NAYS

Total—0

ABSENT

Bajoie
Bean
Total—6

Cravins
Greene
Hainkel
Hollis

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

Motion to Recommit

Senator Landry asked for and obtained a suspension of the rules and recommitted House Bill No. 131 from the Committee on Revenue and Fiscal Affairs to the Committee on Transportation, Highways, and Public Works.

Rules Suspended

Senator Ewing asked for and obtained a suspension of the rules for the purpose of taking up at this time.

Senate Bills and Joint Resolutions on Third Reading and Final Passage, Subject to Call

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

Called from the Calendar

Senator Ewing asked that Senate Bill No. 156 be called from the Calendar at this time for its final passage.

SENATE BILL NO. 156—

BY SENATORS EWING, DARDENNE, HAINKEL, BARHAM, ROMERO, JONES, LANDRY, LENTINI, AND SMITH AND REPRESENTATIVES DOWNER, DEWITT, MCMAINS AND MICHOT
AN ACT

To amend and reenact R.S. 3:4274.1, R.S. 13:2586(C)(2) and (D) and 2587.1, R.S. 30:2522(3), 2531, 2532(A), 2544(A) and (D), R.S. 32:414(A)(3)(a) and (b), R.S. 33:1236(54), R.S. 48:347(D), R.S. 49:121(A)(2), and R.S. 56:55.2(B) and 70.3(C)(2), and Code of Criminal Procedure Art. 211.3(A), to enact R.S. 30:2531.1 through 2531.6, and to repeal R.S. 13:2589(B), R.S. 32:289, and R.S. 36:208(H) relative to litter; to define terms; to provide for certain violations; to provide civil fines; to provide criminal penalties; to provide for enforcement; and to provide for related matters.

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. 156 by Senator Ewing

AMENDMENT NO. 1

On page 2, line 21, following "R.S." and before "30:2531.2" delete "R.S."

AMENDMENT NO. 2

On page 3, line 22, following "to" and before "as" change "appeal" to "institute a civil suit"

AMENDMENT NO. 3

On page 4, delete line 9

AMENDMENT NO. 4

On page 6, between lines 15 and 16, insert:

(5)(a) The judge may impose the following fines and penalties if the violation of this Section has occurred on a Louisiana state highway:

(i) Upon first conviction, a fine of not less than two hundred fifty dollars nor more than five hundred dollars, and a sentence to serve eight

hours of community service in a litter abatement work detail as approved by the court.

(ii) Upon second conviction, a fine of not less than five hundred dollars nor more than one thousand five hundred dollars, and a sentence to serve sixteen hours of community service in a litter abatement work detail as approved by the court.

(iii) Upon third conviction, a fine of not less than one thousand dollars nor more than three thousand dollars, one year suspension of the violator's motor vehicle driver's license, imprisonment for not more than six months, or a sentence to serve forty-eight hours of community service in a litter abatement work detail as approved by the court, or all or any combination of the aforementioned penalties.

(b) The judge may require an individual convicted of a violation of this Section that has occurred on a Louisiana state highway to remove litter from state highways for any prescribed period of time in lieu of or in addition to the penalties prescribed in the Paragraph.

AMENDMENT NO. 5

On page 12, line 14, following "be" and before "permissive" insert "a"

AMENDMENT NO. 6

On page 12, line 18, and on page 13, line 8, following "firm" and before "or" insert a comma ","

AMENDMENT NO. 7

On page 14, line 5, following "officers" and before "and" insert a comma ","

AMENDMENT NO. 8

On page 14, line 6, following "officer" and before "or" insert a comma ","

AMENDMENT NO. 9

On page 15, line 7, following "rules" and before "or" insert a comma ","

AMENDMENT NO. 10

On page 15, line 20, following "highways," and before the comma "," change "right-of-way" to "rights-of-way"

AMENDMENT NO. 11

On page 16, line 14, and page 16, line 15, and page 16, line 18, following "or" change "its" to "it's"

AMENDMENT NO. 12

On page 18, line 2, following "subsequent" and before ", the" change "violation" to "violations"

AMENDMENT NO. 13

On page 18, line 9, following "subsequent" and before "shall" change "violations" to "violation"

AMENDMENT NO. 14

On page 18, line 14, following "shall" and before "four" insert "be"

AMENDMENT NO. 15

On page 18, line 21, following "payment" and before "of" insert "that such payment is made under protest and"

AMENDMENT NO. 16

On page 19, line 11, following "violation" and before "provided" delete ","

AMENDMENT NO. 17

On page 19, line 11, following "state" insert a comma ","

AMENDMENT NO. 18

On page 19, line 19, following "Subparagraph" and before "of this" change "(b) of Paragraph (4)" to "(5)(b)"

AMENDMENT NO. 19

On page 20, line 4, before "Any" change "C." to "D."

AMENDMENT NO. 20

On page 21, line 13, following "public" and before "of" change "right-of-way" to "rights-of-way"

AMENDMENT NO. 21

On page 22, line 5, and page 22, line 8, following "30:2531" change ", 2531.1, or 2531.5" to "or 2531.1"

AMENDMENT NO. 22

On page 23, line 27, following "70.3(C)(2)" and before "hereby" change "is" to "are"

On motion of Senator Bagneris, the amendments were adopted.

Floor Amendments Sent Up

Senator Ewing sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Ewing to Engrossed Senate Bill No. 156 by Senator Ewing

AMENDMENT NO. 1

On page 3, line 2, change "and" to "or"

AMENDMENT NO. 2

On page 3, line 3, change "those Sections" to "the appropriate Section"

AMENDMENT NO. 3

On page 3, line 19, change "convicted" to "found liable"

AMENDMENT NO. 4

On page 3, line 21, change "and" to "or"

AMENDMENT NO. 5

On page 4, line 21, after "description." add the following:

"Litter shall not include agricultural products that are being transported from the field to a processing facility or to market, if reasonable measures are taken to prevent the agricultural product from leaving the transporting vehicle."

AMENDMENT NO. 6

On page 5, line 20, delete "a permissive rebuttable presumption" and insert "an inference"

AMENDMENT NO. 7

On page 6, line 19, delete "indicates" and insert "establishes"

AMENDMENT NO. 8

On page 6, line 25, delete "a permissive rebuttable presumption" and insert "an inference"

AMENDMENT NO. 9

On page 8, line 13, after "disposal of" delete "garbage and refuse" and insert "such items"

AMENDMENT NO. 10

On page 8, line 18, after "shall" delete "be prima facie evidence" and insert "establish an inference"

AMENDMENT NO. 11

On page 8, line 22, delete "a permissive rebuttable presumption" and insert "an inference"

AMENDMENT NO. 12

On page 9, line 18, delete "indicates" and insert "establishes"

AMENDMENT NO. 13

On page 9, line 23, delete "be a permissive rebuttable presumption" and insert "establish an inference"

AMENDMENT NO. 14

On page 12, line 4, after "clerk of" insert "the district"

AMENDMENT NO. 15

On page 12, line 5, delete "clerk of"

AMENDMENT NO. 16

On page 13, line 3, after "disposal of" change "garbage and refuse" to "such items"

AMENDMENT NO. 17

On page 14, line 7, after "shall" insert a colon and delete "be" and delete line 8

AMENDMENT NO. 18

On page 14, line 9, after "assessed" delete "a" and insert "to pay"

AMENDMENT NO. 19

On page 14, line 27, after "clerk of" insert "the district"

AMENDMENT NO. 20

On page 15, line 23, after "A" delete "court approved"

AMENDMENT NO. 21

On page 15, line 24, after "municipality." insert the following:

"The community service litter abatement program shall be court approved in those municipalities that have a city court; otherwise, the program shall be established by ordinance adopted by the municipality."

AMENDMENT NO. 22

On page 16, line 25, and page 17, line 1, change "legally enforced" to "prosecuted"

AMENDMENT NO. 23

On page 17, lines 3 and 15, delete "with civil jurisdiction"

AMENDMENT NO. 24

On page 17, line 4, after "if" delete the remainder of the line and insert "filed in"

AMENDMENT NO. 25

On page 17, line 8, after "the" and before "enforcement" insert "law"

AMENDMENT NO. 26

On page 18, line 20, after "office" insert "or entity"

AMENDMENT NO. 27

On page 18, delete lines 25 through 27 and on page 19, delete line 1 and insert the following:

"office or entity to which the penalty was paid to recover the penalty so"

AMENDMENT NO. 28

On page 20, line 24, after "parish" and before "or" insert ", the parish governing authority,"

AMENDMENT NO. 29

On page 20, line 25, delete "court approved"

AMENDMENT NO. 30

On page 21, line 6, after "the" and before "constable" insert "parish governing authority for reimbursement of expenses of the"

AMENDMENT NO. 31

On page 21, line 7, delete "municipal prosecuting attorney" and insert "municipality"

On motion of Senator Ewing, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Bagneris	Fields C	Lentini
Barham	Fields W	Malone
Branch	Greene	Robichaux
Cain	Heitmeier	Romero
Campbell	Hines	Schedler
Casanova	Hollis	Short
Cox	Irons	Siracusa
Cravins	Johnson	Smith
Dardenne	Jones	Tarver
Dean	Jordan	Theunissen
Dyess	Lambert	Uilo
Total—36		

NAYS

Total—0

ABSENT

Bajoie	Bean	Hainkel
Total—3		

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

Rules Suspended

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

TRANSPORTATION, HIGHWAYS, AND PUBLIC WORKS

Senator Landry, Chairman on behalf of the Committee on Transportation, Highways, and Public Works, submitted the following report:

April 7, 1998

To the President and Members of the Senate:

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

April 4, 1998

SENATE BILL NO. 44—

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

AN ACT

To amend and reenact R.S. 48:250.1,252(C), (D), (E), (I)(1), (I)(2)(b), 252.1, 253(A) and (C), 255(B)(6), (D)(4), and (E), 256.1(A), 256.4, and 256.5(C)(1), relative to contracts for construction and maintenance projects in the Department of Transportation and Development; to provide relative to training of construction and maintenance personnel; to decrease the minimum period between the date of the first advertisement and the receipt of bids; to remove the requirement of providing a bidder with a receipt of bid delivery; to increase the fee for each set of bid proposal documents and exceptions thereto; to increase the maximum delay for extending bid openings without re-advertisement; to remove the requirement of submitting guarantees with letter bids and the returning of bid bonds to unsuccessful bidders; to provide relative to facsimile or telecopier transmissions; to provide relative to authority of the secretary of the Department of Transportation and Development; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 53—

BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

To memorialize members of the Louisiana congressional delegation to seek revision of the federal Clean Air Act Amendments of 1990 (Public Law 101-549) and additionally implore the United States Environmental Protection Agency not to impose sanctions for the state's failure to adopt a vehicle emissions inspection and maintenance program applicable to certain parishes and municipalities, particularly East Baton Rouge Parish.

Reported favorably.

HOUSE CONCURRENT RESOLUTION NO. 56—

BY REPRESENTATIVE HOLDEN, CRANE, DANIEL, DIEZ, FONTENOT, JENKINS, JETSON, KENNARD, MCMAINS, PERKINS, WELCH, AND WESTON

A CONCURRENT RESOLUTION

To memorialize the United States Environmental Protection Agency not to impose sanctions for the state's failure to adopt a vehicle emissions inspection and maintenance program in accordance with the federal Clean Air Act Amendments of 1990 (Public Law 101-549) and to consider the development and adoption of more equitable standards for vehicle emissions inspection and maintenance programs as applied to certain parishes and municipalities, particularly East Baton Rouge Parish, which have been designated as being in violation of federal ozone standards.

Reported favorably.

HOUSE BILL NO. 54—

BY REPRESENTATIVES FRUGE, BRUCE, AND FRITH

AN ACT

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

Reported with amendments.

HOUSE BILL NO. 81—

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

AN ACT

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

Reported with amendments.

HOUSE BILL NO. 110—

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

AN ACT

To enact R.S. 36:406.1, relative to the issuance of revenue bonds by the Louisiana Public Facilities Authority on behalf of the Department of Public Safety and Corrections; to provide for the issuance of revenue bonds for the acquisition, construction, and equipping of a public safety complex; to provide for the requirements of issuance including the revenues to be pledged for payment of such bonds; to provide for an effective date; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 126 (Duplicate of Senate Bill No. 125)—

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

AN ACT

To amend and reenact R.S. 39:122(A) and R.S. 48:251(D), relative to the construction programs of the Department of Transportation and Development; to provide for the adoption of rules and for certain reporting requirements for the cash management program; to provide relative to the requirements which must be met before certain contracts shall be entered into; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 128 (Duplicate of Senate Bill No. 51)—

BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, GAUTREAUX, AND QUEZAIRE AND SENATORS EWING, DARDENNE, HAINKEL, BARHAM, AND ROMERO

AN ACT

To amend and reenact R.S. 48:275, relative to nomination for inclusion or placement of bridges, highways, or certain roadway structures in the National Register of Historic Places; to require prior approval of the secretary of the Department of Transportation and Development for such nominations; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 152—

BY REPRESENTATIVES WALSWORTH, DIMOS, MCDONALD, AND THOMPSON

AN ACT

To enact Chapter 9 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:1401 through 1406, relative to port commissions; to create and provide with respect to the Greater Ouachita Port Commission; to provide for the membership, officers, rights, and powers of the commission, including the power to incur debt, issue bonds, levy special taxes, and expropriate property; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 190—

BY REPRESENTATIVE HEBERT

AN ACT

To enact R.S. 34:1603.1, relative to the Twin Parish Port Commission; to provide for the adoption of ordinances; to provide for an effective date; and to provide for related matters.

Reported favorably.

Respectfully submitted,
RON LANDRY

Chairman

REPORT OF COMMITTEE ON

EDUCATION

Senator Greene, Chairman on behalf of the Committee on Education, submitted the following report:

April 7, 1998

To the President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 17— BY REPRESENTATIVES LONG, BARTON, BAUDOIN, CURTIS, DOERGE, KENNEY, MCDONALD, POWELL, PRATT, SALTER, WINSTON, AND WRIGHT

A CONCURRENT RESOLUTION

To urge and request the State Board of Elementary and Secondary Education to develop a comprehensive plan for the statewide implementation of alternative education programs and to present such plan, including any recommendations for full implementation by the beginning of the 1999-2000 school year and any recommended funding methods for the development and implementation of such plan, to the House and Senate Committees on Education prior to the beginning of the 1999 Regular Session of the Legislature.

Reported favorably.

HOUSE BILL NO. 23— BY REPRESENTATIVE LEBLANC AN ACT

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

Reported favorably.

HOUSE BILL NO. 26 (Duplicate of Senate Bill No. 63)— BY REPRESENTATIVE MCDONALD AND SENATOR DARDENNE AND COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, CRANE, AND WALSWORTH AND SENATORS EWING, HAINKEL, BARHAM, AND ROMERO

AN ACT

To enact R.S. 39:1514(A)(1)(c), relative to multiyear contracts for professional, personal, consulting, and social services; to provide that certain contracts for educational testing services may be entered into for a period of up to twelve years; to provide that modifications may be made to such contracts; and to provide for related matters.

Reported favorably.

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.

Reported with amendments.

HOUSE BILL NO. 28— BY REPRESENTATIVES DEWITT, DOWNER, MCMAINS, MCDONALD, CRANE, AND WALSWORTH AND SENATORS EWING, DARDENNE, HAINKEL, AND BARHAM

AN ACT

To amend and reenact R.S. 17:354, relative to state funds; to provide for allocation and distribution of monies appropriated from the Teacher Supplies Fund; to provide for expansion of uses and eligibility for receipt of such monies; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 44— BY REPRESENTATIVES WILKERSON, BARTON, BAUDOIN, CRANE, CURTIS, DOERGE, JETSON, KENNEY, MCDONALD, POWELL, PRATT, SALTER, AND WRIGHT

AN ACT

To rename "Robinson Stadium" located on the campus of Grambling State University in Grambling, Louisiana, as the "Eddie G. Robinson Stadium"; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 56— BY REPRESENTATIVES MCDONALD AND DIMOS AN ACT

To enact R.S. 41:898, relative to public lands; to provide relative to school board lands; to authorize the Morehouse Parish School Board to exchange certain unused school land; to provide procedures and conditions; and to provide for related matters.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 79— BY REPRESENTATIVES WRIGHT, BARTON, BAUDOIN, DOERGE, LONG, POWELL, AND THOMPSON

AN ACT

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

Reported favorably.

HOUSE BILL NO. 102— BY REPRESENTATIVES DEWITT, MCDONALD, DOWNER, MCMAINS, CRANE, KENNEY, WALSWORTH, AND WINSTON AND SENATORS EWING, DARDENNE, HAINKEL, AND BARHAM

AN ACT

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

April 4, 1998

Reported favorably.

HOUSE BILL NO. 116—
BY REPRESENTATIVES MCDONALD, DOWNER, DEWITT, MCMAINS, CRANE, KENNEY, AND WALSWORTH AND SENATORS EWING, DARDENNE, HAINKEL, AND BARHAM
AN ACT

To amend and reenact R.S. 17:24.4(F)(2), relative to the Louisiana Educational Assessment Program; to provide relative to the grades in which students are administered norm-referenced tests pursuant to the program; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 118—
BY REPRESENTATIVES MCDONALD, DOWNER, DEWITT, MCMAINS, CRANE, KENNEY, AND WALSWORTH AND SENATORS EWING, DARDENNE, HAINKEL, AND BARHAM
AN ACT

To amend and reenact R.S. 17:81(A), relative to the general powers of city and parish school boards; to provide relative to the selection of teachers and other certified personnel; to provide for policies and procedures relative to the selection process; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 119—
BY REPRESENTATIVES MCDONALD, DOWNER, MCMAINS, CRANE, DEWITT, KENNEY, AND WALSWORTH AND SENATORS EWING, DARDENNE, HAINKEL, AND BARHAM
AN ACT

To amend and reenact R.S. 17:154(B), 154.1, and 154.3(A), (B), and (D)(2) and to repeal R.S. 17:225, all relative to requirements concerning school time, including the length of the school day and school year, instructional time, and staff development days for teachers; to provide relative to the minimum number of instructional minutes per day and the minimum number of instructional days per year; to provide relative to modifications made to such instructional time by public school governing authorities with certain limitations; to provide relative to the use of instructional time which exceeds the minimum as required by law; to remove certain provisions relative to the minimum session of attendance required; to provide additional staff development days for teachers under certain circumstances; to provide relative to effectiveness; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 125—
BY REPRESENTATIVE ROUSSELLE
AN ACT

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

Reported with amendments.

Respectfully submitted,
THOMAS A. GREENE
Chairman

REPORT OF COMMITTEE ON

JUDICIARY B

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

April 7, 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. 92—
BY SENATORS JONES AND DARDENNE
AN ACT

To enact Part V of Chapter 8 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1987, relative to the education of children confined to certain correctional centers for youth; to establish and provide for a school district for such correctional centers; to provide for the state funding of the district and the uses to which state funds for the district may be put; to provide for the administration of the district; to provide for the provision of educational services; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 109—
BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 32:874(B)(1), relative to motor vehicle safety laws; to provide for reinstatement fees for suspended, revoked, or withdrawn drivers' licenses; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 111—
BY REPRESENTATIVES TRICHE AND WIGGINS
AN ACT

To amend and reenact R.S. 32:863(A)(3), relative to compulsory motor vehicle liability security requirements; to provide for reinstatement fees and sanctions for first and subsequent violations; to provide for dedication of fees; and to provide for related matters.

Reported with amendments.

HOUSE BILL NO. 127—
BY REPRESENTATIVE LEBLANC
AN ACT

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

Reported with amendments.

Respectfully submitted,
DONALD R. CRAVINS
Chairman

REPORT OF COMMITTEE ON

LOCAL AND MUNICIPAL AFFAIRS

Senator Johnson, Vice chairman on behalf of the Committee on Local and Municipal Affairs, submitted the following report:

April 7, 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:

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

A CONCURRENT RESOLUTION

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

Reported with amendments.

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.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 17— BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact Section 7(B) of Act No. 333 of the 1972 Regular Session of the Louisiana Legislature as amended by Act No. 56 of the 1987 Regular Session of the Louisiana Legislature, relative to the municipal civil service system for the employees of the city of Kaplan; to provide that the unclassified service shall include certain part-time positions in the police department; and to provide for related matters.

Reported favorably.

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.

Reported with amendments.

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.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 41— BY REPRESENTATIVE TRAVIS

AN ACT

To authorize and empower the Department of Health and Hospitals to transfer title to certain property located in East Feliciana Parish to the East Feliciana Parish Fire Protection District; to provide certain limitations on such transfer; to repeal Act No. 1066 of the 1997 Regular Session of the Legislature; and to provide for related matters.

Reported favorably.

HOUSE BILL NO. 66— BY REPRESENTATIVE HAMMETT

AN ACT

To amend and reenact R.S. 33:4709.1(A), relative to the Vidalia Riverfront Development District; to provide for inclusion of additional property in the district; and to provide for related matters.

Reported favorably.

April 4, 1998

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.

Reported favorably.

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.

Reported favorably.

HOUSE BILL NO. 197 (Substitute for House Bill No. 30 by Representative Pinac)—

BY REPRESENTATIVE PINAC
AN ACT

To amend and reenact R.S. 33:4754(A)(1), relative to Acadia Parish; to authorize the parish governing authority to take certain actions to maintain safe and healthful conditions on private property including provision for grass and weed cutting, garbage removal, and securing and demolition of dangerous structures; to provide relative to fines, costs, and charges and the enforcement of collection of same including enforcement by sale of property; and to provide for related matters.

Reported favorably.

Respectfully submitted,
JON D. JOHNSON
Vice Chairman

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

Senator Cravins 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. 44—

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

AN ACT

To amend and reenact R.S. 48:250.1, 252(C), (D), (E), (I)(1), (I)(2)(b), 252.1, 253(A) and (C), 255(B)(6), (D)(4), and (E), 256.1(A), 256.4, and 256.5(C)(1), relative to contracts for construction and maintenance projects in the Department of Transportation and Development; to provide relative to training of construction and maintenance personnel; to decrease the minimum period between the date of the first advertisement and the receipt of bids; to remove the requirement of providing a bidder with a receipt of bid delivery; to increase the fee for each set of bid proposal documents and exceptions thereto; to increase the maximum delay for extending bid openings without re-advertisement; to remove the requirement of submitting guarantees with letter bids and the returning of bid bonds to unsuccessful bidders; to provide relative

to facsimile or telecopier transmissions; to provide relative to authority of the secretary of the Department of Transportation and Development; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 44 by Senator Landry

AMENDMENT NO. 1

On page 1, line 2, after "R.S." delete the remainder of the line and add in lieu thereof "48:252(D) and (E), 252.1, and"

AMENDMENT NO. 2

On page 1, delete line 3 in its entirety

AMENDMENT NO. 3

On page 1, line 4, after "relative" delete the remainder of the line and add in lieu thereof "to public contracts within the Department of Transportation and Development;"

AMENDMENT NO. 4

On page 1, delete lines 5, 6, and 7 in their entirety

AMENDMENT NO. 5

On page 1, at the beginning of line 8, delete "advertisement and the receipt of bids;"

AMENDMENT NO. 6

On page 1, line 10, after the semicolon ";" delete "to increase"

AMENDMENT NO. 7

On page 1, delete lines 11, 12, and 13 in their entirety

AMENDMENT NO. 8

On page 1, at the beginning of line 14, delete "provide relative to facsimile or telecopier transmissions;"

AMENDMENT NO. 9

On page 2, line 2, after "R.S." delete the remainder of the line and add in lieu thereof "48:252(D) and (E), 252.1 and 256.5(C)(1)"

AMENDMENT NO. 10

On page 2, delete line 3, lines 5 through 14, and lines 18 through 27 in their entirety

AMENDMENT NO. 11

On page 3, delete line 1 and lines 18 through 27 in their entirety

AMENDMENT NO. 12

On page 4, delete lines 1 through 14 in their entirety

AMENDMENT NO. 13

On page 4, at the end of line 17, delete "and"

AMENDMENT NO. 14

On page 4, delete line 18

AMENDMENT NO. 15

On page 4, at the beginning of line 19, delete "in the state journal,"

AMENDMENT NO. 16

On page 4, delete lines 23 through 27 in their entirety

AMENDMENT NO. 17

On page 5, delete lines 1 through 27 in their entirety

AMENDMENT NO. 18

On page 6, delete lines 1 through 27 in their entirety

AMENDMENT NO. 19

On page 7, delete lines 1 through 18 in their entirety

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

SENATE BILL NO. 92—

BY SENATORS JONES AND DARDENNE
AN ACT

To enact Part V of Chapter 8 of Title 17 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 17:1987, relative to the education of children confined to certain correctional centers for youth; to establish and provide for a school district for such correctional centers; to provide for the state funding of the district and the uses to which state funds for the district may be put; to provide for the administration of the district; to provide for the provision of educational services; and to provide for related matters.

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. 92 by Senators Jones and Dardenne

AMENDMENT NO. 1

On page 2, line 14, after "school" insert ", provided that in entering into any agreement or contract the city or parish school board with jurisdiction over the district in which each school in the school district established in this Section is located shall have priority in providing the educational component"

AMENDMENT NO. 2

On page 2, line 23, after "equal to" insert "the state's share of"

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.

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

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

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.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

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.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 17—

BY REPRESENTATIVE FRITH
AN ACT

To amend and reenact Section 7(B) of Act No. 333 of the 1972 Regular Session of the Louisiana Legislature as amended by Act No. 56 of the 1987 Regular Session of the Louisiana Legislature, relative to the municipal civil service system for the employees of the city of Kaplan; to provide that the unclassified service shall include certain part-time positions in the police department; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 23—

BY REPRESENTATIVE LEBLANC
AN ACT

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

Reported favorably by the Committee on Education. The bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

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.

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 Engrossed House Bill No. 24 by Representative Long

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

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

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

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

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

AMENDMENT NO. 3

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

AMENDMENT NO. 4

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

AMENDMENT NO. 5

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

AMENDMENT NO. 6

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

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

On motion of Senator Johnson, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 26 (Duplicate of Senate Bill No. 63)—

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

AN ACT

To enact R.S. 39:1514(A)(1)(c), relative to multiyear contracts for professional, personal, consulting, and social services; to provide that certain contracts for educational testing services may be entered into for a period of up to twelve years; to provide that modifications may be made to such contracts; and to provide for related matters.

Reported favorably by the Committee on Education. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

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.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 27 by Representative McDonald

AMENDMENT NO. 1

On page 2, line 26, before "alternative" insert "public"

AMENDMENT NO. 2

On page 3, line 6, after "based" delete "in part" and insert "principally on the grantees' level of need for an alternative education program and thereafter"

AMENDMENT NO. 3

On page 3, lines 8, 11 and 16, before "alternative" insert "public"

AMENDMENT NO. 4

On page 3, line 12, after "funds." insert "At a minimum the grantee shall match any grant funding provided with an equal amount of funding from other sources available to the grantee."

AMENDMENT NO. 5

On page 4, line 1, before "alternative" insert "public"

On motion of Senator Greene the committee amendment was adopted. The amended bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 28—

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

AN ACT

To amend and reenact R.S. 17:354, relative to state funds; to provide for allocation and distribution of monies appropriated from the Teacher Supplies Fund; to provide for expansion of uses and eligibility for receipt of such monies; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Engrossed House Bill No. 28 by Representative McDonald and others

AMENDMENT NO. 1

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

~~"(2) Requests for selected materials and supplies shall be submitted by the nonpublic school to the Department of Education, which shall purchase and loan such materials and supplies to the nonpublic school.~~

"(2)(a) The nonpublic school shall submit to the department a completed and itemized purchase request for the department's review and approval. Upon approval of such

purchase request the department shall distribute to the nonpublic school from funds appropriated an amount equal to the total cost of materials, equipment and supplies as approved, which shall be used by the nonpublic school for the purchase thereof and for no other purpose. All materials, equipment or supplies shall be purchased for and in the name of the state of Louisiana, Department of Education. After purchase, the nonpublic school shall submit a copy of the vendor invoice to the department.

(b) The department shall develop guidelines and audit procedures to assure that all materials, equipment and supplies purchased for the benefit of the students have been acquired in the name of the state of Louisiana, and are so designated and identified as being on loan to the nonpublic school. Each nonpublic school shall be required to annually submit to the department a sworn statement indicating thereon the description, location and use of all non-consumable materials, equipment and supplies purchased under this Section."

On motion of Senator Greene the committee amendment was adopted. The amended bill was read by title and recommitted to the Committee on Finance.

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.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

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.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 41—

BY REPRESENTATIVE TRAVIS

AN ACT

To authorize and empower the Department of Health and Hospitals to transfer title to certain property located in East Feliciana Parish to the East Feliciana Parish Fire Protection District; to provide certain limitations on such transfer; to repeal Act No. 1066 of the 1997 Regular Session of the Legislature; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 44—

BY REPRESENTATIVES WILKERSON, BARTON, BAUDOIN, CRANE, CURTIS, DOERGE, JETSON, KENNEY, MCDONALD, POWELL, PRATT, SALTER, AND WRIGHT

AN ACT

To rename "Robinson Stadium" located on the campus of Grambling State University in Grambling, Louisiana, as the "Eddie G. Robinson Stadium"; and to provide for related matters.

Reported favorably by the Committee on Education. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 54—

BY REPRESENTATIVES FRUGE, BRUCE, AND FRITH

AN ACT

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

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

SENATE COMMITTEE AMENDMENTS

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

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

AMENDMENT NO. 3

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

AMENDMENT NO. 4

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

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

AMENDMENT NO. 5

On page 2, between lines 6 and 7 insert:

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

AMENDMENT NO. 6

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

AMENDMENT NO. 7

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

AMENDMENT NO. 8

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

On motion of Senator Landry, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the

Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 56—
BY REPRESENTATIVES MCDONALD AND DIMOS
AN ACT

To enact R.S. 41:898, relative to public lands; to provide relative to school board lands; to authorize the Morehouse Parish School Board to exchange certain unused school land; to provide procedures and conditions; and to provide for related matters.

Reported favorably by the Committee on Education. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 66—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 33:4709.1(A), relative to the Vidalia Riverfront Development District; to provide for inclusion of additional property in the district; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

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.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

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.

Reported favorably by the Committee on Education. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 79—
BY REPRESENTATIVES WRIGHT, BARTON, BAUDOIN, DOERGE, LONG, POWELL, AND THOMPSON
AN ACT

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

Reported favorably by the Committee on Education. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 81—
BY REPRESENTATIVES DIEZ, DOWNER, DEWITT, AND McMAINS AND SENATORS LANDRY, EWING, DARDENNE, HAINKEL, AND BAGNERIS
AN ACT

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

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

SENATE COMMITTEE AMENDMENTS

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

AMENDMENT NO. 1
On page 2, line 20, after "report to the" insert "Senate and" and change "Committee" to "Committees"

AMENDMENT NO. 2
On page 2, delete lines 23 through 26 and on page 3, delete lines 1 through 8

AMENDMENT NO. 3
On page 3, line 9, change "D." to "C."

AMENDMENT NO. 4
On page 3, line 10, at the beginning of the line, change "five" to "three"

AMENDMENT NO. 5
On page 3, line 12, change "E." to "D."

On motion of Senator Landry, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 102—
BY REPRESENTATIVES DEWITT, MCDONALD, DOWNER, McMAINS, CRANE, KENNEY, WALSWORTH, AND WINSTON AND SENATORS EWING, DARDENNE, HAINKEL, AND BARHAM
AN ACT

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

Reported favorably by the Committee on Education. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 109—
BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 32:874(B)(1), relative to motor vehicle safety laws; to provide for reinstatement fees for suspended, revoked, or withdrawn drivers' licenses; and to provide for related matters.

Reported favorably by the Committee on Judiciary B. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 110—

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

To enact R.S. 36:406.1, relative to the issuance of revenue bonds by the Louisiana Public Facilities Authority on behalf of the Department of Public Safety and Corrections; to provide for the issuance of revenue bonds for the acquisition, construction, and equipping of a public safety complex; to provide for the requirements of issuance including the revenues to be pledged for payment of such bonds; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. The bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 111—

BY REPRESENTATIVES TRICHE AND WIGGINS
AN ACT

To amend and reenact R.S. 32:863(A)(3), relative to compulsory motor vehicle liability security requirements; to provide for reinstatement fees and sanctions for first and subsequent violations; to provide for dedication of fees; 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 Reengrossed House Bill No. 111 by Representative Triche

AMENDMENT NO. 1

On page 2, line 7, change "**twenty-five**" to "fifty"

AMENDMENT NO. 2

On page 2, line 14, after "**(b)**," delete the remainder of the line and delete lines 15 through 17, and in line 18, delete "**dollars for each subsequent violation**."

AMENDMENT NO. 3

On page 2, lines 20, after "six months," delete the remainder of the line, and delete lines 21 and 22

AMENDMENT NO. 4

On page 3, line 5, change "**twenty-five**" to "**forty**"

AMENDMENT NO. 5

On page 3, line 9, change "**twenty-five**" to "**twenty**"

AMENDMENT NO. 6

On page 3, line 11, delete "**regularly commissioned**" and delete "**law**" and delete lines 12 through 20 and insert in lieu thereof the following:

"employees of the Department of Public Safety and Corrections, office of motor vehicles. In addition, ten percent of the revenue from the reinstatement fees shall be dedicated for purchase of mobile data terminals for state police units. In the event no bond fund is created, forty percent of the revenues from the reinstatement fees shall be used as provided by law for the construction and maintenance of the new capital immovables and related movables described in this Paragraph."

On motion of Senator Cravins the committee amendment was adopted. The amended bill was read by title and recommitted to the Committee on Revenue and Fiscal Affairs.

HOUSE BILL NO. 116—

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

AN ACT

To amend and reenact R.S. 17:24.4(F)(2), relative to the Louisiana Educational Assessment Program; to provide relative to the grades in which students are administered norm-referenced tests pursuant to the program; and to provide for related matters.

Reported favorably by the Committee on Education. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 118—

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

AN ACT

To amend and reenact R.S. 17:81(A), relative to the general powers of city and parish school boards; to provide relative to the selection of teachers and other certified personnel; to provide for policies and procedures relative to the selection process; and to provide for related matters.

Reported favorably by the Committee on Education. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 119—

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

AN ACT

To amend and reenact R.S. 17:154(B), 154.1, and 154.3(A), (B), and (D)(2) and to repeal R.S. 17:225, all relative to requirements concerning school time, including the length of the school day and school year, instructional time, and staff development days for teachers; to provide relative to the minimum number of instructional minutes per day and the minimum number of instructional days per year; to provide relative to modifications made to such instructional time by public school governing authorities with certain limitations; to provide relative to the use of instructional time which exceeds the minimum as required by law; to remove certain provisions relative to the minimum session of attendance required; to provide additional staff development days for teachers under certain circumstances; to provide relative to effectiveness; and to provide for related matters.

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Education to Reengrossed House Bill No. 119 by Representative McDonald and others

AMENDMENT NO. 1

On page 1, line 2, after "(D)(2)" insert ", to enact R.S. 17:443.1, "

AMENDMENT NO. 2

On page 1, line 5, after "time," delete "and" and after "teachers" insert ", and teacher performance"

AMENDMENT NO. 3

On page 1, line 13, after "circumstances;" insert "to provide relative to standards for satisfactory teacher performance;"

AMENDMENT NO. 4

On page 5, between lines 24 and 25, insert the following:

"Section 3. R.S. 17:443.1 is hereby enacted to read as follows:

§443.1. Teachers; standard for performance; removal
In addition to the causes for removal of a teacher pursuant to R.S. 17:45, 443, 462, and 471 a permanent teacher shall not be removed from office except upon written and signed charges of failure to achieve the standard required for satisfactory performance on an evaluation established by the school board and administered on a uniform basis to all teachers similarly situated."

AMENDMENT NO. 5

On page 5, line 25, change "Section 3." to "Section 4."

AMENDMENT NO. 6

On page 6, delete lines 1 through 6 and insert in lieu thereof the following:

"Section 5. Sections 2, 3, 4 and 5 of this Act shall become effective on July 1, 1998. Section 1 of this Act shall become effective beginning when the total cumulative amount of state funds appropriated specifically for salary increases for teachers for the 1998-1999 school year or thereafter exceeds by seventy million dollars or more the amount of state funds specifically appropriated in the General Appropriation Bill for Fiscal Year 1997-1998 to provide salary increases for teachers. Section 1 shall take effect as specified in this Section regardless of whether the increases as provided in this Section are required by the minimum foundation formula and paid as a result of the provisions of such formula or whether the amount is appropriated outside of the formula. If and when the amount as provided in this Section is appropriated, then the state superintendent of education shall notify each city and parish school superintendent of the increase in the minimum number of instructional minutes as provided in Section 1 of this Act."

On motion of Senator Greene the committee amendment was adopted. The amended bill was read by title and recommitted to the Committee on Finance.

HOUSE BILL NO. 125—

BY REPRESENTATIVE ROUSSELLE

AN ACT

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

Reported with amendments by the Committee on Education.

SENATE COMMITTEE AMENDMENTS

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

AMENDMENT NO. 1

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

AMENDMENT NO. 2

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

On motion of Senator Greene, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 126 (Duplicate of Senate Bill No. 125)—

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

AN ACT

To amend and reenact R.S. 39:122(A) and R.S. 48:251(D), relative to the construction programs of the Department of Transportation and Development; to provide for the adoption of rules and for certain reporting requirements for the cash management program; to provide relative to the requirements which must be met before certain contracts shall be entered into; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Transportation, Highways and Public Works to Reengrossed House Bill No. 126 by Representative LeBlanc

AMENDMENT NO. 1

On page 1, line 2, after "reenact" and before "R.S. 39:122(A)" insert the following:

"the introductory paragraph of R.S. 34:3452(A)(1), 3453, 3454, 3455, 3456(A), and the introductory paragraph of R.S. 34:3457(A),"

AMENDMENT NO. 2

On page 1, line 2, after "R.S. 48:251" insert "(C) and "

AMENDMENT NO. 3

On page 1, line 5, after "requirements" add "for the implementation of warranty requirements and"

AMENDMENT NO. 4

On page 1, line 2, at the end of the line insert:

"reorganization within the Department of Transportation and Development with respect to the funding and cash management of the Port Priority Construction and Development Program and"

AMENDMENT NO. 5

On page 1, between lines 8 and 9, insert the following:

"Section 1. The introductory paragraph of R.S. 34:3452(A)(1), 3453, 3454, 3455, 3456(A), and the introductory paragraph of R.S. 34:3457(A) are hereby amended and reenacted to read as follows:

§3452. Methodology for port project evaluation

A.(1) Applications for funding of any port construction or development project may be submitted by any port authority, except as provided in R.S. 34:3456. Applications shall be made to the Department of Transportation and Development by November first of each year, beginning in 1989, for consideration of funding **or funding obligation authority** in the following fiscal year years. Applications submitted in accordance with the provisions of this Chapter shall not be subject to the provisions of R.S. ~~39:61 and 62~~ **39:101 through 128**. Information to be provided in the application shall include but not be limited to the following:

* * *

§3453. Priority list of projects; public hearings; final program

Prior to the convening of each regular session of the legislature, beginning with the 1990 Regular Session, the department shall prepare and shall furnish the priority list to the joint committee which shall hold a public hearing or hearings for the purpose of reviewing the priority list of projects for the coming fiscal year. Prior to each hearing, the department shall publish the appropriate official notice in the necessary journals. Subsequent to the joint committee hearing and prior to the convening of the regular session, the department shall prepare the final construction program for the coming fiscal year for submission to the joint committee. When this final construction program is presented to the legislature for funding and/or funding obligation authority for the coming fiscal year, the legislature shall not add any projects to this final construction program.

* * *

§3454. Proposed program of construction

A. Each year, beginning with the fiscal year commencing in 1990, the department shall submit to the joint committee a recommended port construction or development priority program to be commenced in the ensuing fiscal year or later, which shall be based upon the anticipated revenues to be appropriated by the legislature and/or other funding obligation authority, and listed in an order of priority of the projects herein.

B. The department also shall provide to the joint committee annually a supplemental list of projects proposed to be commenced or authorized within the ensuing four years which are in various stages of planning and preparation. The supplemental list shall be subject to change by the department until the department finally approves each project for construction.

§3455. Projects undertaken by the department

A. After adoption of the department's recommendations by the joint committee, the approved list of projects shall be forwarded to the department for implementation subject to the limitation of appropriated funds. The approved list shall be implemented by the department by the use of funds appropriated, funding obligation authority, or pursuant to the cash management program as provided by R.S. 48:251(D). Notwithstanding any provision of law to the contrary, the total amount appropriated or authorized in each fiscal year shall not be less than twenty-four million five hundred thousand dollars. Funding and/or funding obligation authority shall be allocated to projects in accordance with the prioritized list of projects approved by the joint committee. Funding obligation authority may be granted or authorized for a project from funds appropriated or obligated for another project or projects within the Port Priority Construction and Development Program provided that such authority does not impede such project or projects. Such funding obligation authority shall be extinguished for a project at such time as funds are made available for obligation for the project. The department shall not delete, add, or substitute any projects for those approved by the joint committee, except as provided in R.S. 34:3456. At least semiannually, or as often as required by the joint committee, the department shall summarize and report the progress to date on all projects previously approved.

B. No port project shall be undertaken by the department except those included in the approved program listing which are funded or which have funding obligation authority for that fiscal year.

§3456. Commencement of projects; substitutions; Port of New Orleans

A. The projects planned for the year for which appropriations have been made or which have funding obligation authority shall be commenced in that year; however, if a project cannot be commenced within the year for which it is planned authorized, the secretary of the department shall file with the project records a public statement as to the factors causing the delay, and the next priority project shall be substituted therefor. When the delaying factors have been overcome, the delayed project shall be placed in the highest priority for the next ensuing fiscal year. Funds allocated for each project Projects which have been funded or which have obligation authority shall remain so allocated retain such funding or authority until the project is completed and the project costs are liquidated.

* * *

§3457. Allocation, reallocation of funds; deposit to Transportation Trust Fund

A. The Transportation Trust Fund shall be the source of state funds provided for any port project on the priority list commenced approved pursuant to the provisions of this Chapter. Prior to the commencement of any work, the department shall require the presiding officer of each port authority involved in a project to execute an agreement and statement of sponsorship to provide a ten percent local match for the cost of construction of the project including the cost of any items stipulated under the provisions of Paragraph (1) of this Subsection. The department shall further stipulate that such agreement include but not be limited to the following:

* * *

AMENDMENT NO. 6

On page 1, line 9, change "Section 1." to "Section 2."

AMENDMENT NO. 7

On page 2, line 5, change "Section 2." to "Section 3." and after "R.S. 48:251" insert "(C) and"

AMENDMENT NO. 8

On page 2, between lines 8 and 9, add the following:

"C. Every contract for the construction of or improvements to highways shall include a warranty by the contractor as to the quality of materials and workmanship for a duration of three years. The Department of Transportation and Development shall promulgate rules and regulations to effectuate the purpose hereof and shall submit such rules and regulations to the Joint Legislative Committee on Transportation, Highways and Public Works by January 1, 1998, for approval implement the purposes of this Subsection and shall submit a report on its implementation of the warranty requirements to the Joint Legislative Committee on Transportation, Highways, and Public Works no later than July 1, 1998."

AMENDMENT NO. 9

On page 2, line 21, change "Section 3." to "Section 4."

AMENDMENT NO. 10

On page 2, line 23, after "R.S. 48:251(D)" and before "which" insert "or to effectuate other provisions of this Act"

AMENDMENT NO. 11

On page 3, line 1, change "Section 4." to "Section 5."

On motion of Senator Landry, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the

Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 127—
BY REPRESENTATIVE LEBLANC
AN ACT

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

Reported with amendments by the Committee on Judiciary B.

SENATE COMMITTEE AMENDMENTS

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

AMENDMENT NO. 1
On page 1, line 3, after "40:2405.2" insert "and 2406(B)"

AMENDMENT NO. 2
On page 1, line 14, after "termination;" delete the remainder of the line

AMENDMENT NO. 3
On page 1, delete lines 15 through 17

AMENDMENT NO. 4
On page 1, at the beginning of line 18, delete "weapons;" and insert "to prohibit the offer or conduct of certain law enforcement training;"

AMENDMENT NO. 5
On page 2, line 2, change "is" to "and 2406(B) are"

AMENDMENT NO. 6
On page 3, line 18, after "employed" insert "or commissioned"

AMENDMENT NO. 7
On page 4, delete lines 10 and 11 and insert in lieu thereof "provisions of R.S. 40:1379.3."

AMENDMENT NO. 8
On page 5 delete line 19 through 26 and on page 6, delete lines 1 through 9 and insert in lieu thereof the following:

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

* * *

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

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

On motion of Senator Cravins, the committee amendment was adopted. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the amended bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 128 (Duplicate of Senate Bill No. 51)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, GAUTREAUX, AND QUEZAIRE AND SENATORS EWING, DARDENNE, HAINKEL, BARHAM, AND ROMERO

AN ACT

To amend and reenact R.S. 48:275, relative to nomination for inclusion or placement of bridges, highways, or certain roadway structures in the National Register of Historic Places; to require prior approval of the secretary of the Department of Transportation and Development for such nominations; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 152—
BY REPRESENTATIVES WALSWORTH, DIMOS, MCDONALD, AND THOMPSON

AN ACT

To enact Chapter 9 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:1401 through 1406, relative to port commissions; to create and provide with respect to the Greater Ouachita Port Commission; to provide for the membership, officers, rights, and powers of the commission, including the power to incur debt, issue bonds, levy special taxes, and expropriate property; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

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.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 190—
BY REPRESENTATIVE HEBERT

AN ACT

To enact R.S. 34:1603.1, relative to the Twin Parish Port Commission; to provide for the adoption of ordinances; to provide for an effective date; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

HOUSE BILL NO. 197 (Substitute for House Bill No. 30 by Representative Pinac)—
BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 33:4754(A)(1), relative to Acadia Parish; to authorize the parish governing authority to take certain actions to maintain safe and healthful conditions on private property including provision for grass and weed cutting, garbage removal, and securing and demolition of dangerous structures; to provide relative to fines, costs, and charges and the enforcement of collection of same including enforcement by sale of property; and to provide for related matters.

Reported favorably by the Committee on Local and Municipal Affairs. Under the provisions of Joint Rule No. 3 of the Rules of the Senate, the bill was read by title and referred to the Legislative Bureau.

**Privilege Report of the
Legislative Bureau**

April 7, 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.

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.

Reported without amendments.

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.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 17—
BY REPRESENTATIVE FRITH

AN ACT

To amend and reenact Section 7(B) of Act No. 333 of the 1972 Regular Session of the Louisiana Legislature as amended by Act No. 56 of the 1987 Regular Session of the Louisiana Legislature, relative to the municipal civil service system for the employees of the city of Kaplan; to provide that the unclassified service shall include certain part-time positions in the police department; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 26 (Duplicate of Senate Bill No. 63)—
BY REPRESENTATIVE MCDONALD AND SENATOR DARDENNE AND COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, CRANE, AND WALSWORTH AND SENATORS EWING, HAINKEL, BARHAM, AND ROMERO

AN ACT

To enact R.S. 39:1514(A)(1)(c), relative to multiyear contracts for professional, personal, consulting, and social services; to provide that certain contracts for educational testing services may be entered into for a period of up to twelve years; to provide that

modifications may be made to such contracts; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

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.

Reported without amendments.

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.

Reported without amendments.

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.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 41—
BY REPRESENTATIVE TRAVIS
AN ACT

To authorize and empower the Department of Health and Hospitals to transfer title to certain property located in East Feliciana Parish to the East Feliciana Parish Fire Protection District; to provide certain limitations on such transfer; to repeal Act No. 1066 of the 1997 Regular Session of the Legislature; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 44—
BY REPRESENTATIVES WILKERSON, BARTON, BAUDOIN, CRANE, CURTIS, DOERGE, JETSON, KENNEY, MCDONALD, POWELL, PRATT, SALTER, AND WRIGHT
AN ACT

To rename "Robinson Stadium" located on the campus of Grambling State University in Grambling, Louisiana, as the "Eddie G. Robinson Stadium"; and to provide for related matters.

Reported without amendments.

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

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

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 56—
BY REPRESENTATIVES MCDONALD AND DIMOS
AN ACT

To enact R.S. 41:898, relative to public lands; to provide relative to school board lands; to authorize the Morehouse Parish School Board to exchange certain unused school land; to provide procedures and conditions; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 61—
BY REPRESENTATIVE DEVILLE
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 66—
BY REPRESENTATIVE HAMMETT
AN ACT

To amend and reenact R.S. 33:4709.1(A), relative to the Vidalia Riverfront Development District; to provide for inclusion of additional property in the district; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 79—
BY REPRESENTATIVES WRIGHT, BARTON, BAUDOIN, DOERGE, LONG, POWELL, AND THOMPSON
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 81—
BY REPRESENTATIVES DIEZ, DOWNER, DEWITT, AND MCMAINS AND SENATORS LANDRY, EWING, DARDENNE, HAINKEL, AND BAGNERIS
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 102—
BY REPRESENTATIVES DEWITT, MCDONALD, DOWNER, MCMAINS, CRANE, KENNEY, WALSWORTH, AND WINSTON AND SENATORS EWING, DARDENNE, HAINKEL, AND BARHAM
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 109—
BY REPRESENTATIVE TRICHE
AN ACT

To amend and reenact R.S. 32:874(B)(1), relative to motor vehicle safety laws; to provide for reinstatement fees for suspended, revoked, or withdrawn drivers' licenses; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 116—
BY REPRESENTATIVES MCDONALD, DOWNER, DEWITT, MCMAINS, CRANE, KENNEY, AND WALSWORTH AND SENATORS EWING, DARDENNE, HAINKEL, AND BARHAM
AN ACT

To amend and reenact R.S. 17:24.4(F)(2), relative to the Louisiana Educational Assessment Program; to provide relative to the grades in which students are administered norm-referenced tests pursuant to the program; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 118—
BY REPRESENTATIVES MCDONALD, DOWNER, DEWITT, MCMAINS, CRANE, KENNEY, AND WALSWORTH AND SENATORS EWING, DARDENNE, HAINKEL, AND BARHAM
AN ACT

To amend and reenact R.S. 17:81(A), relative to the general powers of city and parish school boards; to provide relative to the selection of teachers and other certified personnel; to provide for policies and procedures relative to the selection process; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 125—
BY REPRESENTATIVE ROUSSELLE
AN ACT

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

Reported without amendments.

HOUSE BILL NO. 126 (Duplicate of Senate Bill No. 125)—
BY REPRESENTATIVE LEBLANC AND SENATOR LANDRY AND COAUTHORED BY REPRESENTATIVES DIEZ, DOWNER, DEWITT, AND MCMAINS AND SENATORS EWING, DARDENNE, HAINKEL, BARHAM, AND ROMERO
AN ACT

To amend and reenact R.S. 39:122(A) and R.S. 48:251(D), relative to the construction programs of the Department of Transportation and Development; to provide for the adoption of rules and for certain reporting requirements for the cash management program; to provide relative to the requirements which must be met before certain contracts shall be entered into; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 127—
BY REPRESENTATIVE LEBLANC
AN ACT

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

April 4, 1998

their duties from the provisions of law which prohibit the carrying of concealed weapons; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 128 (Duplicate of Senate Bill No. 51)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND COAUTHORED
BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, GAUTREAUX,
AND QUEZAIRE AND SENATORS EWING, DARDENNE, HAINKEL,
BARHAM, AND ROMERO

AN ACT

To amend and reenact R.S. 48:275, relative to nomination for inclusion or placement of bridges, highways, or certain roadway structures in the National Register of Historic Places; to require prior approval of the secretary of the Department of Transportation and Development for such nominations; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 152—
BY REPRESENTATIVES WALSWORTH, DIMOS, MCDONALD, AND
THOMPSON

AN ACT

To enact Chapter 9 of Title 34 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 34:1401 through 1406, relative to port commissions; to create and provide with respect to the Greater Ouachita Port Commission; to provide for the membership, officers, rights, and powers of the commission, including the power to incur debt, issue bonds, levy special taxes, and expropriate property; and to provide for related matters.

Reported without amendments.

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.

Reported without amendments.

HOUSE BILL NO. 168—
BY REPRESENTATIVES DOWNER, CRANE, DEVILLE, LEBLANC,
MCCALLUM, STELLY, THOMPSON, THORNHILL, TRICHE, AND WELCH

AN ACT

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

Reported without amendments.

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, 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.

Reported without amendments.

HOUSE BILL NO. 190—
BY REPRESENTATIVE HEBERT

AN ACT

To enact R.S. 34:1603.1, relative to the Twin Parish Port Commission; to provide for the adoption of ordinances; to provide for an effective date; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 193—
BY REPRESENTATIVE LEBLANC

AN ACT

To amend and reenact R.S. 39:31(A), 32(I), and 33(A)(1) and to enact R.S. 39:28(C), 32(K), and 32.1, relative to the state budget; to provide for budgeting and planning requirements for certain higher education agencies; to authorize the Board of Regents to prescribe the content and format of certain budget documents; to require the preparation and submission of certain budget documents by certain higher education agencies; to provide relative to the contents of certain budget documents; and to provide for related matters.

Reported without amendments.

HOUSE BILL NO. 197 (Substitute for House Bill No. 30 by Representative Pinac)—
BY REPRESENTATIVE PINAC

AN ACT

To amend and reenact R.S. 33:4754(A)(1), relative to Acadia Parish; to authorize the parish governing authority to take certain actions to maintain safe and healthful conditions on private property including provision for grass and weed cutting, garbage removal, and securing and demolition of dangerous structures; to provide relative to fines, costs, and charges and the enforcement of collection of same including enforcement by sale of property; and to provide for related matters.

Reported without amendments.

Adoption of Legislative Bureau Report

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

Respectfully submitted,
DENNIS BAGNERIS
Chairman

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

April 7, 1998

To the Honorable President and Members of the Senate:

I am directed to inform your honorable body that the Speaker of the House of Representatives has signed the following House Concurrent Resolutions:

HOUSE CONCURRENT RESOLUTION NO. 58—

BY REPRESENTATIVE DOWNER

A CONCURRENT RESOLUTION

To commend Mr. Jimmy Buquet and the Buquet Distributing Company, Inc., upon its selection as Louisiana's Anheuser-Busch "1997 Wholesaler Of The Year".

and asked that the President of the Senate affix his signature to the same.

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

The House Concurrent Resolutions contained herein were signed by the President 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 7, 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. 16—

BY SENATORS CRAVINS, ROBICHAUX, BAJIOE, BARHAM, BEAN, CASANOVA, COX, DARDENNE, DEAN, ELLINGTON, EWING, C. FIELDS, W. FIELDS, GREENE, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN, LANDRY, LENTINI, ROMERO, SHORT, SIRACUSA, SMITH, THEUNISSEN AND U'LO AND REPRESENTATIVE DUPRE

A CONCURRENT RESOLUTION

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

SENATE CONCURRENT RESOLUTION NO. 24—

BY SENATOR JONES

A CONCURRENT RESOLUTION

To commend the president of the United States on his trip to Africa and to invite him to visit the lower Mississippi River delta region.

SENATE CONCURRENT RESOLUTION NO. 31—

BY SENATOR DYESS

A CONCURRENT RESOLUTION

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

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.

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.

SENATE CONCURRENT RESOLUTION NO. 34—

BY SENATORS BAJIOE, IRONS AND LAMBERT

A CONCURRENT RESOLUTION

To designate April 1998 as Cancer Awareness Month.

Respectfully submitted,
JAY DARDENNE
Chairman

The foregoing Senate Concurrent Resolutions were signed by the President 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 7, 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 Bills have been properly enrolled:

SENATE BILL NO. 56 (DUPLICATE OF HOUSE BILL NO. 12)—

BY SENATOR DARDENNE AND REPRESENTATIVE DOWNER AND COAUTHORED BY SENATORS EWING, HAINKEL, BARHAM, ROMERO, BRANCH, JONES AND LANDRY AND REPRESENTATIVES ALARIO, COPELIN, DAMICO, DIEZ, DONELON, LANCASTER, DEWITT AND MCMAINS

AN ACT

To amend and reenact R.S. 29:723(2), relative to emergency preparedness; to include in the definition of "emergency" certain events which result in an interruption of utility services and which affect the safety, health, or welfare of the public and damage to utility property endangering the public; and to provide for related matters.

SENATE BILL NO. 145 (DUPLICATE OF HOUSE BILL NO. 70)—

BY SENATOR HAINKEL AND REPRESENTATIVE POWELL AND COAUTHORED BY SENATOR SCHEDLER AND REPRESENTATIVES CARTER AND FONTENOT

AN ACT

To amend and reenact R.S. 13:621.21, relative to district judges; to provide for two additional judgeships for the Twenty-first Judicial District Court; to provide for compensation of the additional judges; to provide for the election and terms of office and those of the successors in office; and to provide for related matters.

Respectfully submitted,
JAY DARDENNE
Chairman

The foregoing Senate Bills were signed by the President of the Senate.

April 4, 1998

**Message to the Secretary of State
SIGNED
SENATE CONCURRENT RESOLUTIONS**

April 7, 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 Resolutions:

SENATE CONCURRENT RESOLUTION NO. 23—
BY SENATORS JORDAN, BARHAM, BEAN, BRANCH, CAMPBELL, CASANOVA, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, EWING, C. FIELDS, W. FIELDS, GREENE, HEITMEIER, HINES, IRONS, JOHNSON, JONES, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SHORT, SIRACUSA, SMITH, TARVER, THEUNISSEN AND ULLO

A CONCURRENT RESOLUTION

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

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

A CONCURRENT RESOLUTION

To declare April 15 as Louisiana Catfish Day.

SENATE CONCURRENT RESOLUTION NO. 27—
BY SENATOR ROMERO AND REPRESENTATIVES DURAND AND 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.

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

Leaves of Absence

The following leaves of absence were asked for and granted:

Bajoie 1 Day Bean 1 Day

Adjournment

Senator Bagneris moved that the Senate adjourn until Wednesday, April 8, 1998 at 3:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 3:00 o'clock P.M. on Wednesday, April 8, 1998.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk