

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

THIRD DAY'S PROCEEDINGS

**Twenty-Fifth Regular Session of the Legislature
Under the Adoption of the
Constitution of 1974**

Senate Chamber
State Capitol
Baton Rouge, Louisiana

Wednesday, March 31, 1999

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

ROLL CALL

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

PRESENT

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

ABSENT

Casanova	Dyess	Tarver
Total—3		

The President of the Senate announced there were 36 Senators present and a quorum.

Prayer

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

Reading of the Journal

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

Morning Hour

**Introduction of Resolutions,
Senate and Concurrent**

Senator Bean 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. 15—
BY SENATORS GREENE, BARHAM, DARDENNE, EWING, HAINKEL AND SCHEDLER

A RESOLUTION

To express the support of the Senate of the Legislature of Louisiana for including secondary and postsecondary vocational education programs in the Unified State Plan to be submitted in compliance with the federal Workforce Investment Act.

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

Messages from the House

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

Message from the House

**CONCURRING IN
SENATE CONCURRENT RESOLUTIONS**

March 31, 1999

To the Honorable President and Members of the Senate:

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

SENATE CONCURRENT RESOLUTION NO. 4—
BY SENATORS THEUNISSEN AND CASANOVA AND REPRESENTATIVE PINAC

A CONCURRENT RESOLUTION

To designate May 11, 1999, as "FFA Day" at the Louisiana Legislature.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 10—

BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Leonell Wilkes Clausen, mother, grandmother, sister, manager, civic leader, bus driver, justice of the peace, and friend.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 15—

BY SENATOR CAIN

A CONCURRENT RESOLUTION

To designate and proclaim the first week in August of each year as "Week of Prayer for Schools".

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 16—

BY SENATOR CAIN

A CONCURRENT RESOLUTION

To declare the last weekend of September of each year in Ragley, Louisiana, to be the "Ragley Annual Heritage and Timber Festival".

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 17—

BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of David Patten, husband, father, grandfather, great-grandfather, businessman, civic and community leader, and former member of the House of Representatives.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 18—

BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana upon the death of Lantz Womack, husband, father, brother, uncle, businessman, farmer, civic and community leader, and retired state representative.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 19—

BY SENATOR ELLINGTON

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana on the death of Sturgis Sprague "S.S." DeWitt, husband, father, grandfather, uncle, brother, veteran, farmer, civic and community leader, and former member of the House of Representatives.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 21—

BY SENATOR THEUNISSEN

A CONCURRENT RESOLUTION

To commend James V. Soileau, Sr. on many years of outstanding service and dedication to the Louisiana educational system and congratulate him on his much deserved retirement.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 27—

BY SENATORS JORDAN, BEAN, BRANCH, BOISSIERE, CRAVINS, DARDENNE, C. FIELDS, W. FIELDS, HEITMEIER, HINES, LANDRY, ROMERO, TARVER, THEUNISSEN AND ULLO

A CONCURRENT RESOLUTION

To urge and request the Adjutant General of the Louisiana National Guard to establish the Cold War Victory Medal to commemorate those members of the Louisiana National Guard who served during the Cold War era from 1945 until 1991.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 28—

BY SENATORS JORDAN, BEAN, BRANCH, BOISSIERE, CRAVINS, DARDENNE, C. FIELDS, W. FIELDS, HEITMEIER, HINES, LANDRY, ROMERO, TARVER, THEUNISSEN AND ULLO

A CONCURRENT RESOLUTION

To memorialize Congress to establish the Cold War Victory Medal to commemorate those members of America's armed services who served during the Cold War era from 1945 until 1991.

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 37—

BY SENATOR GREENE

A CONCURRENT RESOLUTION

To designate April 22, as "Earth Day", and the month of April as "Earth Month".

Reported without amendments.

SENATE CONCURRENT RESOLUTION NO. 32—

BY SENATORS GREENE, BARHAM, DARDENNE, EWING, HAINKEL AND SCHEDLER AND REPRESENTATIVES MCDONALD, DEWITT, DOWNER AND MCMAINS

A CONCURRENT RESOLUTION

To express the support of the Legislature of Louisiana for including secondary and postsecondary vocational education programs in the Unified State Plan to be submitted in compliance with the federal Workforce Investment Act.

Reported without amendments.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

Message from the House

**ASKING CONCURRENCE IN
HOUSE CONCURRENT RESOLUTIONS**

March 31, 1999

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. 72—

BY REPRESENTATIVE MCCALLUM

A CONCURRENT RESOLUTION

To commend ConAgra Poultry Company, Farmerville Division, on obtaining five million man-hours without a lost-time accident.

HOUSE CONCURRENT RESOLUTION NO. 71—

BY REPRESENTATIVES WILKERSON, ALEXANDER, AND SALTER AND SENATOR CAMPBELL

A CONCURRENT RESOLUTION

To commend and congratulate the Arcadia Women in Action, Inc. of Arcadia, Louisiana, for its service to the community and generous support of worthy causes that benefit society.

HOUSE CONCURRENT RESOLUTION NO. 70—

BY REPRESENTATIVE WILKERSON

A CONCURRENT RESOLUTION

To commend and congratulate the 1998-99 women's basketball team of Grambling State University for its outstanding winning season.

HOUSE CONCURRENT RESOLUTION NO. 68—

BY REPRESENTATIVES WILKERSON AND ALEXANDER

A CONCURRENT RESOLUTION

To commend and congratulate Rusty Ponton, head coach of Grambling State University's Lady Tigers basketball team, for being selected coach of the year in the Southwestern Athletic Conference for the second consecutive season.

HOUSE CONCURRENT RESOLUTION NO. 67—

BY REPRESENTATIVE PIERRE

A CONCURRENT RESOLUTION

To express the condolences of the legislature to the family of Mr. O. C. "Dan" Guillot, Sr.

HOUSE CONCURRENT RESOLUTION NO. 76—

BY REPRESENTATIVE JOHN SMITH

A CONCURRENT RESOLUTION

To memorialize the United States Congress to support the efforts and call for action by the Louisiana Independent Oil and Gas Association.

Respectfully submitted,

ALFRED W. SPEER

Clerk of the House of Representatives

Recess

On motion of Senator Bean, the Senate took a recess until 3:45 o'clock P.M.

After Recess

The Senate was called to order at 3:45 o'clock P.M. by the President of the Senate.

ROLL CALL

The roll was called with the following result:

PRESENT

Mr. President	Cravins	Irons
Barham	Dardenne	Landry
Bean	Fields C	Lentini
Boissiere	Fields W	Siracusa
Branch	Greene	Theunissen
Cain	Hainkel	Ullo
Campbell	Heitmeier	
Cox	Hollis	
Total—22		

ABSENT

Bajoie	Johnson	Romero
Casanova	Jones	Schedler
Dean	Jordan	Smith
Dyess	Lambert	Tarver
Ellington	Malone	Thomas
Hines	Robichaux	
Total—17		

The President of the Senate announced there were 22 Senators present and a quorum.

Senate Business Resumed

House Concurrent Resolutions

Senator Bean 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. 67—
BY REPRESENTATIVE PIERRE

A CONCURRENT RESOLUTION

To express the condolences of the legislature to the family of Mr. O. C. "Dan" Guillot, Sr.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Dardenne	Lambert
Bajoie	Dean	Landry
Barham	Fields C	Lentini
Bean	Fields W	Romero
Boissiere	Greene	Siracusa
Branch	Hainkel	Smith
Cain	Heitmeier	Theunissen
Campbell	Hollis	Thomas
Cox	Johnson	Ullo
Cravins	Jones	
Total—29		

NAYS

Total—0

ABSENT

Casanova	Irons	Schedler
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Dyess	Jordan	Tarver
Ellington	Malone	
Hines	Robichaux	
Total—10		

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

HOUSE CONCURRENT RESOLUTION NO. 68—
BY REPRESENTATIVES WILKERSON AND ALEXANDER
A CONCURRENT RESOLUTION

To commend and congratulate Rusty Ponton, head coach of Grambling State University's Lady Tigers basketball team, for being selected coach of the year in the Southwestern Athletic Conference for the second consecutive season.

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	Cravins	Irons
Barham	Dardenne	Lambert
Bean	Dean	Landry
Boissiere	Fields C	Lentini
Branch	Fields W	Romero
Cain	Hainkel	Siracusa
Campbell	Heitmeier	Theunissen
Cox	Hollis	Ullo
Total—24		

NAYS

Total—0

ABSENT

Bajoie	Hines	Robichaux
Casanova	Johnson	Schedler
Dyess	Jones	Smith
Ellington	Jordan	Tarver
Greene	Malone	Thomas
Total—15		

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

HOUSE CONCURRENT RESOLUTION NO. 70—
BY REPRESENTATIVE WILKERSON
A CONCURRENT RESOLUTION

To commend and congratulate the 1998-99 women's basketball team of Grambling State University for its outstanding winning season.

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
Barham	Fields C	Malone
Bean	Fields W	Romero
Branch	Hainkel	Siracusa
Cain	Heitmeier	Theunissen
Campbell	Hollis	Thomas
Cox	Irons	Ullo

March 31, 1999

Cravins
Dardenne
Total—25

Lambert
Landry

NAYS

Total—0

ABSENT

Bajoie
Boissiere
Casanova
Dyess
Ellington
Total—14

Greene
Hines
Johnson
Jones
Jordan

Robichaux
Schedler
Smith
Tarver

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

HOUSE CONCURRENT RESOLUTION NO. 71—
BY REPRESENTATIVES WILKERSON, ALEXANDER, AND SALTER AND SENATOR CAMPBELL

A CONCURRENT RESOLUTION

To commend and congratulate the Arcadia Women in Action, Inc. of Arcadia, Louisiana, for its service to the community and generous support of worthy causes that benefit society.

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
Barham
Bean
Branch
Cain
Campbell
Cox
Cravins
Dardenne
Total—26

Dean
Fields C
Fields W
Hainkel
Heitmeier
Hines
Hollis
Irons
Lambert

Landry
Lentini
Malone
Romero
Siracusa
Theunissen
Thomas
Ullo

NAYS

Total—0

ABSENT

Bajoie
Boissiere
Casanova
Dyess
Ellington
Total—13

Greene
Johnson
Jones
Jordan
Robichaux

Schedler
Smith
Tarver

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

HOUSE CONCURRENT RESOLUTION NO. 72—
BY REPRESENTATIVE MCCALLUM

A CONCURRENT RESOLUTION

To commend ConAgra Poultry Company, Farmerville Division, on obtaining five million man-hours without a lost-time accident.

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
Barham	Fields C	Lentini
Bean	Fields W	Malone
Branch	Hainkel	Romero
Cain	Heitmeier	Siracusa
Campbell	Hines	Smith
Cox	Hollis	Theunissen
Cravins	Irons	Thomas
Dardenne	Lambert	Ullo
Total—27		

NAYS

Total—0

ABSENT

Bajoie	Ellington	Jordan
Boissiere	Greene	Robichaux
Casanova	Johnson	Schedler
Dyess	Jones	Tarver
Total—12		

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

HOUSE CONCURRENT RESOLUTION NO. 76—
BY REPRESENTATIVE JOHN SMITH

A CONCURRENT RESOLUTION

To memorialize the United States Congress to support the efforts and call for action by the Louisiana Independent Oil and Gas Association.

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
Barham	Dyess	Lentini
Bean	Fields C	Malone
Boissiere	Fields W	Romero
Branch	Hainkel	Schedler
Cain	Heitmeier	Siracusa
Campbell	Hollis	Smith
Cox	Irons	Theunissen
Cravins	Jones	Thomas
Dardenne	Lambert	Ullo
Total—30		

NAYS

Total—0

ABSENT

Bajoie	Greene	Jordan
Casanova	Hines	Robichaux
Ellington	Johnson	Tarver
Total—9		

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

Reports of Committees

The following reports of committees were received and read:

REPORT OF COMMITTEE ON ENVIRONMENTAL QUALITY

Senator Lambert, Chairman on behalf of the Committee on Environmental Quality, submitted the following report:

March 31, 1999

To the President and Members of the Senate:

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

SENATE BILL NO. 399— BY SENATORS LAMBERT, DARDENNE, EWING, HAINKEL AND BARHAM AND REPRESENTATIVES DEWITT, DOWNER AND MCMAINS AN ACT

To amend and reenact R.S. 30:2205(E), relative to suits to recover state money; to authorize Department of Environmental Quality attorneys, under certain circumstances, to act in lieu of the attorney general to recover state money expended for cleaning up hazardous waste sites; and to provide for related matters.

Reported favorably.

Respectfully submitted, Louis Lambert Chairman

REPORT OF COMMITTEE ON HEALTH AND WELFARE

Senator Hines, Chairman on behalf of the Committee on Health and Welfare, submitted the following report:

March 31, 1999

To the President and Members of the Senate:

I am directed by your Committee on Health and Welfare to submit the following report:

SENATE CONCURRENT RESOLUTION NO. 3— BY SENATOR LANDRY A CONCURRENT RESOLUTION

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

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 6— BY SENATOR LANDRY A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals, office of public health, to conduct a public campaign to improve awareness of the benefits of folic acid and to increase consumption of folic acid among women of child-bearing age.

Reported favorably.

SENATE CONCURRENT RESOLUTION NO. 7—

BY SENATOR SCHEDLER

A CONCURRENT RESOLUTION

To urge and request the Department of Health and Hospitals to study the feasibility of establishing the Florida Parish Human Services District to direct the operation and management of community-based programs and services related to public health, mental health, developmental disabilities, and substance abuse for eligible consumers in the parishes of St. Helena, Livingston, Tangipahoa, St. Tammany, and Washington.

Reported with amendments.

SENATE CONCURRENT RESOLUTION NO. 22—

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

A CONCURRENT RESOLUTION

To authorize the Department of Health and Hospitals to implement a Medicaid Region III modified CommunityCARE program, a Medicaid voucher program, a Medicaid center of excellence program, and a Medicaid regional managed care pilot program.

Reported favorably.

SENATE BILL NO. 98—

BY SENATOR HINES

AN ACT

To enact R.S. 46:2605(B)(30), relative to the Children's Cabinet Advisory Board; to revise the composition of the membership of the advisory board; to provide an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 165—

BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 46:2663(B), and (D), 2664(A)(4), (C) and (E), and 2666 and to repeal R.S. 46:2662(C) and (D), relative to the Capital Area Human Services District; to remove the termination date; to make technical changes to remove certain provisions that have expired; to provide for the district's functions, powers, and duties relative to providing community-based services and care relating to public health; to provide for the employees; to provide an effective date; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 359—

BY SENATOR HINES

AN ACT

To amend and reenact the introductory paragraph of R.S. 40:5.5(C) and (C)(3), relative to food safety; to provide for the issuance of a food safety certificate and for the collection of a fee thereof; to provide for an effective date; and to provide for related matters.

Reported with amendments.

Respectfully submitted, Don Hines Chairman

REPORT OF COMMITTEE ON INSURANCE

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

March 31, 1999

To the President and Members of the Senate:

March 31, 1999

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

SENATE BILL NO. 418—
BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 22:250.9(B), relative to health insurance; to provide for time limitations for implementation of the federal and state portability requirements; to provide for implementation waivers; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 419—
BY SENATOR BEAN

AN ACT

To amend and reenact R.S. 22:215(A)(4), 250.1(5)(r)(ii); 250.5(A)(1)(b)(ii), to enact R.S. 22:250.17 and to repeal R.S. 22:215.22, relative to health insurance; to provide for portability, availability, and renewability of health insurance; to restrict the classification of franchise health and accident insurance, to provide for mental health parity limitations and coverage for reconstructive surgery following mastectomies; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 501—
BY SENATOR CRAVINS

AN ACT

To enact R.S. 22:1214(24), relative to unfair trade practices; to prohibit insurers from restricting communications to consumers about limited benefit plans; to provide for penalties; and to provide for related matters.

Reported with amendments.

Respectfully submitted,
GREGORY TARVER
Chairman

REPORT OF COMMITTEE ON

SENATE AND GOVERNMENTAL AFFAIRS

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

March 31, 1999

To the President and Members of the Senate:

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

SENATE BILL NO. 390—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 49:992(B)(3), relative to administrative procedure; to provide for rights of appeal by certain agencies; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 391—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 49:956(5)(b), and to enact R.S. 49:999.1; all relative to administrative procedures; to provide for service of process; to authorize the division of administrative law to provide services on a contractual basis to other governmental agencies; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 447—
BY SENATOR DARDENNE

AN ACT

To amend and reenact the introductory paragraph of R.S. 24:53(A), and 53(E), 54(A) and 55(C), relative to certain lobbyist reports, registrations, notices and statements required to be filed with the Board of Ethics; to delete the requirement that such reports be made under oath before an officer authorized by law to administer oaths; to require that such reports include a certification of accuracy by the filer; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 448—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 42:1157(B), relative to ethics; to require the Board of Ethics staff to send a notice of delinquency of required filings where staff knows or has reason to know a filing is due; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 449—
BY SENATOR DARDENNE

AN ACT

To enact R.S. 42:1157.3, relative to enforcement of violations and penalties by the Board of Ethics; to authorize the board to contract with outside counsel for the enforcement of certain judgments; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 451—
BY SENATOR DARDENNE

AN ACT

To enact R.S. 42:1121(A)(3), relative to post-employment restrictions; to authorize certain local officials to assist in certain transactions after termination of public office; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 452—
BY SENATOR DARDENNE

AN ACT

To enact R.S. 42:1116(C), relative to ethics; to prohibit public servants having regulatory or enforcement responsibilities from participating in certain transactions; and to provide for related matters.

Reported with amendments.

SENATE BILL NO. 708—
BY SENATOR DARDENNE

AN ACT

To amend and reenact R.S. 24:53(E), relative to lobbying; to provide for the effective date of termination of lobbyist registrations; and to provide for related matters.

Reported favorably.

SENATE BILL NO. 905—
BY SENATORS EWING AND DARDENNE AND REPRESENTATIVES
DOWNER, BRUNEAU AND LANCASTER
AN ACT

To amend and reenact R.S. 42:1124(C)(2)(b) and 1157(A)(4), to enact R.S. 42:1114.1, and to repeal R.S. 42:1114(D), relative to financial disclosure by legislators; to require disclosure by legislators of certain financial information; and to provide for related matters.

Reported with amendments.

Respectfully submitted,

JAY DARDENNE
Chairman

**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. 38—
BY SENATOR CAIN

AN ACT

To amend and reenact the introductory paragraph of R.S. 3:264(B) and (C), relative to the Louisiana Agricultural Finance Authority; to increase the number of members of the authority; to remove gubernatorial appointment authority; to provide for appointment by the commissioner of agriculture; and to provide for related matters.

Floor Amendments Sent Up

Senator Bean sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Bean on behalf of the Legislative Bureau to Engrossed Senate Bill No. 38 by Senator Cain

AMENDMENT NO. 1

On page 1, line 2, following "reenact" and before "R.S." delete "the introductory paragraph of"

AMENDMENT NO. 2

On page 1, line 8, following "Section 1." and before "R.S." delete "The introductory paragraph of"

On motion of Senator Bean, the amendments were adopted.

Floor Amendments Sent Up

Senator Cain sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Cain to Engrossed Senate Bill No. 38 by Senator Cain

AMENDMENT NO. 1

On page 1, line 2 delete the following: "the introductory paragraph of"

AMENDMENT NO. 2

On page 1, line 4, after "authority;" delete the remainder of the line and delete line 5 and on line 6 delete "of agriculture;"

AMENDMENT NO. 3

On page 1, line 8 delete the following: "The introductory paragraph of"

AMENDMENT NO. 4

On page 1, line 14, after "members." insert the following: "The chair of the Senate Committee on Agriculture or his designee and the chair of the House Committee on Agriculture or his designee shall serve in an advisory capacity, without voting rights, to the Authority."

AMENDMENT NO. 5

On page 2, line 1 change "commissioner of agriculture" to "governor"

AMENDMENT NO. 6

On page 2, lines 7 and 9, change "four" to "three"

AMENDMENT NO. 7

On page 2, line 15 change "commissioner of agriculture" to "governor"

AMENDMENT NO. 8

On page 2, at the end of line 16 delete "commissioner of"

AMENDMENT NO. 9

On page 2, line 17 change "agriculture" to "governor"

AMENDMENT NO. 10

On page 2, line 19 change "commissioner of agriculture" to "governor"

On motion of Senator Cain, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President	Fields C	Landry
Bajoie	Fields W	Lentini
Barham	Greene	Malone
Bean	Hainkel	Robichaux
Boissiere	Heitmeier	Romero
Branch	Hines	Schedler
Cain	Hollis	Siracusa
Campbell	Irons	Smith
Cox	Johnson	Theunissen
Cravins	Jones	Thomas
Dardenne	Jordan	Ullo
Ellington	Lambert	
Total—35		

NAYS

Dean
Total—1

ABSENT

Casanova	Dyess	Tarver
Total—3		

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

SENATE BILL NO. 62—

BY SENATOR BARHAM

AN ACT

To enact R.S. 33:4861.4(D)(4), relative to licensing requirements for charitable gaming; to exempt certain conservation organizations from such requirements for limited purposes; to define such conservation organizations; and to provide for related matters.

Floor Amendments Sent Up

Senator Barham sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Barham to Engrossed Senate Bill No. 62 by Senator Barham

AMENDMENT NO. 1

On page 1, line 13, after "organization" insert ", which is recognized by the Internal Revenue Service as a 501(3)(C) corporation,"

On motion of Senator Barham, the amendments were adopted.

March 31, 1999

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

ROLL CALL

The roll was called with the following result:

YEAS

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

NAYS

Total—0

ABSENT

Casanova Malone
Dyess Tarver
Total—4

The Chair declared the amended 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. 65— BY SENATOR COX

AN ACT

To amend and reenact R.S. 13:477(14) and 621.14, relative to district courts; to provide for an additional judgeship in the Fourteenth Judicial District; to provide for the election and term of office; to provide for qualifications; to provide relative to compensation; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Dean Jordan
Bajoie Ellington Lambert
Barham Fields C Landry
Bean Fields W Lentini
Boissiere Greene Robichaux
Branch Heitmeier Romero
Cain Hines Schedler
Campbell Hollis Siracusa
Cox Irons Smith
Cravins Johnson Thomas
Dardenne Jones Ullo
Total—33

NAYS

Hainkel
Total—1

ABSENT

Casanova Malone Theunissen
Dyess Tarver
Total—5

The Chair declared the 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. 113— BY SENATOR EWING

AN ACT

To enact R.S. 14:67.16, relative to criminal law; to provide for the crime of identity theft; and to provide for related matters.

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Lambert
Bajoie Fields C Landry
Barham Fields W Lentini
Bean Greene Romero
Boissiere Hainkel Schedler
Branch Heitmeier Siracusa
Cain Hines Smith
Campbell Hollis Theunissen
Cox Irons Thomas
Cravins Johnson Ullo
Dardenne Jones
Dean Jordan
Total—34

NAYS

Total—0

ABSENT

Casanova Malone Tarver
Dyess Robichaux
Total—5

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. 119— BY SENATOR SCHEDLER

AN ACT

To amend and reenact R.S. 40:1300.52(D)(1)(a) and 1300.53(A)(1)(a), relative to criminal history checks conducted by the office of state police, or other authorized agencies, on certain nonlicensed persons and licensed ambulance personnel; to authorize the office of state police or other authorized agency to provide the criminal history records of such persons to certain employers if the records reveal conviction of certain acts of theft; to prohibit such employers from hiring or contracting with such a person if he has been convicted of such offense; and to provide for related matters.

Floor Amendments Sent Up

Senator Schedler sent up floor amendments which were read.

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Schedler to Engrossed Senate Bill No. 119 by Senator Schedler

AMENDMENT NO. 1

On page 2, line 25, change "14:67" to "14:66"

On motion of Senator Schedler, the amendments were adopted.

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

ROLL CALL

The roll was called with the following result:

YEAS

Table with 3 columns of names: Mr. President, Bajoie, Barham, Bean, Boissiere, Branch, Cain, Campbell, Cox, Cravins, Dardenne, Dean, Ellington, Fields C, Fields W, Greene, Hainkel, Heitmeier, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry, Lentini, Romero, Schedler, Siracusa, Smith, Theunissen, Thomas, Ullo

NAYS

Total—0

ABSENT

Table with 3 columns of names: Casanova, Dyess, Malone, Robichaux, Tarver

The Chair declared the amended 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.

SENATE BILL NO. 225— BY SENATORS JORDAN, COX, C. FIELDS AND SCHEDLER AN ACT

To amend and reenact Civil Code Art. 26, relative to rights of an unborn child; to authorize survival actions, bystander actions, and other personal injury actions for an unborn child; and to provide for related matters.

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

Rules Suspended

Senator C. Fields 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 Bean 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. 986— BY SENATOR THEUNISSEN AN ACT

To amend and reenact R.S. 33:2721.6(A)(2), relative to municipalities and parishes; to provide authorization for parishes and school

boards to establish new limits of local sales and use taxes; and to provide for related matters.

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

Introduction of Resolutions, Senate and Concurrent

Senator Bean 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. 16— BY SENATOR C. FIELDS

A RESOLUTION

To direct the Louisiana Department of Environmental Quality to prohibit Rhodia Incorporated from burning napalm at its facility in north Baton Rouge because of its proximity to Southern University and heavily populated communities in north Baton Rouge unless certain air monitoring systems and a Community Alert System are installed and an evacuation program for Southern University is established.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Fields to Original Senate Resolution No. 16 by Senator C. Fields

AMENDMENT NO. 1

On page 1, line 3, between "from" and "burning" insert "importing, offloading, and"

AMENDMENT NO. 2

On page 1, line 5, after "unless" delete the remainder of the line and insert in lieu thereof the following:

"a risk management plan is implemented, certain chemical-specific air"

AMENDMENT NO. 3

On page 2, line 24, after "Rhodia to" change "burn napalm" to "initiate a test burn of any napalm mixture"

AMENDMENT NO. 4

On page 3, line 18, between "WHEREAS," and "installation" insert "in addition to existing monitoring for total hydro-carbons, the" and between "of" and "air" insert "chemical-specific"

AMENDMENT NO. 5

On page 3, line 19, delete "specific air pollutants and toxins" and insert "benzene, styrene, toluene"

AMENDMENT NO. 6

On page 3, line 20, delete "nearby communities" and insert "the potentially affected community"

AMENDMENT NO. 7

On page 4, at the beginning of line 4, between "all" and "incineration" insert "importation, offloading, and"

AMENDMENT NO. 8

On page 4, at the end of line 6, between "unless" and "air" insert the following:

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“and until (1) a risk management plan (“RMP”) consistent with federal law is conducted with public input through hearings and written or oral testimony or comments; (2) chemical-specific”

AMENDMENT NO. 9

On page 4, at the end of line 7, delete "nearby"

AMENDMENT NO. 10

On page 4, at the beginning of line 8, change "communities," to "the potentially affected community,"

AMENDMENT NO. 11

On page 4, line 8, between “stacks” and “at” insert “and storage and transfer stations and the fenceline”

AMENDMENT NO. 12

On page 4, line 9, after “area” delete the comma “,” and insert “; (3)”

AMENDMENT NO. 13

On page 4, at the end of line 10, after “accidents” change the comma “,” to a semicolon “;” and between “and” and “an” insert “(4)”

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

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator Dardenne to Original Senate Resolution No. 16 by Senator C. Fields

AMENDMENT NO. 1

On page 4, line 2, after "the" delete the remainder of the line and insert in lieu thereof "Senate of the state of Louisiana"

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

The resolution was read by title. Senator C. Fields moved to adopt the amended Senate Resolution.

The Chair declared the Senate had adopted the amended Senate Resolution.

SENATE RESOLUTION NO. 17—

BY SENATOR COX

A RESOLUTION

To commend former state representative Horace Lynn Jones Sr. on his 77th birthday.

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

SENATE CONCURRENT RESOLUTION NO. 42—

BY SENATOR CAIN AND REPRESENTATIVE HILL

A CONCURRENT RESOLUTION

To memorialize the United States Congress to proclaim the first week in August of each year as "National Week of Prayer for Schools".

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President Ellington Lambert

Bajoie	Fields C	Landry
Barham	Fields W	Lentini
Bean	Greene	Malone
Boissiere	Hainkel	Robichaux
Branch	Heitmeier	Romero
Cain	Hines	Schedler
Campbell	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo

Total—36

NAYS

Total—0

ABSENT

Casanova
Total—3

Dyess

Tarver

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

SENATE CONCURRENT RESOLUTION NO. 43—

BY SENATOR LAMBERT

A CONCURRENT RESOLUTION

To urge and request the Department of Transportation and Development to install a left-turn signal light at the intersection of Louisiana Highway 73 and Louisiana Highway 74 in Ascension Parish, Louisiana.

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

SENATE CONCURRENT RESOLUTION NO. 44—

BY SENATOR C. FIELDS

A CONCURRENT RESOLUTION

To direct the Louisiana Department of Environmental Quality to prohibit Rhodia Incorporated from burning napalm at its facility in North Baton Rouge because of its proximity to Southern University and heavily populated communities in north Baton Rouge unless certain air monitoring systems and a Community Alert System are installed and an evacuation program for Southern University is established.

Floor Amendments Sent Up

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

SENATE FLOOR AMENDMENTS

Amendments proposed by Senator C. Fields to Original Senate Concurrent Resolution No. 44 by Senator C. Fields

AMENDMENT NO. 1

On page 1, line 3, between “from” and “burning” insert “importing, offloading, and”

AMENDMENT NO. 2

On page 1, line 5, after "unless" delete the remainder of the line and insert in lieu thereof the following: "a risk management plan is implemented, certain chemical-specific air"

AMENDMENT NO. 3

On page 2, line 24, after “Rhodia to” change “burn napalm” to “initiate a test burn of any napalm mixture”

AMENDMENT NO. 4

On page 3, line 18, between "WHEREAS," and "installation" insert "in addition to existing monitoring for total hydro-carbons, the" and between "of" and "air" insert "chemical-specific"

AMENDMENT NO. 5

On page 3, line 19, delete "specific air pollutants and toxins" and insert "benzene, styrene, toluene"

AMENDMENT NO. 6

On page 3, line 20, delete "nearby communities" and insert "the potentially affected community"

AMENDMENT NO. 7

On page 4, at the beginning of line 4, between "all" and "incineration" insert "importation, offloading, and"

AMENDMENT NO. 8

On page 4, at the end of line 6, between "unless" and "air" insert the following:

"and until (1) a risk management plan ("RMP") consistent with federal law is conducted with public input through hearings and written or oral testimony or comments; (2) chemical-specific"

AMENDMENT NO. 9

On page 4, at the end of line 7, delete "nearby"

AMENDMENT NO. 10

On page 4, at the beginning of line 8, change "communities," to "the potentially affected community,"

AMENDMENT NO. 11

On page 4, line 8, between "stacks" and "at" insert "and storage and transfer stations and the fenceline"

AMENDMENT NO. 12

On page 4, line 9, after "area" delete the comma "," and insert "; (3)"

AMENDMENT NO. 13

On page 4, at the end of line 10, after "accidents" change the comma "," to a semicolon ";" and between "and" and "an" insert "(4)"

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

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

ROLL CALL

The roll was called with the following result:

YEAS

Mr. President, Bajoi, Barham, Boissiere, Branch, Cain, Campbell, Cox, Cravins, Dardenne, Ellington, Total—31

NAYS

Bean, Dean, Total—4

ABSENT

Casanova, Dyess, Total—4, Siracusa, Tarver

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

SENATE CONCURRENT RESOLUTION NO. 45—

BY SENATOR ROBICHAUX

A CONCURRENT RESOLUTION

To request additional funding for a fisheries data collection program and a detailed, historical study on price trends in the shrimping industry.

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

SENATE CONCURRENT RESOLUTION NO. 46—

BY SENATOR EWING

A CONCURRENT RESOLUTION

To express the sincere condolences of the Legislature of Louisiana to Senator Charles D. Jones and his entire family upon the death of his brother, Sam Jones, Jr.

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

Mr. President, Ellington, Landry, Bajoi, Fields C, Lentini, Barham, Fields W, Malone, Bean, Greene, Romero, Boissiere, Hainkel, Schedler, Branch, Heitmeier, Siracusa, Cain, Hines, Smith, Campbell, Hollis, Theunissen, Cox, Irons, Thomas, Cravins, Johnson, Ullo, Dardenne, Jordan, Lambert, Dean, Total—34

NAYS

Total—0

ABSENT

Casanova, Dyess, Total—5, Jones, Robichaux, Tarver

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

SENATE CONCURRENT RESOLUTION NO. 47—

BY SENATOR HAINKEL

A CONCURRENT RESOLUTION

To urge and request the Board of Regents and the Board of Supervisors for the University of Louisiana System to take the necessary steps to name the administration building, located at Southeastern Louisiana University, the Dr. Luther H. Dyson Administration Building.

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

Senate Bills and Joint Resolutions on First Reading, Subject to Call

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

Called from the Calendar

Senator Hollis asked that Senate Bill No. 921 be called from the Calendar at this time.

SENATE BILL NO. 921—
BY SENATOR HEITMEIER

AN ACT

To enact Chapter 10-B of Title 6 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 6:969.1 through 969.41, and to repeal Chapter 10 of Title 6 of the Louisiana Revised Statutes, comprised of R.S. 6:951 through 964, relative to the Motor Vehicle Sales Finance Act; to provide for a short title; to provide for the scope of the Chapter; to provide for certain exclusions; to provide for a waiver and an agreement to forego rights; to provide relative to agreements to contract and of financing; to provide for definitions; to provide for terms, construction, and additional fees and charges; to provide for construction against implicit repeal; to provide for consumer loans; to provide for a consumer credit sale; to provide for maximum charges after negotiations; to provide for maximum charges after maturity; to provide for the impact of leap years; to provide for variable rates; to provide for maximum delinquency charges; to provide for maximum deferral charges; to provide for charges for checks returned for insufficient funds; to provide for documentation fees; notary fees, transfer of equity and other fees and for disclosure; to provide for the right to prepay; to provide for rebates upon prepayment and prepayment charges; to provide for rebate after acceleration of maturity; to provide for attorney fees; to provide for collection and enforcement costs and expenses; to provide for use of multiple agreements; to provide for consumer credit insurance; to provide for property insurance; to provide for existing insurance; to provide for limitations on insurance rates and contract requirements; to provide for a choice of insurer; to provide for conditions applying to insurance provided by the extender of credit; to provide for cancellation of insurance and refund or credit upon cancellation; to provide for gain from insurance; to provide for the effect of violations on rights of parties; to provide for guidance by commission and advisory opinions; to provide authorization for consumer loans and assignees; to provide for license not required; to provide for licensing procedures; to provide for denial, suspension or revocation of licenses; to provide for investigations and complaints; to provide for powers of the commission; to provide for penalties imposed by the commission; and to provide for related matters.

On motion of Senator Hollis, the bill was read by title and referred to the Committee on Commerce and Consumer Protection.

Called from the Calendar

Senator Cravins asked that Senate Bill No. 961 be called from the Calendar at this time.

SENATE BILL NO. 961—
BY SENATOR CRAVINS AND REPRESENTATIVE MONTGOMERY

AN ACT

To repeal Section 2 of Act 721 of the 1997 Regular Session of the Legislature, relative to the taxation of slot machine gaming at certain live horse race tracks; to delete certain restrictions on when such gaming may be conducted; to allow local governing authorities to collect taxes on such activities as previously authorized by law; and to provide for related matters.

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

Called from the Calendar

Senator Theunissen asked that Senate Bill No. 734 be called from the Calendar at this time.

SENATE BILL NO. 734—
BY SENATOR THEUNISSEN

AN ACT

To amend and reenact R.S. 47:1702(3), relative to ad valorem taxation; to provide that certain pipelines are personal or movable property; and to provide for related matters.

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

Called from the Calendar

Senator Hollis asked that Senate Bill No. 766 be called from the Calendar at this time.

SENATE BILL NO. 766—
BY SENATOR HOLLIS

AN ACT

To amend and reenact R.S. 47:843(D), 864(A), and 865, relative to tobacco products; to provide for tax regulations; to provide for certain cigarettes to which tax stamps shall not be affixed; to provide for certain violations of the Unfair Trade and Consumer Protection Law; to provide for penalties; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Commerce and Consumer Protection.

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 3 from the Committee on Judiciary A.

SENATE BILL NO. 3—
BY SENATOR BARHAM

AN ACT

To enact Part II-B of Chapter 4 of Code Title II of Code Book III of Title 9 of the Louisiana Revised Statutes of 1950, to be comprised of R.S. 9:2440.1 through 2440.12, relative to successions; to provide for uniform transfer on death of securities; and to provide for related matters.

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

Rules Suspended

Senator Barham asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 265 from the Committee on Revenue and Fiscal Affairs.

SENATE BILL NO. 265—
BY SENATORS BARHAM, DARDENNE, EWING AND HAINKEL, AND REPRESENTATIVES ALARIO, DEWITT, DOWNER, AND MCMAINS

AN ACT

To amend and reenact R.S. 47:1541 and R.S. 47:1562(B), relative to authorizing the secretary of revenue to require sample and projection auditing methods for the purpose of projecting audit findings for certain taxpayers with gross annual revenues that exceed \$25 million or taxpayers that have inadequate or insufficient records to make a competent audit; to allow sample and projection audits when the taxpayer and the secretary mutually

agree to this method of audit; to provide for an effective date; and to provide for related matters.

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

Rules Suspended

Senator Heitmeier asked for and obtained a suspension of the rules for the purpose of recalling Senate Bill No. 330 from the Committee on Retirement.

SENATE BILL NO. 330— BY SENATOR HEITMEIER

AN ACT

To enact R.S. 11:511(6), relative to the Louisiana State Employees' Retirement System; to provide for the creation of a honorary, advisory, or emeritus member to the board of trustees; to provide for limitations; and to provide for related matters.

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

Motion to Recommit

Senator Schedler asked for and obtained a suspension of the rules and recommitted Senate Bill No. 732 from the Committee on Senate and Governmental Affairs to the Committee on Health and Welfare.

Motion to Recommit

Senator Romero asked for and obtained a suspension of the rules and recommitted Senate Bill No. 548 from the Committee on Environmental Quality to the Committee on Natural Resources.

Motion to Recommit

Senator Irons asked for a suspension of the rules for the purpose of recommitting a bill.

Senator Cain objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing yeas: Bajoie, Barham, Boissiere, Cox, Dardenne, Dean, Fields C, Fields W, Total—23; Greene, Hainkel, Hines, Hollis, Irons, Johnson, Jones, Jordan, Lambert, Landry, Lentini, Malone, Schedler, Thomas, Ullo.

NAYS

Table listing nays: Bean, Cain, Cravins, Total—9; Ellington, Heitmeier, Romero, Siracusa, Smith, Theunissen.

ABSENT

Table listing absent: Mr. President, Branch, Campbell, Total—7; Casanova, Dyess, Robichaux, Tarver.

The Chair declared the rules were suspended.

Senator Irons moved that Senate Bill No. 885 be recommitted from the Committee on Agriculture to the Committee on Judiciary C.

Senator Cain objected.

ROLL CALL

The roll was called with the following result:

YEAS

Table listing yeas: Bajoie, Boissiere, Dardenne, Dean, Fields W, Total—14; Greene, Hollis, Irons, Johnson, Jones, Jordan, Landry, Lentini, Ullo.

NAYS

Table listing nays: Barham, Bean, Branch, Cain, Campbell, Cox, Cravins, Total—20; Ellington, Fields C, Hainkel, Heitmeier, Hines, Lambert, Malone, Romero, Schedler, Siracusa, Smith, Theunissen, Thomas.

ABSENT

Table listing absent: Mr. President, Casanova, Total—5; Dyess, Robichaux, Tarver.

The Chair declared the Senate refused to recommit the bill.

Called from the Calendar

Senator Hainkel asked that Senate Bill No. 638 be called from the Calendar at this time.

SENATE BILL NO. 638— BY SENATOR HAINKEL

AN ACT

To amend and reenact R.S. 47: 842(5), 843(A) and (C)(3) and 851(B)(2)(b) and (D), and to repeal R.S. 47:843(B), relative to the tobacco tax; to authorize the secretary to sell tax stamps to manufacturers as wholesale dealers who otherwise qualify; to authorize the sale of stamps with benefit of discount to wholesale dealers who meet the statutory and regulatory conditions for the discount; and to provide for related matters.

On motion of Senator Bean, the bill was read by title and referred to the Committee on Commerce and Consumer Protection.

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 31, 1999

To the Honorable President and Members of the Senate:

March 31, 1999

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. 69—
 BY REPRESENTATIVES WILKERSON AND ALEXANDER
 A CONCURRENT RESOLUTION
 To commend and congratulate Wilbert Ellis, head baseball coach of Grambling State University, on his six hundred career wins.

HOUSE CONCURRENT RESOLUTION NO. 81—
 BY REPRESENTATIVE CURTIS
 A CONCURRENT RESOLUTION
 To express the condolences and heartfelt sorrow of the Legislature of Louisiana to the family of Deverell Laurent Smith.

HOUSE CONCURRENT RESOLUTION NO. 84—
 BY REPRESENTATIVE DEWITT
 A CONCURRENT RESOLUTION
 To urge and request the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to reconsider a recent change in its season ticket policy for football, basketball, and baseball that provides for season ticket renewal only by the account holder and for very limited changes in the account holder.

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

House Concurrent Resolutions

Senator Bean 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. 69—
 BY REPRESENTATIVES WILKERSON AND ALEXANDER
 A CONCURRENT RESOLUTION
 To commend and congratulate Wilbert Ellis, head baseball coach of Grambling State University, on his six hundred career wins.

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	Ellington	Lambert
Bajoie	Fields C	Landry
Barham	Fields W	Lentini
Bean	Greene	Malone
Boissiere	Hainkel	Robichaux
Branch	Heitmeier	Romero
Cain	Hines	Schedler
Campbell	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Total—36		
NAYS		
Total—0		
ABSENT		
Casanova	Dyess	Tarver
Total—3		

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

HOUSE CONCURRENT RESOLUTION NO. 81—
 BY REPRESENTATIVE CURTIS
 A CONCURRENT RESOLUTION
 To express the condolences and heartfelt sorrow of the Legislature of Louisiana to the family of Deverell Laurent Smith.

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

ROLL CALL

The roll was called with the following result:

YEAS		
Mr. President	Ellington	Lambert
Bajoie	Fields C	Landry
Barham	Fields W	Lentini
Bean	Greene	Malone
Boissiere	Hainkel	Robichaux
Branch	Heitmeier	Romero
Cain	Hines	Schedler
Campbell	Hollis	Siracusa
Cox	Irons	Smith
Cravins	Johnson	Theunissen
Dardenne	Jones	Thomas
Dean	Jordan	Ullo
Total—36		
NAYS		
Total—0		
ABSENT		
Casanova	Dyess	Tarver
Total—3		

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

HOUSE CONCURRENT RESOLUTION NO. 84—
 BY REPRESENTATIVE DEWITT
 A CONCURRENT RESOLUTION
 To urge and request the Board of Supervisors of Louisiana State University and Agricultural and Mechanical College to reconsider a recent change in its season ticket policy for football, basketball, and baseball that provides for season ticket renewal only by the account holder and for very limited changes in the account holder.

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

Petitions, Memorials and Communications

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

**SENATE
 STATE OF LOUISIANA**

March 31, 1999

Honorable Diana E. Bajoie
 State Senator
 P.O. Box 15168
 New Orleans, LA 70175

Dear Senator Bajoie:

In accordance with Senate Rule 13.1, I hereby appoint you to serve as a member of the Senate Committee on Finance.

In accordance with Senate Rule 13.1, accept your resignation from the Senate Committee on Retirement.

Sincerely,
Randy L. Ewing

**SENATE
STATE OF LOUISIANA**

March 31, 1999

Honorable Noble Ellington
State Senator
4272 Front Street
Winnsboro, LA 71295

Dear Senator Ellington:

In accordance with Senate Rule 13.1, I hereby appoint you to serve as a member of the Senate Committee on Education

Sincerely,
Randy L. Ewing

**SENATE
STATE OF LOUISIANA**

March 31, 1999

Honorable Paulette R. Irons
State Senator
3308 Tulane Avenue, Suite 300
New Orleans, LA 70119

Dear Senator Irons:

In accordance with Senate Rule 13.1, I hereby appoint you to serve as a member of the Senate Committee on Revenue and Fiscal Affairs.

Sincerely,
Randy L. Ewing

**SENATE
STATE OF LOUISIANA**

March 31, 1999

Honorable Jon D. Johnson
State Senator
7340 Crowder Blvd., Suite 405
New Orleans, LA 70127

Dear Senator Johnson:

In accordance with Senate Rule 13.1, I hereby appoint you to serve as a member of the Senate Committee on Finance, and Senate and Governmental Affairs Committee.

In accordance with Senate Rule 13.1, I accept your resignation from the Senate Revenue and Fiscal Affairs Committee.

Sincerely,
Randy L. Ewing

**SENATE
STATE OF LOUISIANA**

March 31, 1999

Honorable Jerry Thomas
State Senator
828 Main Street
Franklinton, LA 70438

Dear Senator Thomas:

In accordance with Senate Rule 13.1, I hereby appoint you to serve as a member of the Senate Agriculture and Senate Transportation, Highways and Public Works Committees.

Sincerely,
Randy L. Ewing

**SENATE
STATE OF LOUISIANA**

March 31, 1999

Honorable Tom Schedler
State Senator
P.O. Box 1656
Slidell, LA 70459

Dear Senator Schedler:

In accordance with Senate Rule 13.2, I hereby appoint you to serve as Vice-Chairman of the Senate Committee on Revenue and Fiscal Affairs.

Sincerely,
Randy L. Ewing

**SENATE
STATE OF LOUISIANA**

March 31, 1999

Honorable John Sircusa
State Senator
8905 Highway 90 East
Morgan City, LA 70459

Dear Senator Sircusa:

In accordance with Senate Rule 13.1, I accept your resignation from the Senate Committee on Agriculture.

Sincerely,
Randy L. Ewing

**SENATE
STATE OF LOUISIANA**

March 31, 1999

Honorable Ron Bean
State Senator
2520 Burt Kouns Industrial Loop, Suite 201
Shreveport, LA 71118

Dear Senator Bean:

In accordance with Senate Rule 13.1, I accept your resignation from the Senate Committees on Finance and Transportation.

Sincerely,
Randy L. Ewing

March 31, 1999

**SENATE
STATE OF LOUISIANA**

March 31, 1999

Honorable Art Lentini
State Senator
Baton Rouge, LA 70804

Dear Senator Lentini:

In accordance with Joint Rule No. 3, I hereby appoint you to serve as chairman of the Legislative Bureau.

Sincerely,
Randy L. Ewing

**SENATE
STATE OF LOUISIANA**

March 31, 1999

Honorable Lambert C. Boissiere, Jr.
State Senator
6305 Elysian Fields, Rm 203
New Orleans, LA 70122-4245

Dear Senator Boissiere:

In accordance with Senate Rule 13.1, I hereby appoint you to serve as a member of the Senate Committees on Judiciary C, Local and Municipal Affairs, and Retirement.

Sincerely,
Randy L. Ewing

**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 31, 1999

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 Resolutions have been properly enrolled:

SENATE RESOLUTION NO. 3—
BY SENATOR W. FIELDS
A RESOLUTION

To commend and congratulate Kori Thomas, for achieving national recognition for exemplary volunteer service from The National Association of Secondary School Principals and The Prudential Insurance Company of America.

SENATE RESOLUTION NO. 4—
BY SENATOR DYESS
A RESOLUTION

To commend the players, coaches, managerial personnel, and statisticians of the Alexandria Senior High School girls' swim team upon its excellence during the 1998 season that culminated in its winning the Class 4-A state high school swim title and in compiling a record of 14-1.

SENATE RESOLUTION NO. 5—
BY SENATOR BARHAM
A RESOLUTION

To commend ConAgra Poultry Company of Farmerville, Louisiana for five million man hours without a lost time accident.

SENATE RESOLUTION NO. 10—
BY SENATOR HINES
A RESOLUTION

To commend and congratulate Amanda Langley, for achieving national recognition for exemplary volunteer service from The National Association of Secondary School Principals and The Prudential Insurance Company of America.

SENATE RESOLUTION NO. 12—
BY SENATOR THOMAS
A RESOLUTION

To commend and congratulate Nicole Armand for achieving national recognition for exemplary volunteer service from The National Association of Secondary School Principals and The Prudential Insurance Company of America.

SENATE RESOLUTION NO. 13—
BY SENATORS HAINKEL AND SCHEDLER
A RESOLUTION

To commend Floyd Glass, owner of Floyd's Shell in Madisonville, on his outstanding thirty years of service and dedication to Madisonville and the surrounding communities.

Respectfully submitted,
JAY DARDENNE
Chairman

The foregoing Senate Resolutions were signed by the President of the Senate and presented to the Secretary of State by the Secretary.

Message from the House

SIGNED HOUSE CONCURRENT RESOLUTIONS

March 31, 1999

To the Honorable President and Members of the Senate:

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

HOUSE CONCURRENT RESOLUTION NO. 22—
BY REPRESENTATIVE FARVE
A CONCURRENT RESOLUTION

To recognize the Ursuline Sisters for the integral role they have played in the history of Louisiana, from their arrival in 1727 and their critical intercession in the Battle of New Orleans and continuing even today in their educational mission.

HOUSE CONCURRENT RESOLUTION NO. 27—
BY REPRESENTATIVE FARVE
A CONCURRENT RESOLUTION

To commend the Reserve Officers Training Corps color guard of George Washington Carver, Sr., High School, New Orleans, Louisiana, for its participation in the opening ceremonies of the 1999 Regular Session of the Louisiana Legislature.

HOUSE CONCURRENT RESOLUTION NO. 31—
BY REPRESENTATIVE WILKERSON
A CONCURRENT RESOLUTION

To commend and congratulate Everson Walls for his induction into the Louisiana Sports Hall of Fame due to his career as an outstanding football player for Grambling State University, the Dallas Cowboys, and the New York Giants.

HOUSE CONCURRENT RESOLUTION NO. 32—

BY REPRESENTATIVE WILKERSON

A CONCURRENT RESOLUTION

To commend Mr. Oatess Archey, a graduate of Grambling State University and sheriff of Grant County, Indiana, for becoming the first black elected sheriff in the state of Indiana.

HOUSE CONCURRENT RESOLUTION NO. 33—

BY REPRESENTATIVE HILL

A CONCURRENT RESOLUTION

To commend Ms. Amanda Langley of Kinder High School for being named as a recipient of the Prudential Spirit of Community Award in recognition of her volunteer service.

HOUSE CONCURRENT RESOLUTION NO. 34—

BY REPRESENTATIVE CURTIS

A CONCURRENT RESOLUTION

To express the condolences and heartfelt sorrow of the Legislature of Louisiana upon the death of James William Cleveland, Jr.

HOUSE CONCURRENT RESOLUTION NO. 35—

BY REPRESENTATIVE CURTIS

A CONCURRENT RESOLUTION

To express the condolences and heartfelt sorrow of the Legislature of Louisiana upon the death of Donald Lee Allen.

HOUSE CONCURRENT RESOLUTION NO. 41—

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

A CONCURRENT RESOLUTION

To commend and congratulate the Gulf States Marine Fisheries Commission on its 50th Anniversary for leadership in coordinating the efforts of the five gulf states in developing marine fisheries management and research activities.

HOUSE CONCURRENT RESOLUTION NO. 47—

BY REPRESENTATIVE HUDSON

A CONCURRENT RESOLUTION

To congratulate Dr. James A. Caillier upon his retirement from the position of president of the University of Louisiana System and to recognize and commend him for his many years of distinguished and dedicated service to the cause of educating Louisiana's citizens.

HOUSE CONCURRENT RESOLUTION NO. 48—

BY REPRESENTATIVE FLAVIN

A CONCURRENT RESOLUTION

To express sympathy and extend the heartfelt condolences of the Legislature of Louisiana to the family of Edwin Kelley upon his death.

HOUSE CONCURRENT RESOLUTION NO. 49—

BY REPRESENTATIVES DOWNER, ALARIO, ALEXANDER, ANSARDI, BARTON, BAUDOIN, BAYLOR, BOWLER, BRUCE, BRUNEAU, CARTER, CHAISSON, CLARKSON, COPELIN, CRANE, CURTIS, DAMICO, DANIEL, DEVILLE, DEWITT, DIEZ, DIMOS, DOERGE, DONELON, DUPRE, DURAND, FARVE, FAUCHEUX, FLAVIN, FONTENOT, FRITH, FRUGE, GAUTREAUX, GLOVER, GREEN, GUILLORY, HAMMETT, HEATON, HEBERT, HILL, HOLDEN, HOPKINS, HUDSON, HUNTER, ILES, JENKINS, JETSON, JOHNS, KENNARD, KENNEY, LANCASTER, LANDRIEU, LEBLANC, LONG, MARIONNEAUX, MARTINY, MCCAIN, MCCALLUM, MCDONALD, MCMAINS, MICHOT, MITCHELL, MONTGOMERY, MORRELL, MORRISH, MURRAY, ODINET, PERKINS, PIERRE, PINAC, POWELL, PRATT, QUEZAIRE, RIDDLE, ROMERO, SALTER, SCALISE, SCHNEIDER, SCHWEGMANN, SHAW, JACK SMITH, JOHN SMITH, STELLY, STRAIN, THERIOT, THOMPSON, THORNHILL, TOOMY, TRAVIS, TRICHE, VITTER, WADDELL, WALSWORTH, WARNER, WELCH, WESTON, WIGGINS, WILKERSON, WILLARD, WINDHORST, WINSTON, AND WRIGHT AND SENATORS EWING, BAJOE, BARHAM, BEAN, BOISSIERE, BRANCH, CAIN, CAMPBELL, CASANOVA, COX, CRAVINS, DARDENNE, DEAN, DYESS, ELLINGTON, C. FIELDS, W. FIELDS, GREENE, HAINKEL, HEITMEIER, HINES, HOLLIS, IRONS, JOHNSON, JONES, JORDAN, LAMBERT, LANDRY, LENTINI, MALONE, ROBICHAUX, ROMERO, SCHEDLER, SIRACUSA, SMITH, TARVER, THEUNISSEN, THOMAS, AND ULLO

A CONCURRENT RESOLUTION

To commend Dr. Allen Copping upon his retirement as President of the Louisiana State University System after fourteen years of unparalleled achievement in that office; to recognize and record his myriad accomplishments and contributions to the Louisiana State

University System, the communities involved with that system, and the state of Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 50—

BY REPRESENTATIVE JOHN SMITH

A CONCURRENT RESOLUTION

To commend and congratulate Hugh "Butch" Bateman on the occasion of his retirement from the Department of Wildlife and Fisheries after thirty-three years of service.

HOUSE CONCURRENT RESOLUTION NO. 51—

BY REPRESENTATIVE SALTER

A CONCURRENT RESOLUTION

To commend Logansport, Louisiana, and the Logansport Lions Club for their upcoming Christmas fundraiser and Christmas Pageant Tour.

HOUSE CONCURRENT RESOLUTION NO. 52—

BY REPRESENTATIVE DANIEL

A CONCURRENT RESOLUTION

To commend and congratulate Mr. Greg Grandy for being named 1998 Conservation Educator of the Year by the Louisiana Wildlife Federation at the Sixth Annual Louisiana Wildlife Federation Convention in Lafayette, Louisiana.

HOUSE CONCURRENT RESOLUTION NO. 53—

BY REPRESENTATIVE WILKERSON

A CONCURRENT RESOLUTION

To commend Mr. Leon Garr for his leadership and contributions to the states of Louisiana and California.

HOUSE CONCURRENT RESOLUTION NO. 54—

BY REPRESENTATIVE WILKERSON

A CONCURRENT RESOLUTION

To commend Russell Maryland, a member of the Oakland Raiders, for establishing the Russell Maryland Foundation, a nonprofit organization whose mission is to promote the desire to achieve and excel among inner-city boys and girls.

HOUSE CONCURRENT RESOLUTION NO. 60—

BY REPRESENTATIVE MCMAINS

A CONCURRENT RESOLUTION

To commend Mr. Edward G. Duffard, certified flight instructor, on his efforts to promote flight training and flight safety and to provide a first-class group of certified pilots for commercial, corporate, and general aviation.

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

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

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

Leaves of Absence

The following leaves of absence were asked for and granted:

Casanova 1 Day Tarver 1 Day
Dyess 1 Day

Adjournment

Senator Bean moved that the Senate adjourn until Thursday, April 1, 1999 at 9:00 o'clock A.M.

The President of the Senate declared the Senate adjourned until 9:00 o'clock A.M. on Thursday, April 1, 1999.

MICHAEL S. BAER, III

Secretary of the Senate
GAYE F. HAMILTON
Journal Clerk