

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

FIFTH 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

Monday, March 30, 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	Dyess	Landry
Bagneris	Ellington	Lentini
Bajoie	Fields C	Malone
Barham	Fields W	Robichaux
Bean	Greene	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Siracusa
Campbell	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Jordan	Ullo
Dean	Lambert	
Total—35		

ABSENT

Casanova	Jones
Hainkel	Short
Total—4	

The President of the Senate announced there were 35 Senators present and a quorum.

Prayer

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

Morning Hour

**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. 19—
BY SENATOR JORDAN

A CONCURRENT RESOLUTION

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

The resolution was read by title; lies over under the rules.

SENATE CONCURRENT RESOLUTION NO. 20—

BY SENATORS JORDAN, CASANOVA, DEAN, DYESS, GREENE AND SHORT

A CONCURRENT RESOLUTION

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

The resolution was read by title; lies over under the rules.

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**

March 30, 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. 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.

HOUSE BILL NO. 18—

BY REPRESENTATIVE GAUTREAU
AN ACT

To redesignate the Greenwood Overpass located on U.S. Highway 90 near Morgan City in St. Mary Parish as the Sam Siracusa Overpass.

HOUSE BILL NO. 45 (Duplicate of Senate Bill No. 87)—

BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, BRUCE, QUEZAIRE, AND ROUSSELLE AND SENATORS EWING, DARDENNE, AND HAINKEL

AN ACT

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

HOUSE BILL NO. 46 (Duplicate of Senate Bill No. 14)—

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

AN ACT

To amend and reenact R.S. 48:252(C), relative to projects of the Department of Transportation and Development; to provide relative to bidding of department contracts; and to provide for related matters.

March 30, 1998

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

AN ACT

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

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

AN ACT

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

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

AN ACT

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

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.

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

AN ACT

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

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

AN ACT

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

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.

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

AN ACT

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

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

AN ACT

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

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

AN ACT

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

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

AN ACT

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

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

AN ACT

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

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.

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.

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.

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

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

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

House Bills and Joint Resolutions

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

HOUSE BILL NO. 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.

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

HOUSE BILL NO. 18—
BY REPRESENTATIVE GAUTREAU
AN ACT

To redesignate the Greenwood Overpass located on U.S. Highway 90 near Morgan City in St. Mary Parish as the Sam Siracusa Overpass.

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

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

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

On motion of Senator Bagneris, the bill which is a duplicate of Senate Bill No. 87 was read by title and lies over under the rules.

HOUSE BILL NO. 46 (Duplicate of Senate Bill No. 14)—
BY REPRESENTATIVE DIEZ AND SENATOR LANDRY AND COAUTHORED BY REPRESENTATIVES DOWNER, DEWITT, MCMAINS, BRUCE, AND QUEZAIRE AND SENATORS EWING, DARDENNE, HAINKEL, BAGNERIS, AND BARHAM
AN ACT

To amend and reenact R.S. 48:252(C), relative to projects of the Department of Transportation and Development; to provide relative to bidding of department contracts; and to provide for related matters.

On motion of Senator Bagneris, the bill which is a duplicate of Senate Bill No. 14 was read by title and lies over under the rules.

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

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

On motion of Senator Bagneris, the bill which is a duplicate of Senate Bill No. 31 was read by title and lies over under the rules.

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

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

On motion of Senator Bagneris, the bill which is a duplicate of Senate Bill No. 32 was read by title and lies over under the rules.

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

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

On motion of Senator Bagneris, the bill which is a duplicate of Senate Bill No. 13 was read by title and lies over under the rules.

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.

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

March 30, 1998

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

AN ACT

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

On motion of Senator Bagneris, the bill which is a duplicate of
Senate Bill No. 85 was read by title and lies over under the rules.

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

AN ACT

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

On motion of Senator Bagneris, the bill which is a duplicate of
Senate Bill No. 86 was read by title and lies over under the rules.

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.

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

HOUSE BILL NO. 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.

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

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.

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

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

AN ACT

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

On motion of Senator Bagneris, the bill which is a duplicate of
Senate Bill No. 98 was read by title and lies over under the rules.

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

AN ACT

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

On motion of Senator Bagneris, the bill which is a duplicate of
Senate Bill No. 47 was read by title and lies over under the rules.

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

AN ACT

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

On motion of Senator Bagneris, the bill which is a duplicate of
Senate Bill No. 45 was read by title and lies over under the rules.

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

AN ACT

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

On motion of Senator Bagneris, the bill which is a duplicate of
Senate Bill No. 43 was read by title and lies over under the rules.

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

AN ACT

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

On motion of Senator Bagneris, the bill which is a duplicate of
Senate Bill No. 99 was read by title and lies over under the rules.

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

AN ACT

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

On motion of Senator Bagneris, the bill which is a duplicate of Senate Bill No. 15 was read by title and lies over under the rules.

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.

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

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

March 30, 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. 1—
BY REPRESENTATIVE RIDDLE
A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to instruct West Publishing Company to reprint the Revision Comments of 1996 to Civil Code Article 1493 (comment (c)) by deleting all references describing such incapable children in terms other than those used in the article, to wit: children who are "permanently incapable of caring for their persons or administering their estates".

HOUSE CONCURRENT RESOLUTION NO. 2—
BY REPRESENTATIVE RIDDLE
A CONCURRENT RESOLUTION

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

HOUSE CONCURRENT RESOLUTION NO. 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.

HOUSE CONCURRENT RESOLUTION NO. 16—
BY REPRESENTATIVE LONG
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations to the legislature concerning foreign adoptions, procedures for recognizing foreign adoption orders, and other related matters.

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. 1—
BY REPRESENTATIVE RIDDLE
A CONCURRENT RESOLUTION

To direct the Louisiana State Law Institute to instruct West Publishing Company to reprint the Revision Comments of 1996 to Civil Code Article 1493 (comment (c)) by deleting all references describing such incapable children in terms other than those used in the article, to wit: children who are "permanently incapable of caring for their persons or administering their estates".

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

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.

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

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.

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

HOUSE CONCURRENT RESOLUTION NO. 16—
BY REPRESENTATIVE LONG
A CONCURRENT RESOLUTION

To urge and request the Louisiana State Law Institute to study and make recommendations to the legislature concerning foreign adoptions, procedures for recognizing foreign adoption orders, and other related matters.

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

March 30, 1998

**House Concurrent Resolutions
on Second Reading**

The following House Concurrent Resolutions were read and acted upon as follows:

HOUSE CONCURRENT RESOLUTION NO. 32—

BY REPRESENTATIVE CURTIS

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana and its sincere regrets upon the death of Mr. Louis Alfred Roberts.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dean	Lentini
Bagneris	Dyess	Malone
Bajoie	Ellington	Robichaux
Barham	Fields C	Romero
Bean	Fields W	Schedler
Branch	Greene	Siracusa
Cain	Heitmeier	Smith
Campbell	Hines	Tarver
Casanova	Hollis	Theunissen
Cox	Irons	Ullo
Cravins	Lambert	
Dardenne	Landry	
Total—34		

NAYS

Total—0

ABSENT

Hainkel	Jones	Short
Johnson	Jordan	
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. 33—

BY REPRESENTATIVE HOLDEN

A CONCURRENT RESOLUTION

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

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

HOUSE CONCURRENT RESOLUTION NO. 36—

BY REPRESENTATIVES WILKERSON, R. ALEXANDER, AND SALTER AND SENATOR CAMPBELL

A CONCURRENT RESOLUTION

To commend and congratulate the Lady Bobcats for winning the state Class-B basketball championship at the Sweet 16 Tournament for the first time since 1953.

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	Dean	Landry
Bagneris	Dyess	Lentini
Bajoie	Ellington	Malone
Barham	Fields C	Robichaux
Bean	Fields W	Romero
Branch	Greene	Schedler
Cain	Heitmeier	Siracusa
Campbell	Hines	Smith
Casanova	Hollis	Tarver
Cox	Irons	Theunissen
Cravins	Johnson	Ullo
Dardenne	Lambert	
Total—35		

NAYS

Total—0

ABSENT

Hainkel	Jordan
Jones	Short
Total—4	

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

HOUSE CONCURRENT RESOLUTION NO. 37—

BY REPRESENTATIVES WILKERSON, R. ALEXANDER, AND SALTER AND SENATOR CAMPBELL

A CONCURRENT RESOLUTION

To commend and congratulate the Lady Hornets for winning the state Class-A basketball championship at the Sweet 16 Tournament for the second consecutive year.

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	Dean	Lentini
Bagneris	Dyess	Malone
Bajoie	Ellington	Robichaux
Barham	Fields C	Romero
Bean	Fields W	Schedler
Branch	Heitmeier	Siracusa
Cain	Hines	Smith
Campbell	Hollis	Tarver
Casanova	Irons	Theunissen
Cox	Johnson	Ullo
Cravins	Lambert	
Dardenne	Landry	
Total—34		

NAYS

Total—0

ABSENT

Greene	Jones	Short
Hainkel	Jordan	
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. 38—

BY REPRESENTATIVE WILKERSON

A CONCURRENT RESOLUTION

To express the condolences of the Legislature of Louisiana upon the death of B. Harold Durrett.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Hainkel	Jordan
Jones	Short
Total—4	

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

HOUSE CONCURRENT RESOLUTION NO. 40—

BY REPRESENTATIVE BAYLOR

A CONCURRENT RESOLUTION

To commend Mrs. Dottie Bell of Shreveport for her dedication to both the public school system in Louisiana and to Southern University and to congratulate her upon her appointment as a member of the Southern University Board of Supervisors.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Dardenne
Total—35

Lambert

NAYS

Total—0

ABSENT

Hainkel
Jones
Total—4

Jordan
Short

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

HOUSE CONCURRENT RESOLUTION NO. 41—

BY REPRESENTATIVES STRAIN AND THOMAS

A CONCURRENT RESOLUTION

To memorialize the Congress of the United States to support, and to urge and request the Secretary of the United States Department of Agriculture to incorporate, Option 1A of the proposed rules for milk order consolidations as the pricing procedure in all federal marketing orders.

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

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.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

INSURANCE

Senator Tarver, Chairman on behalf of the Committee on Insurance, submitted the following report:

March 30, 1998

To the President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 18—

BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To create a task force to study and make recommendations to the legislature on the current and future availability and affordability of homeowners' insurance and property insurance in Louisiana.

Reported with amendments.

SENATE BILL NO. 101—

BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 40:1484.2, 1484.3, 1484.4, 1484.5, 1484.6, 1484.7, 1484.9(a)(1) and to enact R.S. 40:1484.9(C) and (D) and 1484.10(E), relative to amusement rides and attractions; to provide for inspections of amusement rides and attractions; and to provide for related matters.

March 30, 1998

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 favorably.

SENATE BILL NO. 148—
BY SENATOR HOLLIS
AN ACT

To amend and reenact the heading of Part VI-B of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950 and R.S. 22:244, 245(A), (B), and (C)(introductory paragraph) and (10)(introductory paragraph), and 246, and to repeal R.S. 22:247, relative to health insurance; to enact the Louisiana Children's Health Insurance Program; to delete certain references to the Louisiana Basic Health Insurance Plan Pilot Program; to provide for definitions; to provide for the LA CHIP Advisory Committee; to provide for an advisory task force; to create the LA CHIP Fund within the state treasury; to provide for program administration, funding, and eligibility; to provide for the adoption of rules; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
GREGORY TARVER
Chairman

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:

March 30, 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:

SENATE BILL NO. 9—
BY SENATOR BEAN
AN ACT

To amend and reenact R.S. 32:301(3), relative to traffic; to provide relative to the penalty for not using lighted headlamps when wipers are in use; to set such penalty to twenty-five dollars; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 19—
BY SENATOR LENTINI
AN ACT

To enact R.S. 48:390 and 753(A)(7), relative to railroads; to authorize the Department of Transportation and Development to require closure of certain railroad grade crossings; to require a prioritization of proposed crossing closures; to require notification of affected parties prior to crossing closures; to require public hearings prior to crossing closures; to provide for alternative actions to closing by a local governing authority; to require that

funding of such alternative actions be provided by the local government affected by closure; to authorize use of "Parish Transportation Funds" for funding of such alternatives; to require promulgation of rules and regulations; to require certain factors for consideration in development of criteria for crossing closures; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 23—
BY SENATOR LENTINI
AN ACT

To enact R.S. 32:169(E), relative to railroad crossings; to require the Department of Transportation and Development to develop a program for upgrading warning devices at railroad grade crossings; to require promulgation of rules and regulations; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 27—
BY SENATOR LENTINI
AN ACT

To enact R.S. 48:390, relative to railroads; to require periodic reporting of changes in railroad operations to the Department of Transportation and Development; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 90—
BY SENATOR LANDRY
AN ACT

To amend and reenact the introductory paragraph of R.S. 34:3457(A) and R.S. 39:101(A)(2) and 103(B)(2), relative to the Transportation Trust Fund; to provide for appropriations from the fund for ports under the Port Priority Construction and Development Program; to provide for expenditure of monies from the fund for capital outlay projects involving port construction and development; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 96—
BY SENATOR SIRACUSA
AN ACT

To amend and reenact R.S. 38:90.12 (D), relative to statewide flood-control program; to limit the amount of credit for construction work performed in lieu of cash match; to provide for value of in-kind construction; to provide for period of commencement of such work; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 104—
BY SENATOR IRONS
AN ACT

To amend and reenact R.S. 47:463.47(B) relative to motor vehicles; provides for prestige plates; changes wording on prestige plate honoring police officers killed in the line of duty; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 125—
BY SENATORS LANDRY, EWING, DARDENNE, HAINKEL, BARHAM AND ROMERO AND REPRESENTATIVES DIEZ, DOWNER, DEWITT AND MCMAINS
AN ACT

To amend and reenact R.S. 39:122(A) and R.S. 48:251(C) and (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 implementation

of warranty requirements and 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 favorably.

SENATE BILL NO. 138—
BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 38:2212(A)(1)(a)(i), and to enact R.S. 38:2225.2, relative to public contracts; to provide for a five percent preference in certain public contracts; and to provide for related matters.

Reported with amendments.

HOUSE CONCURRENT RESOLUTION NO. 23—
BY REPRESENTATIVE ANSARDI

A CONCURRENT RESOLUTION

To urge and request that the Department of Transportation and Development give its approval to the city of Kenner for the installation of a traffic light at the intersection of Williams Boulevard and Twenty-third Street in Kenner, Louisiana.

Reported favorably.

Respectfully submitted,
RON LANDRY
Chairman

Senate Bills and Joint Resolutions
on Second Reading
Reported by Committees

Senator Landry 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. 9—
BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 32:301(3), relative to traffic; to provide relative to the penalty for not using lighted headlamps when wipers are in use; to set such penalty to twenty-five dollars; 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. 9 by Senator Bean

AMENDMENT NO. 1

On page 2, at the end of line 1, change "including all" to "in addition to court"

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. 19—
BY SENATOR LENTINI

AN ACT

To enact R.S. 48:390 and 753(A)(7), relative to railroads; to authorize the Department of Transportation and Development to require closure of certain railroad grade crossings; to require a prioritization of proposed crossing closures; to require notification

of affected parties prior to crossing closures; to require public hearings prior to crossing closures; to provide for alternative actions to closing by a local governing authority; to require that funding of such alternative actions be provided by the local government affected by closure; to authorize use of "Parish Transportation Funds" for funding of such alternatives; to require promulgation of rules and regulations; to require certain factors for consideration in development of criteria for crossing closures; 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. 19 by Senator Lentini

AMENDMENT NO. 1

On page 2, line 11, after "crossing" add "on any state-maintained highway"

AMENDMENT NO. 2

On page 2, line 13, after "than" change "forty-five" to "one hundred and eighty"

AMENDMENT NO. 3

On page 2, line 14, after "notify the" change "local" to "municipal"

AMENDMENT NO. 4

On page 2, line 15, after "located," add "the governing authority of the parish in which the crossing is located,"

AMENDMENT NO. 5

On page 2, line 21, after "than" change "thirty" to "ninety"

AMENDMENT NO. 6

On page 3, between lines 14 and 15, add the following:

"C. At the written request of any local governing authority, the department shall investigate the need to change the location of or abolish a railroad grade crossing within the jurisdiction of such governing authority and which is not on a state-maintained roadway. After compliance with the provisions of this Section, the department may, upon determination of the need for closure of the crossing, proceed with the relocation or abolishment of the crossing. The application by the local governing authority shall constitute the consent of the authority for such closing."

AMENDMENT NO. 7

On page 3, at the beginning of line 15, change "C." to "D."

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. 23—
BY SENATOR LENTINI

AN ACT

To enact R.S. 32:169(E), relative to railroad crossings; to require the Department of Transportation and Development to develop a program for upgrading warning devices at railroad grade crossings; to require promulgation of rules and regulations; and to provide for related matters.

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

SENATE COMMITTEE AMENDMENTS

March 30, 1998

Amendments proposed by Senate Committee on Transportation, Highways, and Public Works to Original Senate Bill No. 23 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 13, after "of" add "public"

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. 27—

BY SENATOR LENTINI

AN ACT

To enact R.S. 48:390, relative to railroads; to require periodic reporting of changes in railroad operations to 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. 27 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 10, after "file" delete "quarterly written reports"

AMENDMENT NO. 2

On page 1, line 11, after "Development" delete the remainder of the line and add in lieu thereof:

"one copy of each report required to be filed with the Federal Railroad Administration in accordance with the provisions of Sections 217.7, 225.1, and 225.21 of Title 49 of the Code of Federal Regulations.

B. The initial filing with the department required by this Section shall include all reports filed with the Federal Railroad Administration within one calendar year prior to April 1, 1999 and all subsequent quarterly filings shall be of a current nature.

C. The secretary, or his duly appointed designee, shall promulgate rules and regulation to provide for the implementation of this Section."

AMENDMENT NO. 3

On page 1, delete lines 12 through 16 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. 90—

BY SENATOR LANDRY

AN ACT

To amend and reenact the introductory paragraph of R.S. 34:3457(A) and R.S. 39:101(A)(2) and 103(B)(2), relative to the Transportation Trust Fund; to provide for appropriations from the fund for ports under the Port Priority Construction and Development Program; to provide for expenditure of monies from the fund for capital outlay projects involving port construction 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. 90 by Senator Landry

AMENDMENT NO. 1

On page 1, line 2, after "paragraph of" delete the remainder of the line and on line 3, delete "39:101(A)(2) and 103(B)(2)" and insert:

"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 4, change "appropriations from the fund" to "funding or authorized obligation authority"

AMENDMENT NO. 3

On page 1, line 5, after "Program;" delete the remainder of the line and delete line 6 and 7 and insert: "and to provide for related"

AMENDMENT NO. 4

On page 1, line 10, after "paragraph of" delete the remainder of the line and insert:

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

AMENDMENT NO. 5

On page 1, between lines 11 and 12, insert:

"§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. 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 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, which shall be based upon the anticipated revenues to be appropriated by the legislature, 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~~ **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.~~ **an authorized obligation authority of not less than 24.5 million dollars in anticipated revenue (1) from the tax on gasoline and special fuels, or (2) such obligation authority as authorized or appropriated by the legislature. Funding shall be allocated to projects in accordance with the prioritized list of projects approved by the joint committee.** 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 **and within the authorized obligation authority** for that fiscal year.

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

A. The projects ~~planned with authorized obligation authority~~ for the year for which appropriations have been made 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 receive authorized obligation authority shall remain so allocated retain obligation authority** until the project is completed and the project costs are liquidated.

* * *

AMENDMENT NO. 6

On page 1, line 15, change "commenced" to "**approved**"

AMENDMENT NO. 7

On page 1, line 16, after "Chapter, delete the remainder of the line and on page 2, delete lines 1 through 3

AMENDMENT NO. 8

On page 2, line 4, delete "**provided in this Chapter**"

AMENDMENT NO. 9

On page 2, delete lines 13 through 27, and delete page 3

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. 96—

BY SENATOR SIRACUSA

AN ACT

To amend and reenact R.S. 38:90.12 (D), relative to statewide flood-control program; to limit the amount of credit for construction work performed in lieu of cash match; to provide for value of in-

kind construction; to provide for period of commencement of such work; 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. 96 by Senator Siracusa

AMENDMENT NO. 1

On page 2, line 26, after "after" add "the" and after "project" delete the remainder of the line and add in lieu thereof "has been funded and prior to"

AMENDMENT NO. 2

On page 2, at the beginning of line 27, delete "same time as"

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. 101—

BY SENATOR LENTINI

AN ACT

To amend and reenact R.S. 40:1484.2, 1484.3, 1484.4, 1484.5, 1484.6, 1484.7, 1484.9(a)(1) and to enact R.S. 40:1484.9(C) and (D) and 1484.10(E), relative to amusement rides and attractions; to provide for inspections of amusement rides and attractions; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 101 by Senator Lentini

AMENDMENT NO. 1

On page 1, line 3, after "1484.7", delete "1484.9(a)(1)" and insert "1484.9(A)(1) and (B)"

AMENDMENT NO. 2

On page 1, line 9, change "are" to "and (B) are"

AMENDMENT NO. 3

On page 4, line 12, after "testing" insert ", training"

AMENDMENT NO. 4

On page 4, line 17, delete "structural integrity" and insert "nondestructive testing in accordance with ASTM-F-24"

AMENDMENT NO. 5

On page 4, line 25, delete "structural integrity" and insert "nondestructive testing in accordance with ASTM-F-24"

AMENDMENT NO. 6

On page 5, line 10, after "testing" insert ", training"

AMENDMENT NO. 7

On page 5, line 18, after "change." delete the remainder of the line and delete lines 19 through 22 and insert:

"Operators shall be fined one hundred dollars for any change in schedule of location or date that occurs less than fourteen days prior to the commencement of operation of the amusement ride or attraction."

AMENDMENT NO. 8

March 30, 1998

On page 9, between lines 10 and 11 insert:

"B. One copy of the policy of insurance or the bond required under this Section shall be filed with the commissioner of insurance and one copy of such policy or bond shall be filed with the office of the state fire marshal, code enforcement and building safety. Each copy of the policy or bond shall include the date or dates for which the policy or bond is in force and a certification that the premium on the policy or bond has been paid in full. A certificate verifying coverage shall be filed with the office of the state fire marshal.

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

SENATE BILL NO. 104—
BY SENATOR IRONS

AN ACT

To amend and reenact R.S. 47:463.47(B) relative to motor vehicles; provides for prestige plates; changes wording on prestige plate honoring police officers killed in the line of duty; and to provide for related matters.

Reported favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Landry, the bill was read by title, ordered engrossed and passed to a third reading.

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

SENATE BILL NO. 125—
BY SENATORS LANDRY, EWING, DARDENNE, HAINKEL, BARHAM AND ROMERO AND REPRESENTATIVES DIEZ, DOWNER, DEWITT AND MCMAINS

AN ACT

To amend and reenact R.S. 39:122(A) and R.S. 48:251(C) and (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 implementation of warranty requirements and 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 favorably by the Committee on Transportation, Highways, and Public Works. On motion of Senator Landry, the bill was read by title, ordered engrossed and passed to a third reading.

SENATE BILL NO. 138—
BY SENATOR ROMERO

AN ACT

To amend and reenact R.S. 38:2212(A)(1)(a)(i), and to enact R.S. 38:2225.2, relative to public contracts; to provide for a five percent preference in certain public contracts; 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. 138 by Senator Romero

AMENDMENT NO. 1

On page 1, line 2, after "To" delete the remainder of the line and add in lieu thereof "enact R.S. 38:2262,"

AMENDMENT NO. 2

On page 1, line 3, change "public contracts" to "certain purchases by political subdivisions"

AMENDMENT NO. 3

On page 1, line 4, change "contracts" to "purchasing"

AMENDMENT NO. 4

On page 1, line 6, after "R.S." delete the remainder of the line and add in lieu thereof "38:2262"

AMENDMENT NO. 5

On page 1, at the beginning of line 7, delete "and R.S. 38:2225.2"

AMENDMENT NO. 6

On page 1, delete lines 8 through 16 in their entirety, and on page 2, delete line 1

AMENDMENT NO. 7

On page 2, at the beginning of line 2, change "2225.2" to 2262"

AMENDMENT NO. 8

On page 2, line 4, after "materials" change "and supplies" to ", supplies, and equipment"

AMENDMENT NO. 9

On page 2, line 6, change "contractor" to "vendor"

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. 148—
BY SENATOR HOLLIS

AN ACT

To amend and reenact the heading of Part VI-B of Chapter 1 of Title 22 of the Louisiana Revised Statutes of 1950 and R.S. 22:244, 245(A), (B), and (C)(introductory paragraph) and (10)(introductory paragraph), and 246, and to repeal R.S. 22:247, relative to health insurance; to enact the Louisiana Children's Health Insurance Program; to delete certain references to the Louisiana Basic Health Insurance Plan Pilot Program; to provide for definitions; to provide for the LA CHIP Advisory Committee; to provide for an advisory task force; to create the LA CHIP Fund within the state treasury; to provide for program administration, funding, and eligibility; to provide for the adoption of rules; and to provide for related matters.

Reported with amendments by the Committee on Insurance.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Insurance to Original Senate Bill No. 148 by Senator Hollis

AMENDMENT NO. 1

On page 1, line 5, delete "enact" and insert "adopt requirements for provision of health assistance through insurance options under"

AMENDMENT NO. 2

On page 4, line 17, after "of" insert "any insurance options used under"

AMENDMENT NO. 3

On page 4, at the end of line 18, before the period "." insert "administered by the Department of Health and Hospitals"

AMENDMENT NO. 4

On page 4, line 22, after "of" insert "any insurance options used under"

AMENDMENT NO. 5

On page 4, line 23, after "CHIP" insert "administered by the Department of Health and Hospitals"

AMENDMENT NO. 6

On page 5, line 4, delete "Program" and insert "Insurance Option"

AMENDMENT NO. 7

On page 5, delete lines 7 through 16 and insert:

"A. The department in conjunction with the Department of Health and Hospitals shall establish an interagency agreement for administration of any insurance options included under the Louisiana Children's Health Insurance Program administered by the Department of Health and Hospitals. The interagency agreement shall include:

(1) A provision authorizing the department to administer insurance options under Title XXI of the Social Security Act that are adopted by the state.

(2) A provision authorizing the department to draft and coordinate all joint rulemaking required to implement and enforce insurance options to be adopted by the state.

(3) A provision authorizing the department to prepare and submit to the Department of Health and Hospitals all required documentation necessary for federal approval of insurance options authorized under Title XXI of the federal Social Security Act.

(4) A provision authorizing the department to respond to all federal inquiries or reviews of insurance options authorized under Title XXI of the federal Social Security Act.

AMENDMENT NO. 8

On page 5, line 19, after "Act" insert "to implement and maintain any approved insurance options"

AMENDMENT NO. 9

On page 6, line 12, delete "Notwithstanding any other provision" and delete lines 13 through 17

AMENDMENT NO. 10

On page 6, line 19, after "shall" insert "draft joint rules that"

AMENDMENT NO. 11

On page 7, delete lines 2 through 4 and insert:

"(4) Benefits that meet the requirements of Title XXI of the federal Social Security Act for provision of health assistance under insurance options."

AMENDMENT NO. 12

On page 7, delete line 11 and insert:

"F. The department and the Department of Health and Hospitals shall jointly adopt rules and regulations for insurance options under title XXI of the federal Social Security Act in"

AMENDMENT NO. 13

On page 7, line 15, delete "The program" and insert "Any approved insurance option"

AMENDMENT NO. 14

On page 7, delete lines 19 through 27

AMENDMENT NO. 15

On page 8, delete lines 1 through 11 and insert:

"H. The department shall be authorized to establish voluntary programs for enrollment of low income employees and their children under health benefit plans that receive no funding under Title XXI of the federal Social Security Act. The department shall be authorized to seek funding from all sources including but not limited to public entities, private entities, grants and foundations for this purpose. Such funds shall be included in the department's budget.

I. The department shall be authorized to establish a voluntary certification process for health benefit plans seeking certification as benchmark plans. The department shall be authorized to adopt regulations for the certification of such plans that include voluntary programs and LA CHIP insurance options. Such regulations shall include recognition of certified benchmark plans participating in either a voluntary program or LA CHIP insurance option as being deemed to meet all state benefit provisions, not mandated by federal law, that are applicable to health insurance or health maintenance organizations authorized to issue policies or certificates of coverage in this state."

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

Senate Bills and Joint Resolutions on Second Reading

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

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

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

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

Senate Concurrent Resolutions to be Adopted, Subject to Call

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

Called from the Calendar

Senator Schedler asked that Senate Concurrent Resolution No. 12 be called from the Calendar at this time.

SENATE CONCURRENT RESOLUTION NO. 12—
BY SENATOR SCHEDLER
A CONCURRENT RESOLUTION

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

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

March 30, 1998

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Ellington	Landry
Bajoie	Fields C	Lentini
Barham	Fields W	Malone
Bean	Greene	Robichaux
Cain	Heitmeier	Romero
Campbell	Hines	Schedler
Cox	Hollis	Smith
Cravins	Irons	Tarver
Dean	Johnson	Theunissen
Dyess	Lambert	Ullo
Total—30		

NAYS

Total—0

ABSENT

Bagneris	Dardenne	Jordan
Branch	Hainkel	Short
Casanova	Jones	Siracusa
Total—9		

The Chair declared the Senate had adopted the Senate Concurrent Resolution and ordered it 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. 1—

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

A JOINT RESOLUTION

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

funding for postsecondary institutions; to provide relative to the authorization to allocate money appropriated out of the Louisiana Quality Education Support Fund for postsecondary educational purposes; to provide for the effectiveness of the proposal if approved by the electorate; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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

SENATE BILL NO. 7—

BY SENATOR THEUNISSEN

AN ACT

To enact Chapter 8 of Title 2 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 2:900 through 903, relative to aviation; to provide for the creation of the General Aviation and Reliever Grant Program Fund within the treasury; to provide for deposit of monies into the fund; to provide for use and distribution of monies in the fund; to provide for the creation of the General Aviation and Reliever Airport Maintenance Grant Program within the Department of Transportation and Development; to provide for grant eligibility; to provide relative to grant authority of the program; to require the promulgation of rules and regulations; 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. 7 by Senator Theunissen

AMENDMENT NO. 1

On page 2, line 1, following "PROGRAM" and before "FUND" delete "AND"

On motion of Senator Bagneris, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Dean
Total—1

ABSENT

Branch	Hainkel	Short
Casanova	Jones	
Dardenne	Jordan	

Total—7

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

SENATE BILL NO. 10—
BY SENATORS SMITH AND EWING
AN ACT

To designate U.S. Highway 167 from its intersection with Interstate Highway 49 at the Alexandria, Louisiana, corporate limits to the Arkansas state line at Junction City, Arkansas, as the "Piney Hills Throughway."

The bill was read by title. Senator Smith 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
Bajoie	Fields W	Robichaux
Barham	Greene	Romero
Bean	Heitmeier	Schedler
Cain	Hines	Siracusa
Campbell	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dean	Lambert	Ullo
Dyess	Landry	
Total—32		

NAYS

Total—0

ABSENT

Branch	Hainkel	Short
Casanova	Jones	
Dardenne	Jordan	
Total—7		

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

SENATE BILL NO. 11—
BY SENATOR COX
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.

Floor Amendments Sent Up

Senator Landry sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Landry to Engrossed Senate Bill No. 11 by Senator Cox

AMENDMENT NO. 1

On page 3, line 6, before "at" insert "**(1)**"

AMENDMENT NO. 2

On page 3, line 7, between "**or**" and "**at**" insert "**(2) at the time of his death and**"

AMENDMENT NO. 3

On page 3, at the beginning of line 10, insert "**(2)**"

AMENDMENT NO. 4

On page 3, line 11, between "**or**" and "**at**" insert "**(2) at the time of her death and**"

On motion of Senator Landry, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Landry
Bagneris	Ellington	Lentini
Bajoie	Fields C	Malone
Barham	Fields W	Robichaux
Bean	Greene	Romero
Cain	Heitmeier	Schedler
Campbell	Hines	Siracusa
Cox	Hollis	Smith
Cravins	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Lambert	Ullo
Total—33		

NAYS

Total—0

ABSENT

Branch	Hainkel	Jordan
Casanova	Jones	Short
Total—6		

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

SENATE BILL NO. 13—
BY SENATORS LANDRY, DARDENNE, EWING, HAINKEL, BARHAM AND BEAN
AN ACT

To amend and reenact R.S. 48:253(A), relative to contracts let for bid by the Department of Transportation and Development; to provide with respect to bid guarantees for such contracts; to provide for the amount required; and to provide for related matters.

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

SENATE BILL NO. 15—
BY SENATORS LANDRY, DARDENNE, EWING, HAINKEL, AND BARHAM
AN ACT

To amend and reenact R.S. 51:781(4) and 784.1 and to enact R.S. 51:792.1, relative to the regulation and inspection of petroleum and petroleum products; to transfer the duties and responsibilities for such regulation and inspection from the secretary of the Department of Transportation and Development to the commissioner of the Department of Agriculture and Forestry; to provide for the disposition of certain fees; to provide for an effective date; and to provide for related matters.

March 30, 1998

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

SENATE BILL NO. 16— BY SENATORS LANDRY, DARDENNE, EWING, HAINKEL, AND BARHAM AN ACT

To amend and reenact R.S. 48:250.1, relative to the Department of Transportation and Development; to provide that the Department of Transportation and Development may not be prohibited from withholding merit increases in connection with the participation in certain training programs; and to provide for related matters.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed Senate Bill No. 16 by Senator Landry

AMENDMENT NO. 1

On page 2, line 1, after "pay" insert a comma "," and delete the remainder of the line and delete line 2 and insert the following:

"however, the department is authorized to withhold merit pay if the employee refuses to participate or does not participate in the training programs."

On motion of Senator Hines, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dean Landry
Bagneris Dyess Lentini
Bajoie Ellington Malone
Barham Fields C Robichaux
Bean Fields W Romero
Branch Greene Schedler
Cain Heitmeier Siracusa
Campbell Hines Smith
Cox Hollis Tarver
Cravins Irons Theunissen
Dardenne Lambert Ullo
Total—33

NAYS

Total—0

ABSENT

Casanova Johnson Jordan
Hainkel Jones Short
Total—6

The Chair declared the amended 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.

SENATE BILL NO. 24— BY SENATORS LENTINI AND LANDRY AN ACT

To amend and reenact R.S. 48:386, relative to railroads; to authorize the Department of Transportation and Development to determine when railroad crossing warning devices require maintenance or repair; to provide for notification of such requirement to railroad companies; to require compliance of railroad companies within thirty days after notice; to authorize local governmental entities to perform such required maintenance or repairs and seek reimbursement from the railroad company; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Malone
Bagneris Fields C Robichaux
Bajoie Fields W Romero
Barham Greene Schedler
Bean Heitmeier Siracusa
Branch Hines Smith
Cain Hollis Tarver
Campbell Johnson Theunissen
Cox Lambert Ullo
Dardenne Landry
Dyess Lentini
Total—31

NAYS

Dean
Total—1

ABSENT

Casanova Irons Short
Cravins Jones
Hainkel Jordan
Total—7

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

SENATE BILL NO. 25— BY SENATORS LENTINI, LANDRY, BEAN, IRONS, DYESS AND SMITH AN ACT

To amend and reenact R.S. 17:270(A) and 271(A) and the introductory paragraph of R.S. 32:402.1(A)(2), 407(A)(2), and 408(A)(1) and (3) and (H)(1)(h), relative to driver's licenses; to require inclusion of railroad safety crossing information on certain driver education courses; to require questions relative to railroad crossing safety on driver license applicant examinations; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dyess Landry
Bagneris Ellington Lentini

Bajoie	Fields C	Malone
Barham	Fields W	Robichaux
Bean	Greene	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Siracusa
Campbell	Hollis	Smith
Cox	Irons	Tarver
Dardenne	Johnson	Theunissen
Dean	Lambert	Ullo
Total—33		

NAYS

Total—0

ABSENT

Casanova	Hainkel	Jordan
Cravins	Jones	Short
Total—6		

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

SENATE BILL NO. 30—
BY SENATORS LENTINI AND LANDRY
AN ACT

To amend and reenact R.S. 32:168, relative to railroads; to provide relative to required audible signaling by a train operator when approaching a railroad crossing; to increase the required distance of sounding of such signal; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Landry
Bagneris	Ellington	Lentini
Bajoie	Fields C	Malone
Barham	Fields W	Robichaux
Bean	Greene	Romero
Branch	Heitmeier	Schedler
Cain	Hines	Siracusa
Campbell	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Lambert	Ullo
Total—33		

NAYS

Dean
Total—1

ABSENT

Casanova	Jones	Short
Hainkel	Jordan	
Total—5		

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

SENATE BILL NO. 31—
BY SENATORS LANDRY, DARDENNE, EWING, HAINKEL AND BARHAM
AN ACT

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

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

SENATE BILL NO. 32—
BY SENATORS LANDRY, DARDENNE, EWING, HAINKEL AND BARHAM
AN ACT

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

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

SENATE BILL NO. 41—
BY SENATORS DARDENNE, EWING, HAINKEL, BARHAM, ROMERO, CASANOVA, GREENE, SHORT AND THEUNISSEN AND REPRESENTATIVES LEBLANC, DOWNER AND DEWITT
AN ACT

To enact R.S. 23:2071, relative to state funds; to create the Technical and Community Colleges Investment 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; and to provide for related matters.

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

SENATE BILL NO. 43—
BY SENATORS LANDRY, EWING, DARDENNE, HAINKEL, BARHAM AND ROMERO AND REPRESENTATIVES DIEZ, DOWNER, DEWITT AND MCMAINS
AN ACT

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

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

SENATE BILL NO. 45—
BY SENATORS LANDRY, EWING, DARDENNE, HAINKEL, BARHAM AND ROMERO AND REPRESENTATIVES DIEZ, DOWNER, DEWITT AND MCMAINS
AN ACT

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

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

SENATE BILL NO. 47—
BY SENATORS LANDRY, EWING, DARDENNE, HAINKEL, BARHAM AND ROMERO AND REPRESENTATIVES DIEZ, DOWNER, DEWITT AND MCMAINS
AN ACT

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

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

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SENATE BILL NO. 48—

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

AN ACT

To amend and reenact R.S. 47:820.4, 820.5(A), the introductory paragraph of 820.5(B) and 820.5(B)(1) and (2) and to repeal R.S. 47:820.5(B)(4), relative to bridges; to extend the duration of collection of tolls on certain bridges; to remove limitations on amount of toll proceeds appropriated to the bridge authority; to provide for use of toll proceeds; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 50—

BY SENATORS LANDRY, DARDENNE, EWING, HAINKEL, 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 of certain funds by the secretary for projects of the Airport Construction and Development Priority Program, Statewide Flood Control Program and Port Commission and Development Priority Program when such projects are undertaken due to emergencies; and to provide for related matters.

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

SENATE BILL NO. 51—

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

AN ACT

To amend and reenact R.S. 48:275, relative to historic bridges and other structures; to provide for approval of the secretary of the Department of Transportation and Development; 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	Dyess	Lentini
Bagneris	Fields C	Malone
Bajoie	Fields W	Robichaux
Barham	Greene	Romero
Bean	Heitmeier	Schedler
Branch	Hines	Siracusa
Cain	Hollis	Smith
Cox	Irons	Tarver
Cravins	Johnson	Theunissen
Dardenne	Lambert	Ullo
Dean	Landry	
Total—32		

NAYS

Total—0

ABSENT

Campbell	Hainkel	Short
Casanova	Jones	
Ellington	Jordan	
Total—7		

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.

SENATE BILL NO. 70—

BY SENATORS EWING, BEAN AND LANDRY

AN ACT

To enact R.S. 47:463.56, relative to motor vehicles; to provide relative to license plates; to create the Girl Scouts of U.S.A. prestige license plate; to provide for the color and design of such plates; to provide relative to fees for such plates, including a royalty fee for use of the organizational logo on such plates; to designate the use of such royalty fees; to require a contract relative to royalty fees; to require the promulgation of rules and regulations; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dyess	Lentini
Bagneris	Ellington	Malone
Bajoie	Fields C	Robichaux
Barham	Fields W	Romero
Bean	Greene	Schedler
Branch	Heitmeier	Siracusa
Cain	Hines	Smith
Campbell	Hollis	Tarver
Cox	Irons	Theunissen
Cravins	Johnson	Ullo
Dardenne	Lambert	
Dean	Landry	
Total—34		

NAYS

Total—0

ABSENT

Casanova	Jones	Short
Hainkel	Jordan	
Total—5		

The Chair declared the 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.

SENATE BILL NO. 81—

BY SENATOR BARHAM

AN ACT

To enact R.S. 33:381(C)(12), relative to municipal officers; to provide that the chief of police of the village of Oak Ridge be appointed; to provide for the qualifications for the chief of police of Oak Ridge; 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	Dyess	Lentini
Bagneris	Ellington	Malone
Bajoie	Fields C	Robichaux

Barham	Fields W	Romero
Bean	Greene	Schedler
Branch	Heitmeier	Siracusa
Cain	Hines	Smith
Campbell	Hollis	Tarver
Cox	Irons	Theunissen
Cravins	Johnson	Ullo
Dardenne	Lambert	
Dean	Landry	

Total—34

NAYS

Total—0

ABSENT

Casanova	Jones	Short
Hainkel	Jordan	

Total—5

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.

SENATE BILL NO. 84—
BY SENATOR BAJOIE AN ACT

To enact R.S. 33:2740.38 relative to special taxing districts; to create a special taxing district for the Garden District in Orleans Parish; to provide for the boundaries, management, powers, and the adoption of rules and regulations for the district's operation; to require an annual plan; to authorize the city of New Orleans to levy and collect an ad valorem tax; and to provide for related matters.

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

SENATE BILL NO. 85—
BY SENATOR LANDRY AN ACT

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

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

SENATE BILL NO. 86—
BY SENATOR LANDRY AN ACT

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

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

SENATE BILL NO. 87—
BY SENATOR LANDRY AN ACT

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

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

SENATE BILL NO. 98—
BY SENATOR SHORT AN ACT

To authorize and direct that all assets held by others or remaining in the account of the former St. Tammany Levee District be transferred to the St. Tammany Parish Police Jury for the specific purpose of providing levee and levee drainage and flood control protection within certain designated areas located within St. Tammany Parish.

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

SENATE BILL NO. 99—
BY SENATORS BEAN, EWING, DARDENNE, HAINKEL, BARHAM, ROMERO AND LANDRY AND REPRESENTATIVES DIEZ, DOWNER, DEWITT AND MCMAINS AN ACT

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

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

SENATE BILL NO. 100—
BY SENATOR LENTINI AN ACT

To enact R.S. 32:176, relative to railroads; to require notification to investigating officers of presence of certain recorders on trains after a railroad crossing accident; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

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

Total—34

NAYS

Total—0

ABSENT

Casanova	Jones	Short
Hainkel	Jordan	

Total—5

March 30, 1998

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

SENATE BILL NO. 103—
BY SENATORS DARDENNE, EWING, HAINKEL, BARHAM AND ROMERO
AND REPRESENTATIVES DOWNER, DEWITT AND MCMAINS
AN ACT

To amend and reenact R.S. 11:921, 924(2) and (5), 925, 927(B) and (C), 928, 929(D) and (E), and 931, relative to the Teachers' Retirement System of Louisiana; to authorize employees of the Board of Regents, Board of Trustees for State Colleges and Universities, Board of Supervisors of Louisiana State University and Agricultural and Mechanical College, and Board of Supervisors of Southern University and Agricultural and Mechanical College, and any other constitutionally established board which manages institutions of higher education to participate in an optional retirement plan; to rename the Subpart; to provide for an effective date; 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 Dean Landry
Bagneris Dyess Lentini
Bajoie Ellington Malone
Barham Fields C Robichaux
Bean Fields W Romero
Branch Greene Schedler
Cain Heitmeier Siracusa
Campbell Hines Smith
Cox Hollis Tarver
Cravins Johnson Theunissen
Dardenne Lambert Ullo
Total—33

NAYS

Total—0

ABSENT

Casanova Irons Jordan
Hainkel Jones Short
Total—6

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.

SENATE BILL NO. 105—
BY SENATOR ELLINGTON
AN ACT

To amend and reenact R.S. 11:708(A)(1) relative to the Teachers' Retirement System of Louisiana; to provide for reemployment of retired members who participated in the Deferred Retirement Option Program; to provide for reemployment of such retired members through the qualified teacher shortage provisions; to provide for an effective date; 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 Malone
Bagneris Fields C Robichaux
Barham Greene Romero
Bean Heitmeier Schedler
Branch Hines Siracusa
Cain Hollis Smith
Cravins Johnson Tarver
Dardenne Lambert Theunissen
Dyess Lentini Ullo
Total—27

NAYS

Bajoie Dean Irons
Cox Fields W Landry
Total—6

ABSENT

Campbell Hainkel Jordan
Casanova Jones Short
Total—6

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.

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.

Floor Amendments Sent Up

Senator Hines sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Hines to Engrossed Senate Bill No. 107 by Senator Heitmeier

AMENDMENT NO. 1

On page 1, line 14, after "(2)" insert the following:

"Any retired teacher who is reemployed as a substitute teacher is exempt from the provisions of this Section as long as he is reemployed no more than ten days a month as a day-by-day substitute teacher. After working ten days in a month as a day-by-day substitute teacher, this Subsection shall apply to the remainder of the month and the suspension of benefits shall occur after the end of the fiscal year and after a complete employment record is received by the Teachers"

AMENDMENT NO. 2

On page 2, delete line 5 and insert the following:

"Retirement System from the employer.

(3) Notwithstanding the"

AMENDMENT NO. 3

On page 3, line 7, change "(3)" to "(4)"

On motion of Senator Hines, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—33

NAYS

Total—0

ABSENT

Casanova	Hainkel	Jones
Cravins	Irons	Short

Total—6

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

SENATE BILL NO. 145—
BY SENATORS HAINKEL AND SCHEDLER
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.

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

ROLL CALL

The roll was called with the following result:

YEAS

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

Total—35

NAYS

Total—0

ABSENT

Casanova	Jones
Hainkel	Short
Total—4	

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

Rules Suspended

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

Introduction of Senate Bills and Joint Resolutions

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

SENATE BILL NO. 158—
BY SENATORS ROMERO AND MALONE
AN ACT

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

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

Introduction of Resolutions, Senate and Concurrent

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

SENATE RESOLUTION NO. 8—
BY SENATOR CASANOVA
A RESOLUTION

To designate Monday, March 30, 1998 as Doctors Day and to urge all citizens and all community organizations to join in this observance.

On motion of Senator Robichaux, the resolution was read by title and adopted.

SENATE CONCURRENT RESOLUTION NO. 21—
BY SENATOR EWING
A CONCURRENT RESOLUTION

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

March 30, 1998

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Dyess, Landry, Bagneris, Ellington, Lentini, Bajoie, Fields C, Malone, Barham, Fields W, Robichaux, Bean, Greene, Romero, Branch, Heitmeier, Siracusa, Cain, Hines, Smith, Campbell, Hollis, Tarver, Cox, Irons, Theunissen, Cravins, Johnson, Ulló, Dardenne, Jordan, Dean, Lambert.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names like Casanova, Jones, Short, Hainkel, Schedler.

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

SENATE CONCURRENT RESOLUTION NO. 22— BY SENATOR ULLO

A CONCURRENT RESOLUTION

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns: Name, Yeas, Nays. Lists names like Mr. President, Dyess, Landry, Bagneris, Ellington, Lentini, Bajoie, Fields C, Malone, Barham, Fields W, Robichaux, Bean, Greene, Romero, Branch, Heitmeier, Schedler, Cain, Hines, Siracusa, Campbell, Hollis, Smith, Cox, Irons, Tarver, Cravins, Johnson, Theunissen, Dardenne, Jordan, Ulló, Dean, Lambert.

NAYS

Total—0

ABSENT

Table with 3 columns: Name, Yeas, Nays. Lists names like Casanova, Jones, Short, Hainkel.

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

Messages from the House

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

Message from the House

ASKING CONCURRENCE IN HOUSE CONCURRENT RESOLUTIONS

March 30, 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. 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.

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.

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.

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.

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.

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. 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.

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

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.

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

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.

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

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.

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

HOUSE CONCURRENT RESOLUTION NO. 35—
 BY REPRESENTATIVES DUPRE, GAUTREUX, 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.

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON

REVENUE AND FISCAL AFFAIRS

Senator Barham, Chairman on behalf of the Committee on Revenue and Fiscal Affairs, submitted the following report:

March 30, 1998

To the President and Members of the Senate:

I am directed by your Committee on Revenue and Fiscal Affairs to submit the following report:

SENATE BILL NO. 33—
 BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 27:319, and R.S. 47:9025(B)(2) and 9070, relative to video poker and lottery; to provide that twenty-one shall be the minimum age to play video poker or lottery; to provide relative to penalties; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 137—
 BY SENATORS BARHAM, DARDENNE, EWING, AND HAINKEL

AN ACT

To amend and reenact R.S. 47:1516(B), (E), and (G), relative to tax debt collection; to authorize the secretary of the Department of Revenue to enter into contracts with debt collection agencies for the collection of certain in-state tax liabilities; to provide for an effective date; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 143—
 BY 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.

Respectfully submitted,
 ROBERT J. BARHAM
 Chairman

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

Senator Barham 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. 33—
 BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 27:319, and R.S. 47:9025(B)(2) and 9070, relative to video poker and lottery; to provide that twenty-one shall be the minimum age to play video poker or lottery; to provide relative to penalties; and to provide for related matters.

Reported with amendments by the Committee on Revenue and Fiscal Affairs.

SENATE COMMITTEE AMENDMENTS

Amendments proposed by Senate Committee on Revenue and Fiscal Affairs to Original Senate Bill No. 33 by Senator Theunissen

March 30, 1998

AMENDMENT NO. 1

On page 3, between lines 18 and 19, insert:

"H.(1) It is unlawful for any person under twenty-one years of age to play or operate a video poker device.

(2) Whoever violates the provisions of this Section shall be fined not more than one hundred dollars or imprisoned for not more than six months, or both.

(3) Any person apprehended while violating the provisions of this Section shall be issued a citation by the apprehending law enforcement officer, which shall be paid in the same manner as provided for the offenders of local traffic violations."

AMENDMENT NO. 2

On page 4, at the beginning of line 16, insert "A."

AMENDMENT NO. 3

On page 4, at the bottom of the page, insert:

"B.(1) It is unlawful for any person under twenty-one years of age to purchase a lottery ticket.

(2) Whoever violates the provisions of this Section shall be fined not more than one hundred dollars or imprisoned for not more than six months, or both.

(3) Any person apprehended while violating the provisions of this Section shall be issued a citation by the apprehending law enforcement officer, which shall be paid in the same manner as provided for the offenders of local traffic violations."

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

SENATE BILL NO. 137—

BY SENATORS BARHAM, DARDENNE, EWING, AND HAINKEL
AN ACT

To amend and reenact R.S. 47:1516(B), (E), and (G), relative to tax debt collection; to authorize the secretary of the Department of Revenue to enter into contracts with debt collection agencies for the collection of certain in-state tax liabilities; to provide for an effective date; and to provide for related matters.

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

SENATE BILL NO. 143—

BY SENATORS COX AND THEUNISSEN
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 Revenue and Fiscal Affairs. On motion of Senator Barham, the bill was read by title, ordered engrossed and passed to a third reading.

Rules Suspended

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

Senate Concurrent Resolutions on Second Reading

The following Senate Concurrent Resolutions were read and acted upon as follows:

SENATE CONCURRENT RESOLUTION NO. 19—

BY SENATOR JORDAN

A CONCURRENT RESOLUTION

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

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

SENATE CONCURRENT RESOLUTION NO. 20—

BY SENATORS JORDAN, CASANOVA, DEAN, DYESS, GREENE AND SHORT

A CONCURRENT RESOLUTION

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

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

Message to the Secretary of State

SIGNED SENATE CONCURRENT RESOLUTIONS

March 30, 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. 10—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To designate November 13th as "National Diabetes Awareness Day."

SENATE CONCURRENT RESOLUTION NO. 11—

BY SENATORS SCHEDLER AND HAINKEL AND REPRESENTATIVE POWELL

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Russell "Tippy" DePaula, mayor of Hammond, Louisiana.

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

Message to the Secretary of State

SIGNED SENATE CONCURRENT RESOLUTIONS

March 30, 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. 5—

BY SENATOR BARHAM

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Houston L. Condrey, husband, father, grandfather, great grandfather, business owner, community leader, and friend.

SENATE CONCURRENT RESOLUTION NO. 6—

BY SENATOR SHORT AND REPRESENTATIVES STRAIN AND THOMAS

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Reverend Dr. Arthur J. "A. J." Manning.

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

**Privilege Report of the Committee on
Senate and Governmental Affairs**

ENROLLMENTS

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

March 30, 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 Resolution has been properly enrolled:

SENATE RESOLUTION NO. 6—

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

A RESOLUTION

To recognize and commend the players, coaches and managerial personnel of Southern University Laboratory School on capturing an unprecedented sixth consecutive, and tenth overall, Class 1-A state basketball championship.

Respectfully submitted,
JAY DARDENNE
Chairman

The foregoing Senate Resolution was signed by the President of the Senate and presented to the Secretary of State by the Secretary.

**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:

March 30, 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 Resolution has been properly enrolled:

SENATE CONCURRENT RESOLUTION NO. 15—

BY SENATOR SHORT AND REPRESENTATIVES STRAIN, THOMAS AND WINSTON

A CONCURRENT RESOLUTION

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

Respectfully submitted,
JAY DARDENNE
Chairman

The foregoing Senate Concurrent Resolution was signed by the President of the Senate.

Leaves of Absence

The following leaves of absence were asked for and granted:

Casanova	1 Day	Hainkel	1 Day
Jones	1 Day	Short	1 Day

Adjournment

Senator Bagneris moved that the Senate adjourn until Tuesday, March 31, 1998 at 4:00 o'clock P.M.

The President of the Senate declared the Senate adjourned until 4:00 o'clock P.M. on Tuesday, March 31, 1998.

MICHAEL S. BAER, III
Secretary of the Senate

GAYE F. HAMILTON
Journal Clerk